



# City of Bethel

P.O. BOX 1388

Bethel, Alaska 99559

Phone: 907- 543-2047

Fax: 907-543-3781

**Regular City Council Meeting**

February 11, 2014

6:30 P.M.

Council Chambers; Bethel, Alaska





**City Council Meeting Agenda  
Regularly Scheduled Meeting  
February 11, 2014-6:30 pm  
City Hall 300 State Highway, Bethel, AK  
City of Bethel Council Chambers**

Joseph Klejka  
Mayor  
Term Expires 2014  
543-2984  
[jklejka@cityofbethel.net](mailto:jklejka@cityofbethel.net)

Rick Robb  
Vice Mayor  
Term Expires 2013  
543-1879  
[rrobb@cityofbethel.net](mailto:rrobb@cityofbethel.net)

Mark Springer  
Council Member  
Term Expires 2013  
545-1450  
[mspringer@cityofbethel.net](mailto:mspringer@cityofbethel.net)

Eric Whitney  
Council Member  
Term Expires 2014  
545-1309  
[ewhitney@cityofbethel.net](mailto:ewhitney@cityofbethel.net)

Sharon Sigmon  
Council Member  
Term Expires 2014  
543-3452  
[ssigmon@cityofbethel.net](mailto:ssigmon@cityofbethel.net)

Heather Pike  
Council Member  
Term Expires 2015  
444-7811  
[hpike@cityofbethel.net](mailto:hpike@cityofbethel.net)

Leif Albertson  
Council Member  
Term Expires 2015  
543-2819  
[labertson@cityofbethel.net](mailto:labertson@cityofbethel.net)

Lee Foley  
City Manager  
543-2047  
[lfoley@cityofbethel.net](mailto:lfoley@cityofbethel.net)

Lori Strickler  
City Clerk  
543-1384  
[lstrickler@cityofbethel.net](mailto:lstrickler@cityofbethel.net)

Patty Burley  
City Attorney

Paul Richards  
Lobbyist  
[pmrichards@qci.net](mailto:pmrichards@qci.net)

- I. CALL TO ORDER**
- II. PLEDGE OF ALLEGIANCE**
- III. ROLL CALL**
- IV. PEOPLE TO BE HEARD – Five minutes per person**
- V. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA**
- VI. APPROVAL OF MEETING MINUTES**
  - a) **P3** \*1-28-2014 Regular City Council Meeting
  - b) **P11** \*2-1-2014 Special City Council Meeting
- VII. REPORTS OF STANDING COMMITTEES**
  - a) Public Safety and Transportation Commission
  - b) Port Commission
  - c) Planning Commission
  - d) Parks and Recreation Committee
  - e) Finance Committee
  - f) Public Works Committee
  - g) Energy Committee
- VIII. SPECIAL ORDERS OF BUSINESS**
  - a) **P27** Proclamation Distinguished Service Award Recognizing Gene Peltola Sr. (Council Member Robb)
- IX. UNFINISHED BUSINESS**
  - a) **P33** Public Hearing Of Ordinance 14-04: Amending The Bethel Municipal Code Section 8.10 Smoking Pollution Control, Violations And Penalties (Council Member Sigmon)
  - b) **P37** Public Hearing Of Ordinance 14-05: Amending Bethel Municipal Code Section 6.04 Licensing And Impoundment, Penalties (Council Member Sigmon)
  - c) **P41** Public Hearing Of Ordinance 14-06: Amending Bethel Municipal Code Section 5.20 General Provisions, Penalties (Council Member Sigmon)
- X. NEW BUSINESS**
  - a) **P47** \*Introduction Of Ordinance 14-07: Repealing And Replacing Bethel Municipal Code Section 30.64.050 Employment of Relatives (City Manager Foley)

Agenda posted on February 5, 2014, at City Hall, AC Co., Swansons, and the Post Office.

Lori Strickler, City Clerk's Office

(Items on the agenda noted with an asterisk (\*) are considered the consent agenda.

All Resolutions noted with an asterisk (\*) will automatically be adopted on the consent agenda unless removed from the consent agenda by Council.

Ordinances introduced with an asterisk (\*) on the consent agenda will automatically be introduced and set for **Public Hearing February 25, 2014**)





**City Council Meeting Agenda  
Regularly Scheduled Meeting  
February 11, 2014-6:30 pm  
City Hall 300 State Highway, Bethel, AK  
City of Bethel Council Chambers**

- b) **P49** \*Introduction Of Budget Ordinance 13-12 (b): Amending The FY 2014 Budget Moving Funds From The Seawall Maintenance Account To The Port Operating Budget (City Manager Foley)
- c) **P57** AM 14-12: Directing Administration To Enter Into An Agreement With The State Of Alaska Community And Economic Development To Have A Rural Utility Business Advisor Assessment Performed For The City (Mayor Klejka)
- d) **P71** \*AM 14-13: Approving Mayor Klejka's Appointment Of Mary Weiss To The Energy Committee (Mayor Klejka)
- e) **P75** AM 14-14: Approving The Transfer By The Alaska Energy Authority Of The Alternative Energy Feasibility Study Grant And Bethel Wind Farm Grant To The Alaska Village Electric Cooperative (City Manager Foley)
- f) **P79** \*AM 14-15: Appointment Of Naim Sabani To The Public Safety And Transportation Commission (Mayor Klejka)
- g) **P83** AM 14-16: Directing The City Manager To Enter Into A Contract Between The City Of Bethel And DOWL HKM For Project Management For The Small Boat Harbor, Bank Stabilization Project (City Manager Foley)
- h) **P85** \*AM 14-17: City Clerk's Personal Time Off Request For February 14, 2014 (Mayor Klejka)
- i) **P87** AM 14-18: Directing The City Manager To Terminate The Memorandum Of Agreement Between The City Of Bethel And Sutton Business Solutions Dated 12/20/2013, Terminate The Undated Amendment Between The City Of Bethel And Sutton Business Solutions LLC, And Terminate Any Other Business Agreements Between The City Of Bethel And Mr. Bobby Sutton (Vice-Mayor Robb)
- j) **P89** \*AM 14-19: Administrative Leave Request For City Attorney To Attend Training May 1 and 2, 2014 (Council Member Sigmon)
- k) **P95** Presentation Of The Three Options To Connecting The State Highway To Ptarmigan (City Manager Foley)

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Lori Strickler, City Clerk's Office

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**City Council Meeting Agenda  
Regularly Scheduled Meeting  
February 11, 2014-6:30 pm  
City Hall 300 State Highway, Bethel, AK  
City of Bethel Council Chambers**

- i) Determination Of The Processes, Cost and Time Frame Of An Independent Auditor Or Investigator To Review City Contracts Personnel Policies And Budgets Associated With Each And Potential Direction To City Clerk And City Attorney To Hiring An Independent Auditor Or Investigator For Said Review (Council Member Sigmon)

**XI. MAYOR'S REPORT**

**XII. MANAGER'S REPORT**

**XIII. CLERK'S REPORT**

**XIV. COUNCIL MEMBER COMMENTS**

**XV. EXECUTIVE SESSION**

- a) Executive Session Per Alaska Statutes 44.62.310 C. 1. To Discuss (1) Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-Contracts And Personnel Management (Council Member Springer)
- b) Executive Session To Discuss The Annual Evaluation Of The City Manager As Per Alaska Statutes 44.62.310: Personnel Matters (Unless the Person Has Requested To Have The Subjects Discussed In Public) Or Subjects That Tend To Prejudice The Reputation And Character Of A Person (City Manager Foley)

**XVI. ADJOURNMENT**

Agenda posted on February 5, 2014, at City Hall, AC Co., Swansons, and the Post Office.

Lori Strickler, City Clerk's Office

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*Bethel City Council*

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# **Approval of the Minutes**



**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on January 28, 2014 at 6:30pm, in the council chambers, Bethel, Alaska.

Vice-Mayor Robb called the meeting to order at 6:30 pm.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Comprising a quorum of the Council, the following members were present:  
Council Member Rick Robb, Council Member Eric Whitney, Council Member Sharon Sigmon, Council Member Leif Albertson (participated telephonically), Council Member Heather Pike

Members Absent were:

Council Member Joseph Klejka, Council Member Mark Springer

Also in attendance were the following:

City Clerk Lori Strickler, Acting City Manager/Police Chief Larry Elarton, City Attorney Patty Burley

**IV. PEOPLE TO BE HEARD**

No one present to be heard.

**V. APPROVAL OF THE CONSENT AND REGULAR AGENDA**

**Main Motion:** To approve the Consent and Regular Agenda.

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Moved by:	Sigmon
Seconded by:	Whitney
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

**Removal from Consent Agenda** | Remove Ordinance 14-04, 14-05, 14-06 and 13-12 (b) from the consent agenda.

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Moved by: | Robb

**Amendment 1:** | Remove from the agenda Executive Session Item b.

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Moved by: | Pike  
Seconded by: | Whitney  
Action: | Motion carried unanimously by a vote of 5-0  
In favor: | Robb, Whitney, Sigmon, Albertson and Pike  
Opposed: | None

## VI. APPROVAL OF THE MEETING MINUTES

**Item A-** January 14, 2014 City Council Regular Meeting Minutes.  
*Passed on the Consent Agenda.*

## VII. REPORTS OF STANDING COMMITTEES

**Item A-** Port Commission –  
Port Director, Pete Williams-  
Small Boat Harbor update -the planks will be in place by February 15<sup>th</sup>.  
The Port Commission has a few recommendations for the Council's consideration at their next meeting.

**Item B-** Planning Commission –  
Planning Director, Rachael Pitts –  
A meeting was not held due to a lack of a quorum

**Item C-**Public Safety and Transportation Commission-  
Council Representative Sharon Sigmon-  
A meeting has not been held since the last City Council Meeting. Next meeting will be February 4, 2014.

**Item D-**Energy Committee –  
Council Representative, Rick Robb-  
The Committee currently does not have enough people to hold a meeting.

**Item E-**Public Works Committee-  
No one available to provide a report.

**Item F-** Finance Committee-  
Finance Director, Hansel Mathlaw –  
Nomination for Chair, Carol Ann Willard and Vice-Chair, Mike Shantz.  
PILT program discussion was postponed until the next meeting.

Discussion of the possible extension for the expiration time frame of the senior citizen tax exemption cards.

**Item G-**Parks and Recreations Committee-  
Council Representative, Eric Whitney-

### VIII. SPECIAL ORDER OF BUSINESS

**Item A-** Proclamation Recognizing The Bethel Warrior Wrestling Team For Their Outstanding Performance During the 2013 Season.

### IX. UNFINISHED BUSINESS

**Item A – Introduction Of Ordinance 14-04:** Amending The Bethel Municipal Code Section 8.10 Smoking Pollution Control, Violations And Penalties.

<b>Main Motion:</b>	A motion to Introduce was made at the January 14, Regular City Council Meeting.
Moved by:	Springer
Seconded by:	Sigmon
Action:	Motion does not carry by a vote of 2-3
In favor:	Sigmon, Whitney
Opposed:	Albertson, Pike and Robb
<b>Incidental Motion:</b>	Suspend the rules to hear from the City Planner.
Moved by:	Pike
Seconded by:	Whitney
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None
<b>Subsidiary Motion:</b>	Postpone this until a notice has been provided to the land owners that a public hearing will be completed by the Council at the February 25, Council Meeting.
Moved by:	Sigmon
Seconded by:	Pike
Action:	Motion does not carry by a vote of 2-3
In favor:	Sigmon, Pike
Opposed:	Robb, Whitney and Albertson
<b>Subsidiary Motion:</b>	Refer back to the Planning Commission to review it as a standard zoning issue, not an overlay.
Moved by:	Whitney

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Seconded by:	Pike
Action:	Motion does not carry by a vote of 2-3
In favor:	Robb, and Albertson
Opposed:	Whitney, Sigmon and Pike

**Subsidiary**

**Motion:** Postpone until the February 25, Regular City Council Meeting.

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Moved by:	Pike
Seconded by:	
Action:	Does not carry due to a lack of a second.
In favor:	
Opposed:	

**Item B-** Introduction Of Ordinance 14-03: Amending The Official City Land Use Code Dated July 10, 1990 Pursuant To Section 18.76 Of The Bethel Municipal Code – Zoning Tsikoyuk (Larson) Subdivision Residential Planned Unit Development.

**Main Motion:** Introduce Ordinance 14-03.

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Moved by:	Whitney
Seconded by:	Sigmon
Action:	Motion does not carry by a vote of 2-3
In favor:	Whitney, Sigmon
Opposed:	Albertson, Pike and Robb

**Item C-** Directing Administration To Draft A Lease Between The City Of Bethel And The State Of Alaska Department Of Transportation For The Use Of The City Owned Sand Pit.

**X. NEW BUSINESS**

**Item A-** Introduction Of Ordinance 14-04: Amending The Bethel Municipal Code Section 8.10 Smoking Pollution Control, Violations And Penalties.

**Main Motion:** Introduce Ordinance 14-04.

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Moved by:	Sigmon
Seconded by:	Whitney
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

**Item B-** Introduction Of Ordinance 14-05: Amending Bethel Municipal Code Section 6.04 Licensing And Impoundment, Penalties.

**Main Motion:** Introduce Ordinance 14-05.

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Moved by: Sigmon  
Seconded by: Whitney  
Action: Motion carried unanimously by a vote of 5-0  
In favor: Robb, Whitney, Sigmon, Albertson and Pike  
Opposed: None

**Item C- Introduction Of Ordinance 14-06: Amending Bethel Municipal Code Section 5.20 General Provisions, Penalties.**

**Main Motion:** Introduce Ordinance 14-05.

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Moved by: Sigmon  
Seconded by: Whitney  
Action: Motion carried unanimously by a vote of 5-0  
In favor: Robb, Whitney, Sigmon, Albertson and Pike  
Opposed: None

**Item D- Introduction Of Budget Ordinance 13-12 (b): Amending The Fiscal Year 2014 Budget.**

**Main Motion:** Introduce Ordinance 14-05.

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Moved by: Whitney  
Seconded by: Pike  
Action: Motion does not carry by a vote of 1-4  
In favor: Whitney  
Opposed: Robb, Sigmon, Albertson and Pike

**Subsidiary**

**Motion:** To hear from Hansel Mathlaw, Finance Director.

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Moved by: Whitney  
Seconded by: Pike  
Action: Motion carried unanimously by a vote of 5-0  
In favor: Robb, Whitney, Sigmon, Albertson and Pike  
Opposed: None

**Item E- AM 14-09 Appointment Of Clarence Daniel To The Parks And Recreation Committee.**

*Passed on the consent agenda.*

**Item F- AM 14-10: Directing The City Manager To Enter Into A Contract Between The City Of Bethel And DOWL HKM For Project Management For The Small Boat Harbor, Bank Stabilization Project.**

**Main Motion:** Approve AM 14-10.

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Moved by: Whitney

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Seconded by:	
Action:	Motion does not carry due to a lack of a second.
In favor:	
Opposed:	

**Item G- AM 14-11: Directing The City Manager To Enter Into A Contract Between The City Of Bethel And CH2M HILL For An Institutional Corridor Study.**

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**Main Motion:** Approve AM 14-11.

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Moved by:	Whitney
Seconded by:	Sigmon
Action:	Motion does not carry by a vote of 3-1
In favor:	Robb, Whitney and Sigmon
Opposed:	Pike

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**Amendment 1:** Amend the Amount of fiscal impact to strike \$7,000,000 and insert \$53,000.

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Moved by:	Sigmon
Seconded by:	Whitney
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

*Council Member Albertson disconnected from the meeting briefly between Amendment #1 and the vote on the main motion.*

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**Motion:** Reconsider the vote on the motion to approve AM 14-11.

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Moved by:	Pike
Seconded by:	Whitney
Action:	Motion carried by a vote of 4-1
In favor:	Robb, Whitney, Sigmon and Albertson
Opposed:	Pike

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**Reconsideration of Main Motion:** Approve AM 14-11.

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Moved by:	Whitney
Seconded by:	Sigmon
Action:	Motion carried by a vote of 4-1
In favor:	Robb, Whitney, Sigmon and Albertson
Opposed:	Pike

## **XII. MAYOR'S REPORT**

## **XIII. MANAGERS REPORT**

**XIV. CITY CLERK’S REPORT**

**XV. COUNCIL MEMBER COMMENTS**

Vice-Mayor Robb-

Congratulated Council Member Pike for the birth of her son.

Provided condolences to the Klejka Family for their loss.

Thanked those volunteering for the Bethel Winter House, The Catholic Church and all of their hard work.

Tonight is the official night for the Point in Time Survey for homeless people in the community.

Council Member Sigmon-

Enjoying the weather, please be careful on the ice.

Council Member Whitney-

It been an interesting winter, be careful.

Council Member Albertson-

No comments.

Council Member Pike-

Announce the birth of her second son, Delray Henry Flores. She praised the YKHC OB staff for all of their hard work.

Thanked the volunteers for the Bethel Winter Shelter.

**XVI. EXECUTIVE SESSION**

**Item A-** Executive Session Per Alaska Statutes 44.62.310 C. 1. To Discuss (1) Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-Contracts And Personnel Management.

Move into Executive Session to discuss:  
Per Alaska Statutes 44.62.310 C. 1. To Discuss (1) Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-Contracts And Personnel Management. Individuals participating in this discussion will be City Attorney Burley and City Clerk Strickler.

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<b>Main Motion:</b>	
Moved by:	Pike
Seconded by:	Sigmon
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Robb, Whitney, Sigmon, Albertson and Pike

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Opposed: | None

*Council exited executive session at 9:30p.*

## **XVII. ADJOURNMENT**

Direct the City Clerk and City Attorney to inquire about and the process, the cost and a time frame for hiring an independent auditor or investigator to review city contracts, personnel policies and budgets associated with each.

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**Main Motion:**

Moved by:	Sigmon
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

Hold a special meeting on Saturday, February 1, 2014 at 10:30a to discuss the results of the direction made to the City Clerk and City Attorney.

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**Main Motion:**

Moved by:	Sigmon
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

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**Main Motion:** Adjournment

Moved by:	Sigmon
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 5-0
In favor:	Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

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Richard Robb, Vice-Mayor

ATTEST:

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Lori Strickler, City Clerk

**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on February 1, 2014 at 6:30pm, in the council chambers, Bethel, Alaska.

Vice-Mayor Robb called the meeting to order at 10:30 am.

**II. PLEDGE OF ALLEGIANCE**

**III. ROLL CALL**

Comprising a quorum of the Council, the following members were present:  
Council Member Mark Springer, Council Member Rick Robb, Council Member Eric Whitney, Council Member Sharon Sigmon, Council Member Leif Albertson,  
Council Member Heather Pike

Members Absent were:  
Council Member Joseph Klejka

Also in attendance were the following:  
City Clerk Lori Strickler, City Manager Lee Foley, City Attorney Patty Burley

**IV. PEOPLE TO BE HEARD**

*No one wished to be heard.*

**V. APPROVAL OF THE CONSENT AND REGULAR AGENDA**

**Main Motion:** To approve the Agenda.

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Moved by:	Pike
Seconded by:	Sigmon
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

**VI. NEW BUSINESS**

**Item A – Determination Of The Processes, Cost and Time Frame Of An Independent Auditor Or Investigator To Review City Contracts Personnel Policies And Budgets Associated With Each And Potential Direction To City Clerk And City Attorney To Hiring An Independent Auditor Or Investigator For Said Review.**

**XII. EXECUTIVE SESSION**

**Item A-** Executive Session Per Alaska Statutes 44.62.310 C. 1. To Discuss (1) Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-Contracts And Personnel Management.

Move into Executive Session to discuss:

Alaska Statutes 44.62.310 (c) (1): Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity-City Of Bethel, Collective Bargaining Agreement And Discussion Of Negotiation Actions. Individuals participating in this discussion will be City

<b>Main Motion:</b>	Attorney Burley and City Manager Foley and City Clerk Strickler.
Moved by:	Pike
Seconded by:	Sigmon
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

*Council exited Executive Session at 1:34p.*

**XIII. ADJOURNMENT**

<b>Main Motion:</b>	To adjourn
Moved by:	Whitney
Seconded by:	Pike
Action:	Motion carried unanimously by a vote of 6-0
In favor:	Springer, Robb, Whitney, Sigmon, Albertson and Pike
Opposed:	None

\_\_\_\_\_  
Richard Robb, Vice-Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

# **Reports of Standing Committees**



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**DRAFT**  
**City of Bethel, Alaska**  
**Parks and Recreation Committee Minutes**

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January 6, 2014

Regular Meeting

Bethel, Alaska

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**I. CALL TO ORDER**

The meeting was called to order by Barbara Mosier at 6:07 pm.

**II. ROLL CALL**

Comprising a quorum of the Committee, the following were present:

Barbara Mosier, Susan Taylor, Eric Whitney, Amanda Colvin

Excused absence(s):

Unexcused absence(s): Minnie Sallison Fritts,

Also in attendance were the following:

Ronda Sargent, Parks and Recreation Director

Richard Ramos, Committee Recorder

Margaret Revet

**III. PEOPLE TO BE HEARD**

**IV. APPROVAL OF MINUTES**

MOVED BY:	S. Taylor	To approve the minutes of the regular meeting of December 2,2013
SECONDED BY:	A. Colvin	
VOTE ON MOTION	Unanimously approved	
MOVED BY:	E. Whitney	To add Wileina Rhodes From YKHC Healthy Transformations in People to be Heard
SECONDED BY:	S. Taylor	
VOTE ON MOTION	Unanimously approved	

**V. APPROVAL OF AGENDA**

MOVED BY:	S. Taylor	To approve the agenda.
SECONDED BY:	A. Colvin	
VOTE ON MOTION	Unanimously approved	

**VI. DEPARTMENT HEAD REPORT**

**IX. UNFINISHED BUSINESS**

**X. NEW BUSINESS**

MOVED BY:	S. Taylor	To approve Tobacco Free Park Recommendation and Resolution
SECONDED BY:	A. Colvin	
VOTE ON MOTION	Unanimously approved	
MOVED BY:	S. Taylor	To have a Pool Tour at 10:00am January 11, 2014 for the committee closed to public
SECONDED BY:	A. Colvin	
VOTE ON MOTION	Unanimously approved	

MOVED BY:	E. Whitney	To amend Resolution in the "First Now Therefore, Be it Further Resolved That" paragraph Striking "new", replacing with "future" and also striking "created after today". It will read "Tundra Ridge Park, and any future parks".
SECONDED BY:	S. Taylor	
VOTE ON MOTION		Unanimously approved

## XI. MEMBER COMMENTS

**Amanda Colvin-** BCSF want know when the grand opening is for Tundra Ridge Park so they can be there.

**Susan Taylor-** If we want new Certificates for Thrift Store Shop for door prizes

**Barbara Mosier-** Glad to be part of P&R and have scoped out new people for the committee and activities

**Eric Whitney-** Thank you!!

## XII. ADJOURNMENT

MOVED BY:	M. Revet	To adjourn the meeting at 6:38 pm
SECONDED BY:	S. Taylor	
VOTE ON MOTION		Unanimously approved

With no further business before the Committee, the meeting adjourned at 6:38 p.m.

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2014.

\_\_\_\_\_  
Barbara Mosier, Chair

\_\_\_\_\_  
Richard Ramos, Committee Recorder



# City of Bethel, Alaska

## Parks & Recreation Committee Agenda

Regular Meeting

February 3, 2014 – 6:00p.m.

Bethel 4-H Youth Center

Barbara Mosier  
Committee Chair  
Term Expires 12/2016

Clarence Daniel  
Committee Member  
Term Expires 12/2017

Margaret Revet  
Committee Member  
Term Expires 12/2017

Eric Whitney  
Council Rep 10/2014

Minnie Sallison Fritts  
Committee Member  
Term Expires 12/2017

Susan Taylor  
Committee Member  
Term Expires 12/2015

Amanda Colvin  
Committee Member  
Term Expires 12/2014

**OPEN POSITION**  
Alternate Committee Member  
3 Year Term

Ronda Sargent  
Director  
543-7711

Richard Ramos  
Committee Recorder  
543-2088

Rachael Pitts  
City Planner  
545-0114

John Sargent  
Grant Development Manager  
543-1386

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PEOPLE TO BE HEARD – THREE MINUTES PER PERSON**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF MINUTES**
  - A. January 6, 2013
- VI. DEPARTMENT HEAD REPORT**
- VII. UNFINISHED BUSINESS**
- VIII. NEW BUSINESS**
  - A. 4<sup>th</sup> of July
  - B. Recommendation for Plat for adding acreage to Pinky's Park
  - C. Planning Mother Tea Event
- IX. MEMBER COMMENTS**
- X. ADJOURNMENT**





# City of Bethel

## Port Commission Meeting Agenda

Regularly Scheduled Meeting  
January 21, 2014 - 7 pm (Tuesday due to M.L.K Day)  
City Council Chambers, City Hall, Bethel, AK

### **Commissioners**

Alan Murphy  
Chair  
Term Expires 2011  
(907)543-2805

Greg Roczicka  
Vice-Chair  
Term Expires 2013  
(907)543-2903  
[groczicka@hotmail.com](mailto:groczicka@hotmail.com)

Mark Springer  
Council Rep.  
Term Expires 2013  
(907)543-1297  
[mspringer@cityofbethel.net](mailto:mspringer@cityofbethel.net)

Richard Pope  
Port Commissioner  
Term Expires 2013  
(907)543-1900  
[bethelalaskapc@gci.net](mailto:bethelalaskapc@gci.net)

John Dickens  
Port Commissioner  
Term Expires  
(907)529-7756

Pat Jennings  
Port Commissioner  
Term Expires  
(907)543-3838  
[Jenningsfive@gmail.com](mailto:Jenningsfive@gmail.com)

### **Ex-Officio**

Peter A. Williams,  
Port Director  
(907)545-4150  
[pwilliams@cityofbethel.net](mailto:pwilliams@cityofbethel.net)

Edward Flores  
Port Admin  
(907)543-2310  
[eflores@cityofbethel.net](mailto:eflores@cityofbethel.net)

- i. CALL TO ORDER
- ii. ROLL CALL
- iii. PEOPLE TO BE HEARD
- iv. APPROVAL OF AGENDA
- v. APPROVAL OF MINUTES FROM THE REGULAR MEETINGS
- vi. DEPARTMENT HEAD COMMENTS
- vii. UNFINISHED BUSINESS
  - Small Boat Harbor
  - Terminal Tariff # 004
  - FY 14 & 15 Budget
  - Port Office /City Dock
- viii. NEW BUSINESS
  - East Timber Wall/City Dock
- ix.
- x. COMMISSION MEMBER'S COMMENTS
- xi. ADJOURNMENT





# City of Bethel

## Finance Committee Agenda

Monday, January 27, 2013 – 6:30 p.m.

Council Chambers, Bethel, Alaska

Carol Ann Willard  
Finance Committee Chair

Clark Davis  
Finance Committee Vice Chair

Leif Albertson  
City Council Representative

Milanna Shear  
Finance Committee Member

Dave Trantham, Jr.  
Finance Committee Member

Mike Shantz  
Finance Committee Member

Vacant  
Finance Committee Member

Hansel Mathlaw  
543-1376  
[hmathlaw@cityofbethel.net](mailto:hmathlaw@cityofbethel.net)

Tonya Hendrix  
Assistant Finance Director  
543-1375  
[thendrix@cityofbethel.net](mailto:thendrix@cityofbethel.net)

Carole Jung  
Recorder  
543-1383  
[cjung@cityofbethel.net](mailto:cjung@cityofbethel.net)

### **I. CALL TO ORDER**

### **II. ROLL CALL**

### **III. PEOPLE TO BE HEARD** – Five minutes per person

### **IV. APPROVAL OF AGENDA**

### **V. APPROVAL OF MINUTES OF December 30, 2013**

### **VI. NEW BUSINESS**

#### **A. Nominations for Chair**

#### **B. PILT – Finance Director**

#### **C. Discussion of Possible Extension of Expiration for Senior ID Cards- Shantz**

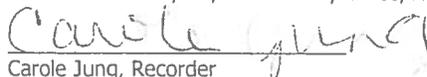
### **VII. COUNCIL MEMBER COMMENTS**

### **VIII. FINANCE DIRECTOR'S COMMENTS**

### **IX. FINANCE COMMITTEE MEMBER COMMENTS**

### **X. ADJOURNMENT**

Posted on January 23, 2013 at City Office, AC Co., Swanson's & Post Office

  
Carole Jung, Recorder





# City of Bethel Police Dept.

PO Box 809  
Bethel, AK 99559  
Office | 543-3781 Fax | 543-5086

**PUBLIC NOTICE**  
**REGULAR MEETING OF THE**  
**PUBLIC SAFETY & TRANSPORTATION COMMISSION**  
**Tuesday, February 4, 2014 -7:00 p.m.**  
**157 SALMONBERRY RD— BETHEL POLICE DEPARTMENT**  
**AGENDA**

**Members**

Vacant,  
*Chair*

Johnny Furlong  
*Vice Chair*

Sharon Sigmon  
*Council Representative*

Pat Jennings

Joe Yoon

Joan Dewey

Jennifer Dobson

**Ex-Officio Members**

Larry Elarton  
*Chief of Police*

George Young  
*Fire Chief*

KaJena Baty  
*Recorder*

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES FROM THE REGULAR MEETINGS OF  
October 1st, November 5th, December 3rd, 2013, and January 7, 2014
- VI. CHIEFS' COMMENTS  
Fire Chief  
Police Chief
- VII. TRANSPORTATION INSPECTOR'S REPORT
- VIII. COUNCIL REPRESENTATIVE'S COMMENTS
- IX. SPECIAL ITEM OF BUSINESS  
A. Consideration of the Resignation of Joe Yoon  
B. Annual Election of Chair and Vice Chair.
- X. UNFINISHED BUSINESS  
A. Ordinance 13-16 Amendment for BMC 5.40.  
B. Chapter 9 Minor Offenses.
- XI. NEW BUSINESS  
A. 05.20.120 Penalties for Cab Violations.  
B. Chapter 6.04 Animal Control.  
C. Chapter 8.10 Smoking.
- XII. COMMISSION MEMBER'S COMMENTS
- XIII. ADJOURNMENT

  
KaJena Baty, Recorder

POSTED on January 29, 2014.  
POST OFFICE, AC, SWANSONS, CITY HALL, & POLICE DEPT.

*Next Public Safety and Transportation Commission Meeting will be March 4th, 2014.*

*"Deep Sea Port and Transportation Center of the Kuskokwim"*



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*Bethel City Council*

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# **Special Order of Business**





## *City of Bethel Proclamation*

### *A Proclamation By The Bethel City Council Recognizing Gene Pelotla Sr. For His Distinguished Service To The Community Of Bethel And The Yukon Kuskokwim Region*

- WHEREAS, Gene Peltola Sr. has demonstrated energy and leadership, not only of the Yukon Kuskokwim Health Corporation (YKHC), the organization he led as President/Chief Executive Officer for 24 years, but to the community of Bethel, the Yukon-Kuskokwim Region and the state of Alaska;
- WHEREAS, for his exemplary service, Gene Peltola Sr. is hereby recognized and commended for the strength and determination he showed while enriching the lives of the people he served;
- WHEREAS, Gene Peltola took the reins of YKHC in 1990; within 18 months, he transformed the organization and positioned it to assume management and operations of the Yukon-Kuskokwim Delta Regional Hospital from the Indian Health Services; this marked a significant milestone in self-determination for the 58 federally recognized Tribes in the region;
- WHEREAS, under his leadership as President/Chief Executive Officer, Gene guided the growth of YKHC from a staff of 250 to an organization with more than 1,300 employees and an \$80 million payroll; today YKHC is a thriving health care and preventative health delivery system that includes the Yukon-Kuskokwim Delta Regional Hospital, 42 community clinics, 5 subregional clinics, dental services, mental health services, substance abuse counseling and treatment, long-term care, health promotion and disease prevention programs, and environmental health services; YKHC employs professionals throughout the region who make it possible for residents to receive first class comprehensive health services close to home;
- WHEREAS, over his distinguished career, Gene Peltola has made many landmark contributions to improve the quality of life for those living in the Yukon-Kuskokwim Delta; he has been a forceful advocate for numerous medical technologies and advances which have greatly benefited the region;

WHEREAS, Gene Pelota Sr. was a driving force behind the expansion of T-1 communication lines, from a repeat satellite to the establishment of the microwave tower telecommunication system to fiber-optic broadband services; this expansion allowed for the rapid delivery of a variety of specialty and behavioral health services by remotely accessing specialists from around the nation, and provided a foundation for the organization's transition to electronic health records; these services drastically improved the quality and continuity of care offered at YKHC and enabled broadband services for the first time to residential and commercial customers throughout the region;

WHEREAS, in 1997 facing the possibility of losing medivac services to the region, Gene purchased Aeromed International known today as Lifemed Alaska, to secure state-of-the-art prehospital care to the critically ill and injured residents of the Yukon-Kuskokwim Delta; this move proved not only to provide top quality care for the region, but did so in a long term financially sustainable manner; in 2013, they provided over \$42 million in aeromedical services including providing \$4 million worth of medivacs for the Yukon-Kuskokwim Delta at no cost;

WHEREAS, Gene Peltola Sr. served with distinction on many local, state and regional boards including the LifeMed Alaska, Nuvista, LLC, Yuut Elitnaurviat, and Wells Fargo; he served on the Bethel City Council from October 1968 until October 1969, and again July 1975 until October 1977, serving as the Mayor of the City of Bethel from August 1976 until October 1977; aside from his contributions in City government as a council member, Gene was instrumental in the creation of many joint projects with the City and other organizations with the community;

WHEREAS, as President of the Board of Directors of Yuut Elitnaurviat, Gene Peltola's leadership efforts helped to create a 501c(3) Corporation dedicated to providing training and education opportunities for the people of the Yukon-Kuskokwim Delta Region; Yuut offers culturally relevant and regionally responsive training programs, in response to the suffering regional economy and high unemployment rate by building programs that combine intensive academics and on-the-job training; programs offered at Yuut including Certified Nurse's Aides, Dental Health Aide Therapist, and other adult basic education programs;

WHEREAS, another community partnership project which received strong support from Gene and which he serves as president is Kuimarvik, A Place to Swim; the group focused on the establishment of a swimming pool so that people of this region could learn how to swim as well as recreate for the betterment of life, health and safety; this group played a large role in securing State grants for funding for facility, which is now under construction and expected to open in October of this year;

WHEREAS, Gene Peltola displayed good citizenship, which requires an understanding and a respect of the history and workings of our community, the ability to look at society and determine what is fair and just, and an understanding of how a community is required to work together to support each other for the betterment of the people we

serve; his efforts have significantly improved quality of life for those living in Bethel, the Yukon-Kuskokwim Region and around the State; the Bethel City Council applauds Gene Peltola Sr.'s dedication to health care and the people he serves;

THEREFORE, the City of Bethel, City Council, does hereby recognize Gene Peltola Sr. for his Distinguished Service to the community of Bethel and the Yukon Kuskokwim Region.

Signed this 11th day in February, 2014

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Joseph A. Klejka, Mayor

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Lori Strickler, City Clerk



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*Bethel City Council*

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# **Unfinished Business**



Introduced by: Council Member Sigmon  
Date: January 28, 2014  
Public Hearing: February 11, 2014  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #14-04**

#### **AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE SECTION 8.10 SMOKING POLLUTION CONTROL, VIOLATIONS AND PENALTIES**

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that the Bethel Municipal Code shall be amended and revised as follows:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Amending BMC Title 8.10.110** The Bethel Municipal Code is amended as follows (new language is underlined and ~~old language is stricken out~~):

#### **8.10.110 Violations and Penalties.**

A. It is unlawful for any person who owns, manages, operates or otherwise controls the use of any premises subject to regulation under this chapter to fail to comply with any of its provisions.

B. It is unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this chapter.

C. Any person who violates any provision of this chapter shall be guilty of an infraction and may be issued a citation. The penalty for these infractions is: punishable by:

1. A fine ~~not exceeding~~ of fifty dollars (\$50) for a first (1st) violation.
2. A fine ~~not exceeding~~ of one hundred dollars (\$100) for a second (2nd) violation of this chapter within one (1) year.
3. A Fine ~~not exceeding~~ of three hundred dollars (\$300) for each subsequent violation of this chapter within one (1) year.

~~D. Notwithstanding any other provision of this chapter, the city or a private citizen may bring a civil action to enforce this chapter and may recover a civil penalty not exceeding three hundred dollars (\$300) for each violation. Each day upon which a continuing violation occurs is a separate violation. Upon the request of the party bringing the~~  
City of Bethel, Alaska

Ordinance #14-04

Introduced by: Council Member Sigmon  
Date: January 28, 2014  
Public Hearing: February 11, 2014  
Action:  
Vote:

~~action and proof by a preponderance of the evidence that a violation of this chapter has occurred, is occurring or is threatened to occur, the court shall issue an injunction against the violation or threatened violation. In accordance with AS 29.25.070(a) citations for these offenses may be disposed of as provided in AS 12.25.195-.230 without a court appearance upon payment of the fine amounts plus the state surcharge required by AS 12.55.039 and AS 29.25.074. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed above.~~

**SECTION 5. Effective Date.** This section shall become effective January 31, 2014.

**ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_ 2014, BY A VOTE OF \_\_\_\_ IN FAVOR AND \_\_\_\_ OPPOSED.**

\_\_\_\_\_  
Joseph A. Klejka, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

## City Attorney Explanations for Modifications for Ordinance 14-04.

### AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING SECTION 8.10 SMOKING POLLUTION CONTROL (Violation and Penalties)

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that the Bethel Municipal Code shall be amended and revised as follows:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Amending BMC Title 8.10.110** The Bethel Municipal Code is amended as follows (new language is underlined and ~~old language is stricken out~~):

8.10.110 Violations and Penalties.

A. It is unlawful for any person who owns, manages, operates or otherwise controls the use of any premises subject to regulation under this chapter to fail to comply with any of its provisions.

B. It is unlawful for any person to smoke in any area where smoking is prohibited by the provisions of this chapter.

C. Any person who violates any provision of this chapter shall be guilty of an infraction and may be issued a citation. ~~The penalty for these infractions is: punishable by:~~

1. A fine ~~not exceeding~~ of fifty dollars (\$50) for a first (1st) violation.

2. A fine ~~not exceeding~~ of one hundred dollars (\$100) for a second (2nd) violation of this chapter within one (1) year.

3. ~~A~~ A fine ~~not exceeding~~ of three hundred dollars (\$300) for each subsequent violation of this chapter within one (1) year.

~~D. Notwithstanding any other provision of this chapter, the city or a private citizen may bring a civil action to enforce this chapter and may recover a civil penalty not exceeding three hundred dollars (\$300) for each violation. Each day upon which a continuing violation occurs is a separate violation. Upon the request of the party bringing the action and proof by a preponderance of the evidence that a violation of this chapter has occurred, is occurring or is threatened to occur, the court shall issue an injunction against the violation or threatened violation. In accordance with AS 29.25.070(a) citations for these offenses may be disposed of as provided in AS 12.25.195-.230 without a court appearance upon payment of the fine amounts plus the state surcharge required by AS 12.55.039 and AS 29.25.074. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed above.~~

**Comment [p1]:** Not exceeding makes it a mandatory court appearance and leaves the discretion as to how much to fine up to the Judge or Magistrate rather than the City. Giving a flat amount makes it an optional court appearance (a person can just pay and not have to go to court).

**Comment [p2]:** This statutes grants municipalities the right to establish fines not to exceed \$1000 for violation of ordinances

**SECTION 5. Effective Date.** This section shall become effective January 31, 2014.

**ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2014, BY A VOTE OF \_\_\_\_ IN FAVOR AND  
\_\_\_\_ OPPOSED.**

\_\_\_\_\_  
Joseph A. Klejka , Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

Introduced by: Council Member Sigmon  
Date: January 28, 2014  
Public Hearing: February 11, 2014  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #14-05**

#### **AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE SECTION 6.04 LICENSING AND IMPOUNDMENT, PENALTIES**

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that the Bethel Municipal Code shall be amended and revised as follows:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Amending BMC Title 6.04.090** The Bethel Municipal Code is amended as follows (new language is underlined and ~~old language is stricken out~~):

6.04.090 Penalties.

A. A person who fails to comply with any portion of this chapter ~~the provisions of this chapter may be issued a citation for ordinance violation by the animal control officer. is guilty of an infraction and may be issued a citation.~~ The citation shall impose a penalty of fifty dollars (\$50) for the first (1st) violation, one hundred dollars (\$100) for the second (2nd) violation, and two hundred dollars (\$200) for each succeeding violation within ninety (90) days. The penalty for these infractions is:

(1) A fine of fifty (\$50) dollars for the first (1<sup>st</sup>) violation;

(2) A fine of One Hundred (\$100) dollars for the second (2<sup>nd</sup>) violation; or

(3) A fine of Two Hundred (\$200) Dollars for a third (3<sup>rd</sup>) or subsequent violation

B. In accordance with AS 29.25.070(a) citations for these offenses may be disposed of as provided in AS 12.25.195-.230 without a court appearance upon payment of the fine amounts plus the state surcharge required by AS 12.55.039 and AS 29.25.074. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed above.

Introduced by: Council Member Sigmon  
Date: January 28, 2014  
Public Hearing: February 11, 2014  
Action:  
Vote:

B C. Each working day that an animal is kept in violation of a citation issued under this chapter shall constitute a separate violation.

ED. The city may seek injunctive relief to enforce compliance with this chapter.

DE. It is a violation of this chapter for any person or persons to open a vehicle being used to transport dogs or other animals to the city dog pound or the doors of the city dog pound with the intent of allowing impounded dogs or other animals to escape. Such person or persons upon conviction shall be ~~subject to the penalty established in Chapter 1.08 BMC~~ guilty of an infraction and may be issued a citation. The penalty for a violation of this section is a fine of no more than Five Hundred (\$500) dollars and may be disposed of as per paragraph B above.

**SECTION 5. Effective Date.** This section shall become effective January 31, 2014.

**ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_ 2014, BY A VOTE OF \_\_\_\_ IN FAVOR AND \_\_\_\_ OPPOSED.**

\_\_\_\_\_  
Joseph A. Klejka, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

## City Attorney Explanations for Modifications for Ordinance 14-05.

### AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE SECTION 6.04 LICENSING AND IMPOUNDMENT, PENALTIES

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that the Bethel Municipal Code shall be amended and revised as follows:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Amending BMC Title 6.04.090** The Bethel Municipal Code is amended as follows (new language is underlined and ~~old language is stricken out~~):

6.04.090 Penalties.

A. A person who fails to comply with any portion of this chapter ~~the provisions of this chapter may be issued a citation for ordinance violation by the animal control officer. is guilty of an infraction and may be issued a citation.~~ The citation shall impose a penalty of fifty dollars (\$50) for the first (1st) violation, one hundred dollars (\$100) for the second (2nd) violation, and two hundred dollars (\$200) for each succeeding violation within ninety (90) days. The penalty for these infractions is:

(1) A fine of fifty (\$50) dollars for the first (1<sup>st</sup>) violation;

(2) A fine of One Hundred (\$100) dollars for the second (2<sup>nd</sup>) violation; or

(3) A fine of Two Hundred (\$200) Dollars for a third (3<sup>rd</sup>) or subsequent violation

B. In accordance with AS 29.25.070(a) citations for these offenses may be disposed of as provided in AS 12.25.195-.230 without a court appearance upon payment of the fine amounts plus the state surcharge required by AS 12.55.039 and AS 29.25.074. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed above.

B. C. Each working day that an animal is kept in violation of a citation issued under this chapter shall constitute a separate violation.

**Comment [p1]:** Separating each offense makes citations easier and entry into the court docket easier. A first offense would be charged as BMC 6.04.090(A)(1), a 2<sup>nd</sup> as (A)(2), etc. telling all what the appropriate fine is.

**Comment [p2]:** Mandatory language under rules of court if we are to have these processed at the courthouse. It allows individuals to dispose of the citations by simply paying them but also allows the individual to request a trial. Prohibits the issuance of warrants if they fail to appear for trial.

**Comment [p3]:** This statute grants municipalities the right to establish fines not to exceed \$1000 for violation of ordinances

€D. The city may seek injunctive relief to enforce compliance with this chapter.

ÐE. It is a violation of this chapter for any person or persons to open a vehicle being used to transport dogs or other animals to the city dog pound or the doors of the city dog pound with the intent of allowing impounded dogs or other animals to escape. Such person or persons upon conviction shall be ~~subject to the penalty established in Chapter 1.08 BMC~~ guilty of an infraction and may be issued a citation. The penalty for a violation of this section is a fine of no more than Five Hundred (\$500) dollars and may be disposed of as per paragraph B above.

**Comment [p4]:** Section 1.08 needs serious re-write which will be lengthy. It was simpler to take that fee amount and bring it into this chapter to keep it all together.

**SECTION 5. Effective Date.** This section shall become effective January 31, 2014 .

**ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_ 2014, BY A VOTE OF \_\_ IN FAVOR AND \_\_ OPPOSED.**

\_\_\_\_\_  
Joseph A. Klejka , Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

Introduced by: Council Member Sigmon  
Date: January 28, 2014  
Public Hearing: February 11, 2014  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #14-06**

#### **AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE SECTION 5.20 GENERAL PROVISIONS, PENALTIES**

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that the Bethel Municipal Code shall be amended and revised as follows:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Amending BMC Title 5.20.120** The Bethel Municipal Code is amended as follows (new language is underlined and ~~old language is stricken out~~):

#### **5.20.120 Penalties and Remedies**

A. A person who violates a provision of Chapters 5.20 through 5.50 BMC or a regulation promulgated thereunder ~~shall be subject to a civil penalty of~~ is guilty of an infraction and may be issued a citation. The penalty for these infractions is:

1. One hundred fifty dollars (\$150) for the first (1st) violation;
2. Two hundred dollars for the second (2nd) violation;
3. Two hundred fifty dollars for the third (3rd) violation;
4. Three hundred dollars for the fourth (4th) and each subsequent violation;
5. ~~Three hundred dollars for each subsequent violation;~~  
~~or injunctive relief to restrain the person from continuing the violation or threat of violation, or both such civil penalty and injunctive relief. Upon application for injunctive relief and a finding that a person is violating or threatening to violate a provision of Chapters 5.20 through 5.50 BMC or a regulation promulgated thereunder, the Superior Court shall grant injunctive relief to restrain the violation.~~

B. Each day during which a violation described in this section occurs shall constitute a separate offense.

C. ~~Penalties shall be paid within thirty (30) days of service of the citation or within ten (10) days after any appeal is denied. Failure to pay penalties within the established times will result in immediate suspension of a license or permit as well as repossession~~

Introduced by: Council Member Sigmon  
Date: January 28, 2014  
Public Hearing: February 11, 2014  
Action:  
Vote:

~~of the license or permit by the transportation inspector until such time as the penalty has been paid.~~ In accordance with AS 29.25.070(a) citations for these offenses may be disposed of as provided in AS 12.25.195 - .230 without a court appearance upon payment of the fine amounts plus the state surcharge required by AS 12.55.039 and AS 29.25.074. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed above.

D. In addition to the penalties provided for in subsection A of this section, a person who violates a provision of Chapters 5.20 through 5.50 BMC or any regulation promulgated thereunder may also be subject to the following:

1. Second (2nd) Violation. Suspension of the violator's license or permit for fifteen (15) days or less;
2. Third (3rd) Violation. Suspension of the violator's license or permit for no more than thirty (30) days or no less than fifteen (15) days;
3. Fourth (4th) or Subsequent Violation. Revocation of license or permit.

E. The City may seek injunctive relief to enforce compliance with this chapter.

**SECTION 5. Effective Date.** This section shall become effective January 31, 2014.

**ENACTED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2014, BY A VOTE OF \_\_\_ IN FAVOR AND \_\_\_ OPPOSED.**

\_\_\_\_\_  
Joseph A. Klejka, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

## City Attorney Explanations for Modifications for Ordinance 14-06.

### AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING SECTION 5.20 GENERAL PROVISIONS, PENALTIES

THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska, that the Bethel Municipal Code shall be amended and revised as follows:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Amending BMC Title 5.20.120** The Bethel Municipal Code is amended as follows (new language is underlined and ~~old language is stricken out~~):

#### 5.20.120 Penalties and Remedies

A. A person who violates a provision of Chapters ~~5.20~~ through ~~5.50~~ BMC or a regulation promulgated thereunder ~~shall be subject to a civil penalty of is guilty of an infraction and may be issued a citation. The penalty for these infractions is:~~

1. One hundred fifty dollars (\$150) for the first (1st) violation;
2. Two hundred dollars for the second (2nd) violation;
3. Two hundred fifty dollars for the third (3rd) violation;
4. Three hundred dollars for the fourth (4th) and each subsequent violation;
5. ~~Three hundred dollars for each subsequent violation;~~

~~or injunctive relief to restrain the person from continuing the violation or threat of violation, or both such civil penalty and injunctive relief. Upon application for injunctive relief and a finding that a person is violating or threatening to violate a provision of Chapters 5.20 through 5.50 BMC or a regulation promulgated thereunder, the Superior Court shall grant injunctive relief to restrain the violation.~~

B. Each day during which a violation described in this section occurs shall constitute a separate offense.

C. ~~Penalties shall be paid within thirty (30) days of service of the citation or within ten (10) days after any appeal is denied. Failure to pay penalties within the established times will result in immediate suspension of a license or permit as well as repossession of the license or permit by the transportation inspector until such time as the penalty has been paid. In accordance with AS 29.25.070(a) citations for these offenses may be disposed of as provided in AS 12.25.195 - .230 without a court appearance upon payment of the fine amounts plus the state surcharge required by AS 12.55.039 and AS 29.25.074. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed above.~~

**Comment [p1]:** A civil penalty requires a full blown lawsuit in court and can take months to resolve. An infraction is a ticket that can be resolved in a few weeks and does not require lawyers. It appears from the low fine amounts tickets were envisioned here with the ability to take it further if necessary.

D. In addition to the penalties provided for in subsection A of this section, a person who violates a provision of Chapters 5.20 through 5.50 BMC or any regulation promulgated thereunder may also be subject to the following:

1. Second (2nd) Violation. Suspension of the violator's license or permit for fifteen (15) days or less;
2. Third (3rd) Violation. Suspension of the violator's license or permit for no more than thirty (30) days or no less than fifteen (15) days;
3. Fourth (4th) or Subsequent Violation. Revocation of license or permit.

E. The City may seek injunctive relief to enforce compliance with this chapter.

Comment:[p2]: Was above but moved it to another location for clarity and flow.

**SECTION 5. Effective Date.** This section shall become effective January 31, 2014.

**ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2014, BY A VOTE OF \_\_\_ IN FAVOR AND \_\_\_ OPPOSED.**

\_\_\_\_\_  
Joseph A. Klejka , Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

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*Bethel City Council*

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# **New Business**



Introduced by: City Manager Foley  
Introduction Date February 11, 2014  
Public Hearing:  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #14-07**

#### **AN ORDINANCE BY THE BETHEL CITY COUNCIL REPEALING AND REPLACING SECTION 3.64.050 EMPLOYMENT OF RELATIVES**

**THEREFORE BE IT ORDAINED** by the City Council of Bethel, Alaska, that the Bethel Municipal Code shall be amended and revised as follows:

**SECTION 1. Classification.** This ordinance is of a permanent nature and shall become a part of the Bethel Municipal Code.

**SECTION 2. Repealing and Replacing BMC Title 3.64.050** The Bethel Municipal Code is amended as follows (new language is underlined and ~~old language is stricken out~~):

#### **3.64.050 Employment of Relatives.**

~~No person may be employed in a position in any department who is a relative of the city manager, the department head, or a member of the city council. No person may be employed in a position supervised by a relative. No person may be employed in a position in any department who is a relative of another employee in the department, without the written, advance approval of the city manager.~~

~~The city manager may, at any time, re-evaluate the effect of having relatives working in the same department on the performance of either relative and the operation of the department involved. This re-evaluation may result in the transfer or termination of one (1) of the affected parties.~~

- A. The City of Bethel permits the employment of qualified relatives of employees as long as such employment does not, in the opinion of the City, create actual or perceived conflicts of interest.
- B. For purposes of this policy, "relative" is a spouse, domestic partner, child, child of a domestic partner, parent, sibling, grandparent, grandchild, aunt, uncle, first cousin, or corresponding in-law or "step" relation.
- C. The City will endeavor to exercise sound business judgment in the placement of related employees in accordance with the following guidelines:
  1. Individuals who are relatives are permitted to work in the same City facility, provided no direct reporting or supervisory/management relationship exists. That is, no employee is permitted to work within the "chain of command" of a relative such that one relative's work responsibilities, salary, or career progress could be influenced by the other relative.

Introduced by:  
Introduction Date  
Public Hearing:  
Action:  
Vote:

2. No relatives are permitted to work in the same department or in any other positions in which the City believes an inherent conflict of interest may exist.
  3. Employees who marry or enter into a legally recognized domestic partnership while employed are treated in accordance with these guidelines. That is, if, in the opinion of the City, a conflict or an apparent conflict arises as a result of the marriage or domestic partner relationship, one of the employees will be transferred at the earliest practicable time.
  4. In addition, the City recognizes that at times, employees and their "close friends," or "significant others" may be assigned to positions that create a coworker or supervisor-subordinate relationship. The City will, in its discretion, endeavor to exercise sound judgment with respect to the placement of employees in these situations in order to avoid the creation of a conflict or the appearance of a conflict of interest, avoid favoritism or the appearance of favoritism, and decrease the likelihood of sexual harassment in the workplace.
- D. This policy applies to all categories of employment at the City, including regular, temporary, and part-time classifications.

**SECTION 3. Effective Date.** This section shall become effective March 1, 2014.

**ENACTED THIS \_\_\_\_ DAY OF \_\_\_\_\_ 2014, BY A VOTE OF \_\_\_ IN FAVOR AND \_\_\_ OPPOSED.**

\_\_\_\_\_  
Joseph A. Klejka, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

Action:  
 Vote:

**CITY OF BETHEL, ALASKA**  
**ORDINANCE #13-12(b)**

**An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2014 Budget**

Be it Enacted by the Bethel City Council that the FY 2014 Annual Budget be amended as follows:

**Section 1.** That the following sums of money as may be needed or deemed necessary to provide for increased expenses and liabilities of the City of Bethel are hereby appropriated for the corporate purposes and objects of the City hereinafter specified for Fiscal Year 2014, July 1, 2013 to June 30, 2014.

**Section 2.** The following is a summary of the changes by fund and department:

**MUNICIPAL DOCK (52)**

**Budget Modification 14-3(A)**

Changes to Seawall Maintenance Account to Increase Municipal Dock Budget.

	<b>Increases</b>	
5250696	Municipal Dock Budget: Other Purchased Services	99,000
	Total Increases	<b>99,000</b>
	<b>Decreases</b>	
5212300	Seawall Maintenance Account	(99,000)
	Total Decreases	<b>(99,000)</b>
<b>TOTAL</b>	<b>Net Change to Seawall Maintenance Account</b>	<b>(99,000)</b>

	<b>Municipal Dock Budget</b>	
	Total Increases	99,000
	Total Decreases	0
	<b>Cumulative Change to Municipal Dock Budget</b>	<b>99,000</b>

	<b>SEAWALL MAINTENANCE ACCOUNT APPROPRIATIONS</b>	
	Total Increases	0
	Total Decreases	(99,000)
	<b>Cumulative Change to Seawall Maintenance Account Appropriations</b>	<b>(99,000)</b>

	<b>TOTAL CHANGE TO MUNICIPAL DOCK ACCOUNT BALANCE</b>	
	Change to Municipal Dock Account	99,000
	Change to Seawall Maintenance Account Appropriations	(99,000)
	<b>Cumulative Increase/Decrease to Municipal Dock Balance</b>	<b>99,000</b>

***TOTAL CHANGE TO OVERALL CITY BUDGET***

	<i>Change to Revenues Increase/(Decrease)</i>	<b>99,000</b>
	<i>Change to Appropriations Increase/(Decrease)</i>	<b>(99,000)</b>
	<b>These changes <i>INCREASE</i> ↑ the overall expenditures/expenses of the City by</b>	<b>99,000</b>

**Section 3.** Effective Date. This ordinance becomes effective immediately upon adoption.

**PASSED AND APPROVED THIS \_\_\_ DAY OF \_\_\_\_\_ 2014 BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

ATTEST:

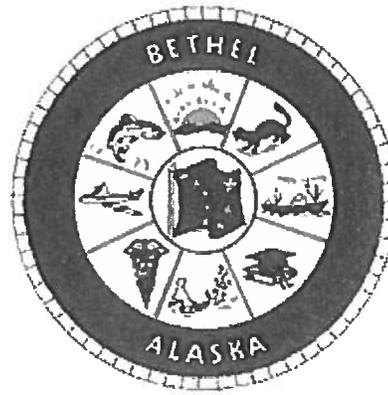
\_\_\_\_\_  
 Joseph A. Klejka, Mayor

\_\_\_\_\_  
 Lori Strickler, City Clerk



# PORT OF BETHEL

Post Office Box 1388  
Bethel, Alaska 99559  
Voice: 907-543-2310  
Fax: 907-543-2311



## MEMORANDUM

February 3, 2014

From: Peter Williams, Port Director

To: L. Foley, City Manager

RE: Port Budget Modification

The Port Commission hereby recommends that the Bethel City Council approve a Budget Modification specifying that \$99,000 in funds from the Seawall Maintenance account # 52-12-300 (Seawall Maintenance) be transferred to account # 52-50-696 (Municipal Dock Account), so that the Port can hire a contractor to repair the seawall sections. The budget modification should specify that funds will be spent according to BMC 4.20.160(2) and be made available for expenditure in FY 2014 or FY 2015

Peter Williams,

Port Director, City of Bethel



## Two Locations for Seawall Pipe Repair



Apron along seawall below Port Office (55 pipes spread over 110 ft.)



East Addition Seawall (24 pipes spread over 48 ft.)





# City of Bethel

## Committees and Commissions

### Recommendation to City Council

Repair Seawall Pipe in Two Locations

<b>Committee/Commission:</b> Port Commission	<b>Chairman:</b> Alan Murphy
<b>Date Submitted:</b> 1/21/14	<b>Council Rep:</b> Mark Springer
<p><b>Issue/Background:</b></p> <p>In two noticeable places, pipes that form the seawall have sunk, some up to three feet. Entire sections of the wall are lower now, causing the road near the wall to slope significantly toward the river. The situation at both locations presents a serious safety hazard that must be remedied. The lowered walls cause the affected part of the driveway to slope toward the river, making it unsafe for pedestrians and vehicles to be in the vicinity. The area is difficult to fence off.</p> <p>The two sections of seawall in need of repair are listed below:</p> <ol style="list-style-type: none"> <li>1. Apron along the seawall below Port Office-55 pipes over 110 ft. stretch.</li> <li>2. East Addition seawall - 24 pipes over 48 ft. stretch.</li> </ol> <p>The 110 ft. space below the Port Office and adjacent uplands are used by a company for seasonal moorage, bringing in approximately \$15,000 in revenue to the Port of Bethel each year. The 48 ft. section on the East Addition seawall is unsafe to the point of being unusable, resulting in lost revenue of \$26/ft./yr. or up to \$125/day.</p>	
<p><b>Recommendation:</b></p> <p>The Port Commission hereby recommends that Bethel City Council approve a Budget Modification specifying that \$99,000 in funds from the Seawall Maintenance account #52-12-300 be transferred to account #52-50-696 (Municipal Dock Account), so that the Port can hire a contractor to repair the seawall sections. The budget modification should specify that funds will be spent according to BMC 4.20.160 (2) and be made available for expenditure in FY 2014 or FY 2015.</p>	

Received by: *Dei Stronker*  
 Date: 2-3-2014



# City of Bethel Action Memorandum

Action memorandum No.	14-12		
Date action introduced:	February 11, 2014	Introduced by:	Mayor Klejka
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

**SUBJECT/ACTION:**

Direct Administration to request assistance from the State of Alaska, Department of Commerce, Community, and Economic Development, Rural Utility Business Advisor (RUBA) Program in an assessment of the City's Water and Sewer Utility.

Route to:	Department/Individual:	Initials:	Remarks:
	City Manager		
	Finance Director		

Attachment(s): None

Amount of fiscal impact		Account information:
X	No fiscal impact	
	Funds are budgeted for.	
	Funds are not budgeted. Budget modification is required. Affected account number:	

The Council through Administration currently oversees the operation of a sanitation and water utility. The Council wishes to increase their management capacity to enable it to run the utility as efficiently as possible and therefore requests the State of Alaska RUBA Program to provide a technical assessment of the utility.

In the performance of the assessment by RUBA, the City agrees to have available City staff help with the conducting of the assessment for the reporting period 2014 and 2015. The City additionally agrees to provide RUBA staff, the Council's non-confidential records and files including ordinances, policies and procedures, financial records (including monthly financial reports, tax reports, payroll journals, cash receipt journals, cash disbursement journals, and back statements), and correspondence files and to provide the items in a timely manner.



## Essential Capacity Indicators

### **Purpose of Indicators:**

To assure agencies that the facilities constructed with Federal and State funds will continue to provide a service for the design life of the facilities (generally 20-30 years).

To let the utility know how they are doing in management of the utility, and what they need to improve so that they can stay in business.

### Essential Indicators

These items are critical for continued operation of the business. If not accomplished, it is likely the utility will fail in the next 1-3 years.

### Sustainable Indicators

These items are critical to the long-term survival of the utility.

It is the policy of the state that unless the Essential Indicators have been met, state construction funds will not be spent on the project. The RUBA program is a third-party evaluator or auditor of whether or not these indicators are being met.

## Finances

### Essential Indicators

#### **All revenue and expenses for the utility are clearly listed in the utility budget.**

Under this criterion, the revenue side and the expenditure side of the budget should be examined.

Revenues: If user fees are charged, are they identified in such a manner that they can be tracked separately from other revenue? i.e. there should not be just one category for enterprise funds, charges for services, or utilities. The water/sewer revenue should be listed separate from other sources or utilities.

Combining water/sewer with washeteria and/or water treatment plant is acceptable, but not recommended.

Expenditures: It must be possible to identify which expenditures can be contributed to the water/sewer service. However, it is not necessary that the water/sewer be shown as its own department or division. For example it is acceptable, but not recommended, that fuel usage of the water treatment plant be listed as a subcategory of fuel usage, rather than under a water sewer plant.

#### Fuel Oil

- General Administration
- Public Safety
- Streets and Roads
- Water and Sewer
- Washeteria

Another example would be to have an “Employee Benefits” category that includes the payroll taxes, benefits, and workers compensation all in one category. As long as there was a breakout of the Employee Benefits for the Water and Sewer were shown separate from other departments or enterprises.

#### **The utility has adopted a balanced realistic budget.**

Under this criterion, both the revenues and expenditures should be examined, compared to prior year amounts, business plan amounts, and/or other similar systems to see if the amounts listed are reasonable.

If the revenues depend heavily upon user fees, the collection rate required to generate the shown revenues should be examined for reasonableness.

If the revenues depend upon general fund, gaming, donations from other organizations, or other subsidies, these must be identified and documented in the budget and monthly finance reports.

Review meeting minutes for proof of budget adoption.

**Monthly financial reports are prepared and submitted to the policy making body.**

To meet this criterion, it is necessary that they have a monthly financial report that compares year-to-date revenues and year-to-date expenditures to annual budgeted amounts. We recommend, but it is not necessary, that the report also include previous month's revenues and expenditures. A balance sheet and/or Profit Loss statement does not meet this requirement. A minimum of three months of monthly finance reports correctly completed and distributed to the governing body must be documented.

**The utility is current paying all water/wastewater electric bills.**

The utility's budget should identify electric expenses as a line item. Examine the budget, monthly finance report, and accounts payable report for documentation the electric expenses are recorded and paid.

**The utility has on hand a year's adequate fuel supply or it has a financial plan to purchase an adequate supply.**

This criterion does not require documents, however, write who responded and the response given to the question on the assessment form.

**The utility is receiving revenues (user fees or other sources) sufficient to cover operating expenses.**

This is a comparison of the annual operating revenues and expenditures as reported on the monthly financial report. Are sufficient revenues being collected to cover expenses? Revenues taken from reserve funds and/or spent on scheduled R&R or capitalization should not be included.

Annual operating costs are the recurring revenues or costs which a utility will expect to have each year.

Repair and Replacement (R&R) costs are those funds saved or expended on items that have a life between one and seven years. These items should be listed on a schedule that shows their useful life, replacement cost, and annual requirement.

Capital Replacement costs are those funds for equipment that have a service life of over seven years. These items should be listed on a schedule that shows their useful life, replacement cost, and annual reserve requirement.

**Sustainable Indicators****The utility is receiving revenues (user fees or other sources) sufficient to cover operating expenses and Repair and Replacement (R&R) costs.**

The utility has a Renewal and Replacement schedule and sets aside funds for R&R as required. This is a comparison of the annual operating and R&R revenues and expenditures

reported on the monthly financial report. Are sufficient revenues being collected to cover expenses and repair and replacement costs? Revenues taken from the capitalization reserve funds and/or expended on capitalization items should not be included.

**YTD revenues are at a level equal to or above those budgeted.**

This criterion may easily be documented by examining a monthly finance report. If no finance report is available, view the adopted budget and an accounts receivable report.

**YTD expenditures are at a level equal to or below those budgeted.**

This criterion may easily be documented by examining a monthly finance report. If no finance report is available, view the adopted budget and an accounts payable report.

**A monthly manager's report is prepared.**

The monthly manager's report may be verbal or written. Request a copy of one written report or if given verbally, request a copy of one month's meeting minutes to note where and how it was recorded. If the report is verbal, the highlights of the report need to be recorded in the minutes. A complete manager's report will explain the financial report and point out any utility problems or trends that need to be addressed.

**Budget amendments are completed and adopted as necessary.**

Budget amendments are made when revenue or expenditure categories significantly increase or decrease (example is non-budgeted grant revenue or rate increase), significantly decrease (example is operating hours or labor costs are reduced), or a transfer of a large amount of money is moved from one department to another. The key here is how significant the increase, decrease, or transfer and whether the amendment was made timely, annually, or not at all.

## Accounting Systems

### Essential Indicators

**The utility has adopted a collection policy and actively follows it.**

Collection policy means a set of procedures designed to specifically get past due payments repaid. Sending out a bill/statement each month showing amount owed is not a collection policy. The collection policy includes a statement of action that will be taken if past due amounts are not received. The specific action steps on the statement should be, but are not required. Example: Sending out a "past due" letter stating "If you do not contact the utility within 20 days to make arrangements for payment then further collection actions authorized by ordinance and listed in the user agreement will be taken." Is acceptable because it references a future action.

The second part of the test is: are they actively following the policy. If the policy says they will take some action they need to be doing it. In the above example, are they doing anything after the 20 day period?

A copy of the collection policy is on file with RUBA.

**The utility bills customers on a regular basis.**

Billing statements are an itemized description of the account and how much the customer owes. The utility may send a manual or computer generated invoice, statement, or both. Ask for a copy of a monthly bill and if they are sent according to the ordinance, tariff, policy, or rules they have adopted? Are the bills issued the same date monthly?

**An accounts receivable system is in place which tracks customers and reports past due accounts and amounts.**

This can be either manual or computerized. The system just needs be capable of showing all customers that are "past due" and the amount. If it does not show amounts that are less than 30 days past due, it is acceptable.

**An accounts payable system is in place.**

This can be either manual or computerized. The system just needs be capable of showing all vendors that money is owed to. If it does not show amounts that are paid on account within 30-45 days of being accrued, it is acceptable.

The intent is that large, long term, or past due amounts are identified and can be reported.

**The payroll system correctly calculates payroll and keeps records.**

This is very similar to criterion in the *Taxes* section. It is listed here because payroll record keeping is an accounting system subset. This criterion does not include making the tax payments or filing reports, only that the data is correctly calculated and stored in a format that it can be used to generate the necessary reports. This may be either a manual or computerized system that correctly calculates and tracks wages and payroll taxes.

**A cash receipt system is in place that records incoming money and what it was for.**

There are two things necessary to meet this criterion. A system for recording ALL incoming funds, and the system for recording what the funds were received for is a cash receipt system.

A receipt book, NEBS pegboard, cash register, or point-of-sale program is acceptable as long as they meet these two criteria.

**The Utility has a cash disbursement system that records how money was spent.**

There are two things necessary to meet this criterion. A system for recording ALL outgoing funds, and a system for recording what the funds were spent on.

A check register would be acceptable as long as each check has the proper Chart of Accounts coding. Economic Check Registers, Columnar pads, Ledger sheets, Excel spreadsheets, or computerized accounts are all acceptable as long as they meet these two criteria.

## Sustainable Indicators

### **A chart of accounts is used that identifies categories in a reasonable, usable manner.**

The chart of accounts lists categories of revenues and expenditures; all of the utility's financial transactions can be placed in one of these categories. The categories are based on the utility budget so the utility expenditures and revenues can be easily compared to the amounts budgeted. It is not required that the chart of accounts use a numbering system.

The chart of accounts should include a category for each revenue or expenditure necessary to receive money or spend money to run the utility. These may include but are not limited to accounts receivable, payroll wages, payroll taxes, training, telephone, repairs and maintenance, parts and supplies, postage/freight, contractual, facility insurance, workers compensation insurance, fuel oil, electricity, chemicals and testing.

### **Monthly bank reconciliations have been completed for all utility accounts.**

To meet this criterion, all accounts need to be reconciled properly on a scheduled basis. Accounts include checking, savings, reserve, and investment accounts. The utility bank account may or may not be a stand alone account. If it is a department within the general fund account, the entire GF account must be reconciled.

Ask for documentation in the form of worksheets, notes, or other evidence of the method used to complete the reconciliation.

### **The utility has a purchasing system that requires approval prior to purchase and the approval process compares proposed purchases to budgeted amounts.**

The system should have a process that checks to assure that there are adequate funds budgeted and remaining in the budget to purchase the item. There should be some form of written approval before the purchase was made.

## Taxes

### Essential Indicators

#### **The utility has a system to accurately calculate, track, and report payroll tax liabilities.**

This criterion does not include making the tax payments or filing reports, only that the data is correctly calculated and stored in a format that it can be used to generate the necessary reports. This may also be either a manual or computerized system.

#### **The utility is current on filing tax reports.**

The only way to be absolutely sure of this is to check with the IRS. This may not always be possible. If the utility can provide copies of the past four (or more) Quarterly reports, it appears that they have been sending them in, and there are no apparent IRS letters on file, then it can be assumed that they have met this criteria without checking with the IRS. In

comments on criteria, you should state that the IRS has not been contacted, but that there is nothing to provide evidence that reports have not been filed.

A call should be made to the State Dept. of Labor to check on state reports. These can almost always be checked with one phone call.

#### **The utility is current on making tax deposits.**

As with the tax reports, the only way to be absolutely sure of this is to check with the IRS. This may not always be possible. If the utilities financial records show that payments have been made for the past four quarters, and the amounts paid match up with the quarterly reports, then it can be assumed that they have met the criteria without checking with the IRS. In the comments section, you should state that the IRS has not been contacted, but that there is nothing to provide evidence that reports have not been filed.

A call should be made to the State Dept. of Labor to check on state reports. These can almost always be checked with one phone call.

#### **If there are any past tax liabilities or recorded liens, a payment agreement has been signed and payments are current.**

If there are no past tax problems or recorded liens, this would be a N/A. If they have filed an Offer-In-Compromise with the IRS, but it has not been processed, the No indicator would be marked with a comment made in the notes what has occurred. In this instance, explained by the reviewer in the comments, a No will not hold up a project. If there is a recorded lien, this indicator is marked No as the utility assets may be affected. If the lien holder has issued a release to the utility but the release has not yet been recorded, the indicator may be changed to yes. A copy of the lien release issued to the utility is required.

## **Personnel System**

### **Essential Indicators**

#### **The utility has a posted workers compensation insurance policy in effect.**

State law requires that this notice of insurance be posted. The coverage must be for whatever entity hires the employees operating the utility. ALL employees must be covered by workers compensation insurance. The comments should include who the insurance carrier is and how long the policy is in effect.

### **Sustainable Indicators**

#### **The utility has adopted and uses a Personnel Policy, which has been reviewed by an attorney, AML, or DCCED for topics and language.**

Request a copy of the Personnel Policy and examine it for sections on hiring and conditions of employment; compensation; evaluation; discipline; and grievances; employee benefits; travel and training; and rules and regulations. Note when the policy was adopted, who it was reviewed by and how often it is reviewed or amended.

**The utility has adequate written job descriptions for all positions.**

Request copies of job descriptions for each position hired by the utility. The job description must define the duties of each task and other responsibilities of the position.

**The utility has adopted and follows a written personnel evaluation process that ties the job description to the evaluation.**

Request a copy of the evaluation form and compare it to the written job description. You should verbally verify, by talking to utility employees, that the evaluation process is used.

**The utility has an adequate written hiring process.**

The written process may be found in ordinance, resolution, or adopted policy. To be considered adequate it should outline development of the job notice, as well as describe the posting/advertising, applicant evaluation, selection committee members, and evaluation process.

**The utility has personnel folders on every employee that contains at least an I-9, Job Application, and Letter of Acceptance.**

This criterion may not be marked yes unless all personnel files contain the I-9, job application, and letter of acceptance. A letter of acceptance should include the wages, benefits, expectations of the employer, classification of job, and date of hire.

**The utility has a probationary period for new hires that includes orientation, job training/oversight, and evaluations.**

The utility's personnel policy should include a section addressing job training and evaluation procedures. Note the length of the probationary period for new hires on the RUBA assessment. Also note the frequency and who is responsible for evaluating staff. Are the evaluations done according to the written evaluation process?

**The utility provides training opportunities to staff as needed and available.**

This criterion applies to all utility staff and governing body. Has the bookkeeper received personnel, accounting or payroll training? In the operator working toward certification? Has the utility requested on-site training from the RMW? Has the manager or a member of the governing body attended a UTM course?

## **Organizational Management**

### **Essential Indicators**

**The entity that owns the utility is known and the entity that will operate the utility is set.**

Examine the utility ordinance or rules and regulations for a section that identifies the ownership of the utility and the description of service. If the ownership of the utility is different than the operator of the utility, obtain a copy of the Contract, MOA, or MOU delegating that authority. If the utility is managed by ARUC, get a copy of the agreement.

**The policy making body is active in policy making of the utility.**

This criterion requires the RUBA to review the actions of the governing body. Does the policy making body set and annually review user rates and charges, adopt reasonable and balanced budgets and amend budgets when necessary? Does the policy making body review and comment on utility manager reports? If the utility is experiencing problems, can they be attributed to inaction of the council? Documentation for the answers to these questions and others would be by reviewing at least six months of meeting minutes.

**The policy making body enforces utility policy.**

The purpose of this criterion is to examine the policy making body's support of the administrative staff (or mandating that the staff follow) existing rules and policies. This would include any policy the utility has adopted. The most common two policies which require support are the hiring practices and utility collections. Again, documentation will be found in the minutes of previous meetings rather than verbal and accounts receivable reports.

**The utility has an adequately trained manager.**

This criterion may be determined more by the success of the utility than by any documentation of the manager's training attendance. The utility manager oversees the day-to-day operation, maintenance and management of the utility and can be anyone who applies management principles to the utility. This person may not have the title but is the one responsible for carrying out responsibilities of the utility and organizing and scheduling the work of other utility staff. The manager must also keep the policy making body informed of the status of the utility.

**The utility has an adequately trained bookkeeper.**

Again, this criterion may be judged largely on the success of the utility meeting the essential indicators in the finance and accounting sections of the assessment. An "adequately training bookkeeper" is one who has the ability to maintain the payroll system and records, customer billings, accounts receivable, accounts Payable, budgets, and provide the governing body with accurate records of all transactions upon request.

**The utility has an adequately trained operator(s).**

Identify the classification of service the utility was designed to provide and the level of certified training the operator has received. The two levels should match.

**The utility has adopted the necessary ordinances (or rules and regulations) necessary to give it the authority to operate.**

Request and examine a copy of the ordinances (or rules and regulations) for the authority clause. If the utility is operating through a MOA or MOU, request a copy of that document.

### Sustainable Indicators

#### **The utility has adopted an organizational chart that reflects the current structure.**

The organizational chart is a drawing that clearly shows the staff and public the lines of authority and the lines of communication.

#### **The policy making body meets as required.**

Meetings are held as prescribed by ordinance or by rules and regulations of the governing body.

#### **The utility complies with the open meetings act for all meetings.**

Alaska's "Open Meetings Act" requires meetings of municipalities (not tribal) to be open to the public. The act specifies requirements for notice of public meetings and restrictions for executive meetings. Request copies of agendas for meetings and the process they were posted. Check the agenda to see if enough information is stated that the public is fully aware of the item on the agenda.

## Operations Management

### Essential Indicators

#### **The utility operator(s) are actively working towards necessary certification.**

This is somewhat of a soft criterion. If the operator is not certified to the appropriate levels, but is scheduled to attend the next training session put on in the region, this can be checked yes. If the operator has previously failed an exam/course to receive the certification, they need to show some proactive learning towards getting the certification, not just "waiting for the next class". To ascertain proactive learning is taking place, contact the assigned RMW and question the operator's intent.

#### **The utility has a preventative maintenance plan developed for the existing sanitation facilities.**

RUBA staff must review the preventative maintenance plan developed for the existing utility. It may be as simple as a wall chart prepared by the Remote Maintenance Worker (RMW) and maintained on the wall of the operator's office. Tasks may be listed as daily, weekly, monthly, quarterly, or annually. The preventative maintenance schedule remains as an active file as long as the facility exists. Occasionally this plan will be included in the facilities O&M manual.

### Sustainable Indicators

**The manager receives a monthly O&M report from the utility operator and routinely “spot checks” the facilities to see that the maintenance tasks are being completed.**

Written or verbal reports are acceptable. A verbal report would be recorded in the meeting minutes.

**The utility has a safety manual and holds safety meetings.**

A utility safety manual is a written document that contains all general safety practices, identifies hazards, and specific procedures for each safety topic. It also makes clear the roles and responsibilities each staff has for providing a safe workplace. The timing and format of safety meetings is a “soft” criterion as they may be formal or informal, weekly, monthly, or unscheduled. Discussion of a safety topic between manager and staff may constitute a safety meeting. A safety manual may be found in the facility O&M manual. A safety log would include when safety meetings were held, who attended and what topic was discussed.

**Utility facilities have not suffered any major problems/outages due to management issues that are still unresolved.**

.Ascertain if the utility has suffered any major problems and why they occurred. If they are still occurring and were due to a management issue such as not ordering proper materials, this would be marked no. If the lack of service is due to a freak accident or act of Mother Nature, this is marked yes.

**The utility is operating at the level of service that was proposed.**

This question should be asked of the manager, clerk and operator separately. If all three answer positive, this may be marked yes. If the answers are unclear, mark it no. Another method of determining this criterion is to examine the utility plan or talk to the RMW or facility engineer.

**The operator provides status reports to the manager on a routine basis.**

The status reports may be written or verbal.

**The utility has completed and distributed its Consumer Confidence Report (CCR).**

The community provides a copy of the annual report by the water system to its users in a format acceptable to EPA and State of Alaska. The report must include information concerning the source, treatments, and quality of the water.

**The utility maintains an inventory control list.**

The inventory control list is an itemized written list that identifies the parts, supplies, and tools necessary to operate the utility and provide timely service without interruption.

**The utility maintains a critical spare parts list.**

A critical spare parts list is a written list that identifies those parts and supplies necessary to provide timely service without interruption.

# City of Bethel Action Memorandum

Action memorandum No.	14-13		
Date action introduced:	1-28-2014	Introduced by:	Mayor Klejka
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

SUBJECT/ACTION:

*Approve Mayor re appointment of Mary Weiss to the Energy Committee.*

Route to:	Department/Individual:	Initials:	Remarks:
X	Assistant to the City Manager		

Attachment(s): Application

Amount of fiscal impact		Account information:
X	No fiscal impact	
	Funds are budgeted for.	
	Funds are not budgeted. Budget modification is required. Affected account number:	

*Action memorandum 14-13 is sponsored by the Mayor at the request of the City Clerk.*

*Mary Weiss has requested reappointment to the Energy Committee. If appointed, she would be appointed to a term of three years with a term expiration of December 31, 2017.*



Office of the City Clerk  
City of Bethel  
300 State Highway  
Bethel, AK 99559-1388  
Phone: (907)-543-1384  
Fax: (907)-543-3817



APPLICATION FOR APPOINTMENT TO A COMMITTEE OR COMMISSION

Committee(s)/Commission(s) of interest:

- Energy Committee
- Parks and Recreation Committee
- Finance Committee
- Public Works Committee
- Port Commission
- Public Safety and Transportation Commission
- Planning Commission

All Planning Commissioners are required to provide an Alaska Public Offices Commission (APOC) Statement to the City Clerk's Office within 30 days of appointment. Commissioners must continue to provide an updated APOC statement to the clerk's office by the 15<sup>th</sup> of March annually.

NAME: Mary T. Weiss

MAILING ADDRESS: PO Box

RESIDENCE ADDRESS:

HOME PHONE: —

WORK PHONE: 0

CELL PHONE: 300 -

E-MAIL: !

OCCUPATION: Nursing instructor

EMPLOYER: University of Alaska Anchorage  
School of Nursing

1. Do you (or an immediate family member) currently own or operate a business in the City of Bethel?  
If so please provide the name and the type of business.

No

2. Are you (or an immediate family member) a member of a board of directors, officer of, or hold a management position with, an organization that has financial dealings of one thousand dollars or more in value with the city of Bethel? If so please provide the name and the type of business.

NO

3. Do you currently have a direct or indirect financial of business interest with the City of Bethel, to include contracting, leaseholder, employee? If so please provide the name and the type of business.

NO

4. Are you a resident of the City of Bethel?  Yes  No If so, for how long? January 2007

5. Does your schedule permit you to regularly attend required meetings:  Yes  No

I understand that this is a voluntary, appointed position to be confirmed by the Bethel City Council. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media outlet.  
I have read Chapter 2.05 of the Bethel Municipal Code regarding Responsibilities of city council members, municipal officers, appointed officials and employees-conflict of interest. I agree to comply with the code and understand that my tenure as a commission/committee member requires such compliance.  
I certify that the information in this application is true and accurate.

Signature of Applicant: Mary L. Weiss Date: Jan 25, 2014

**FOR OFFICE USE ONLY**  
Date Received: 1-24-2014  
Date of Council Approval: \_\_\_\_\_ Ac on Memorandum Number: 14-13  
Date Applicant Noted: \_\_\_\_\_  
Term Expiration: \_\_\_\_\_  
Registered voter of the City  Yes  No

# City of Bethel Action Memorandum

Action memorandum No.	14-14		
Date action introduced:	February 11, 2014	Introduced by:	Lee M. Foley
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

**SUBJECT/ACTION:**

Approve the transfer by the Alaska Energy Authority of the following two City of Bethel wind energy development grants to the Alaska Village Electric Cooperative (AVEC):

1. Alternative Energy Feasibility Study grant (balance: \$78,870.49)
2. Bethel Wind Farm grant (balance: \$2,998,096)

Route to Department/Individual	Initials	Remarks
Administration/Lee M. Foley		AVEC is in the process of completing the purchase of the electricity-generating assets of Bethel Utilities Corporation in Bethel so that AVEC will be the new regulated electric utility. AVEC has a history of developing wind energy projects in the Yukon Kuskokwim Delta region. The City will avoid having to pay the \$199,889 cash match required to fulfill the grant purchases and installation.

**Attachment(s):**

1. City of Bethel letter sent to the Alaska Energy Authority requesting that the City be able to transfer its two wind energy development grants to AVEC as long as the Bethel City Council approved the transfer.

Amount of fiscal impact	Description	Account information
\$199,889	Cash match required by the grantee for Grant #2195632 to fund Bethel Wind Farm.	None

**Summary statement**

The City of Bethel can transfer two wind energy development grants, one for a feasibility study or concept design report, and one to purchase and install one or more wind energy generators, to AVEC. The Alaska Energy Authority will facilitate the transfer and assist AVEC in carrying out the terms of the two grants. The City of Bethel avoids having to incur the cash match amount of \$199,889. If AVEC purchases and installs one or more commercial-scale wind turbines in Bethel, there is the potential for lower electricity rates and/or a reduction of the amount of increase to the rates.





# CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559  
907-543-2087  
FAX # 543-4171

January 24, 2014

Josh Craft, Alaska Wind Manager  
Alaska Energy Authority  
831 Northern Lights Blvd.  
Anchorage, AK 99503

RE: Request to transfer wind energy development grants to AVEC

Dear Mr. Craft:

The City of Bethel would like to transfer its two wind energy development grants to the Alaska Village Electric Cooperative (AVEC) so that AVEC can put the money to use in a productive way to benefit the residents of Bethel, Alaska. The City is very interested in lowering the cost of electricity in Bethel and is hopeful that the implementation of commercial-scale wind projects will help in that regard.

According to our records, the City of Bethel would like to transfer the following grants administered by the Alaska Energy Authority:

1. Alternative Energy Feasibility Study grant  
Grant Agreement #: 2195257  
Original Amount: \$150,000.00  
Balance: \$78,870.49  
Cash Match: \$0
2. Bethel Wind Farm grant  
Grant Agreement #: 2195632  
Original amount: \$2,998,096  
Balance: \$2,998,096  
Cash Match: \$199,889

Please note that while you are preparing the paperwork to transfer these two grants from the City of Bethel to AVEC, Bethel City Council must approve the transfer at their February 11, 2014 regular meeting. The City will keep AEA informed of City Council action. The City looks forward to AVEC implementing a major commercial wind energy project in Bethel.

Sincerely,

Lee M. Foley  
City Manager

*"Deep Sea Port and Transportation Center of the Kuskokwim"*



# City of Bethel Action Memorandum

Action memorandum No.	14-15		
Date action introduced:	2-11-2014	Introduced by:	Mayor Klejka
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

SUBJECT/ACTION:

*Approve Mayor's appointment of Naim Sabani to the Public Safety and Transportation Commission.*

Route to:	Department/Individual:	Initials:	Remarks:
X	Police Chief		
	Fire Chief		

Attachment(s): Application

Amount of fiscal impact		Account information:
X	No fiscal impact	
	Funds are budgeted for.	
	Funds are not budgeted. Budget modification is required. Affected account number:	

*Action memorandum 14-15 is sponsored by the Mayor at the request of the City Clerk.*

*Naim Sabani has requested appointment to the Public Safety and Transportation Commission. If appointed, he would be appointed to a term of three years with a term expiration of December 31, 2017. As an employee of the transportation industry, Mr. Sabani, if appointed will fill the one seat on the Commission available for an individual who has a direct financial interest in the industry.*



Office of the City Clerk  
City of Bethel  
300 State Highway  
Bethel, AK 99559-1388  
Phone: (907)-543-1384  
Fax: (907)-543-3817



APPLICATION FOR APPOINTMENT TO A COMMITTEE OR COMMISSION

Committee(s)/Commission(s) of interest:

- Energy Committee
- Parks and Recreation Committee
- Finance Committee
- Public Works Committee
- Port Commission
- Public Safety and Transportation Commission
- Planning Commission

All Planning Commissioners are required to provide an Alaska Public Offices Commission (APOC) Statement to the City Clerk's Office within 30 days of appointment. Commissioners must continue to provide an updated APOC statement to the clerk's office by the 15<sup>th</sup> of March annually.

NAME: NAM SABAWI

MAILING ADDRESS: P.O. BOX Bethel, AK 99559

RESIDENCE ADDRESS:

HOME PHONE:

WORK PHONE:

CELL PHONE:

E-MAIL:

OCCUPATION: Taxi Driver/Manager

EMPLOYER: Kusko Cab

1. Do you (or an immediate family member) currently own or operate a business in the City of Bethel?  
If so please provide the name and the type of business.

Yes. Kusko Cab

2. Are you (or an immediate family member) a member of a board of directors, officer of, or hold a management position with, an organization that has financial dealings of one thousand dollars or more in value with the city of Bethel? If so please provide the name and the type of business.

Yes. Kusko Cab

3. Do you currently have a direct or indirect financial of business interest with the City of Bethel, to include contracting, leaseholder, employee? If so please provide the name and the type of business.

No

4. Are you a resident of the City of Bethel?  Yes \_\_\_ No If so, for how long?

5. Does your schedule permit you to regularly attend required meetings:  Yes \_\_\_ No

I understand that this is a voluntary, appointed position to be confirmed by the Bethel City Council. I further understand that this application is public information and the merits of my appointment may be discussed at a public forum. In addition, my name may be published in a newspaper or other media outlet.

I have read Chapter 2.05 of the Bethel Municipal Code regarding Responsibilities of city council members, municipal officers, appointed officials and employees-conflict of interest. I agree to comply with the code and understand that my tenure as a commission/committee member requires such compliance.

I certify that the information in this application is true and accurate.

Signature of Applicant:

*MLA*

Date:

01-31-14

**FOR OFFICE USE ONLY**

Date Received: 1-31-14

Date of Council Approval:

Action Memorandum Number:

14-15

Date Applicant Notified:

Term Expiration:

Registered voter of the City \_\_\_ Yes  No

# City of Bethel Action Memorandum

Action memorandum No.	14-16		
Date action introduced:	February 11, 2014	Introduced by:	Lee M. Foley
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

**SUBJECT/ACTION:**

Direct the City Manager to enter into a contract between the City of Bethel and DOWL HKM so that DOWL HKM can provide project management services for the Bethel Small Boat Harbor Bank Stabilization Project.

Route to Department/Individual	Initials	Remarks
Administration/Lee M. Foley		City of Bethel issued a Request for Proposals to hire a firm that would provide comprehensive, independent project management services associated with completion of the Bethel Small Boat Harbor Bank Stabilization Project. The City received and evaluated four proposals and selected the one that best met the City's needs.

**Attachment(s):**

1. Proposed contract between City of Bethel and DOWL HKM for the provision of project management services associated with completion of the Bethel Small Boat Harbor Bank Stabilization Project.

Amount of fiscal impact	Description	Account information
\$194,258.90	Source of funding: FY 2012 State of Alaska Designated Legislative Grant in the amount of \$4,000,000.	New Casselle Account Number set up by Finance Department.

**Summary statement**

The City of Bethel is hiring a company to provide project management services for the construction of the Bethel Small Boat Harbor Bank Stabilization Project. A qualified Project Manager will be on-site during construction of the project for an estimated five months over the life of the project (two years). Project management services are needed to assist the City in preparing and hiring a contractor, ensuring the contractor orders the correct type of rock, and completes the project according to the design and specifications produced by the U.S. Army Corps of Engineers.



# City of Bethel Action Memorandum

Action memorandum No.	14-17		
Date action introduced:	2-11-2014	Introduced by:	Mayor Klejka
Date action taken:		<input checked="" type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

*Approve City Clerk's Personal Time Off request for February 14, 2014.*

SUBJECT/ACTION:

Route to:	Department/Individual:	Initials:	Remarks:
X	City Manager		
X	Finance Department		

Attachment(s):

Amount of fiscal impact		Account information:
X	No fiscal impact	
	Funds are budgeted for	
	Funds are not budgeted. Budget modification is required. Affected account number:	

The City Clerk is requesting personal time off, of which, enough time has been accrued.

The requested day off does not interfere with any currently scheduled City Council events. This would require the City Clerk's Office to be closed for the day requested.



# City of Bethel Action Memorandum

Action memorandum No.	14-18		
Date action introduced:	February 11, 2014	Introduced by:	Vice-Mayor Robb
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

**SUBJECT/ACTION:**

Direct the City Manager to terminate the Memorandum of Agreement between the City of Bethel and Sutton Business Solutions dated 12/20/2013, terminate the undated amendment between the City of Bethel and Sutton Business Solutions LLC, and terminate any other business agreements between the City of Bethel and Mr. Bobby Sutton.

Route to Department/Individual	Initials	Remarks
Administration/Lee M. Foley		
Finance Director, Hansel Mathlaw		

**Attachment(s): None**

Amount of fiscal impact	Description	Account information
None		

**Summary statement:**

In light of recent contract policy reviews, the City Council directs the City Manager to terminate any and all agreements between the City of Bethel and Sutton Business Solutions and/or Bobby Sutton.

Any future agreements between the City of Bethel and Sutton Business Solutions and/or Bobby Sutton must come before the City Council for prior approval.



## City of Bethel Action Memorandum

Action memorandum No.	14-19		
Date action introduced:	02-11-14	Introduced by:	Sharon Sigmon
Date action taken:		<input type="checkbox"/> Approved	<input type="checkbox"/> Denied
Confirmed by:			

**SUBJECT/ACTION:** **Approve Training and Travel request for the City Attorney for January April 30 – May 3, 2014.**

Route to:	Department/Individual:	Initials:	Remarks:
X	Finance		

Attachment(s): Cost Estimate for Travel and Training

International Municipal League Association's Annual Conference

Amount of fiscal impact		Account information:
	No fiscal impact	
\$ 2,168	Funds are budgeted for.	10-56-545
	Funds are not budgeted. Budget modification is required. Affected account number:	

*Action memorandum 14- is sponsored by Councilmember Sigmon on behalf of the City Attorney.*

*The City Attorney, Patty Burley, is requesting to attend the annual Employment Law Conference in Seattle, Washington to be conducted on May 1 & 2, 2014.*



Flights

[CHANGE FLIGHTS](#) [REMOVE FLIGHTS](#)

Flight	Departs	Arrives	Total Price for 1 Traveler
Alaska 42 Coach (Q)   Nonstop   <a href="#">Details</a>	Bethel (BET) 8:20 am Wed, Apr 30	Anchorage (ANC) 9:25 am Wed, Apr 30	<b>\$941.90</b> including <a href="#">taxes &amp; fees</a> <a href="#">Price Breakdown</a>

This flight uses a Boeing 737-400 [Combi aircraft](#). When boarding this type of aircraft, customers will use two sets of stairs, board from the rear of the aircraft, and be exposed to the weather.

[Low Price Guarantee](#)  
Shop again using your [Discount Code](#).

Alaska 84 Coach (Q)   Nonstop   <a href="#">Details</a>	Anchorage (ANC) 10:40 am Wed, Apr 30	Seattle (SEA) 2:59 pm Wed, Apr 30
--	---	--------------------------------------

[Distance](#): 1,841 mi | Duration: 5h 39m

Alaska 97 Coach (Q)   Nonstop   <a href="#">Details</a>	Seattle (SEA) 12:35 pm Sat, May 3	Anchorage (ANC) 3:15 pm Sat, May 3
--	--------------------------------------	---------------------------------------

Alaska 45 Coach (Q)   Nonstop   <a href="#">Details</a>	Anchorage (ANC) 7:14 pm Sat, May 3	Bethel (BET) 8:22 pm Sat, May 3
--	---------------------------------------	------------------------------------

[Distance](#): 1,841 mi | Duration: 8h 47m

[Fare Rules](#)

[Baggage Rules](#)

- **Carry-on Baggage:** On Alaska Airlines flights, each traveler is limited to one carry-on bag that measures up to 10 x 17 x 24 inches, plus one personal item.
- **Checked Baggage:** Alaska Airlines rules and fees apply for this itinerary. The first and second checked bag fees are \$25 each. See [www.alaskaair.com/bagrules](http://www.alaskaair.com/bagrules) for details and exceptions.

Total Due Now \$941.90 USD

[Currency Converter](#)

**PROCEED TO CHECKOUT**

Welcome PATTY 17,793 Points / Silver [Sign Out](#)

**Homewood Suites by Hilton Seattle-Conv Ctr-Pike Street**

[Show Sign In Form](#) Pike Street, Seattle, Washington, 98101, USA  
1-206-682-8282



## Reservation Summary

Mrs. PATTY BURLEY  
btvpatty@yahoo.com  
HHonors #: 840895357  
30 Apr 2014 - 03 May 2014  
1 room for 1 adult

1 KING BED 1 BEDROOM 600 SQ FT STE NONSMOK

Price (3 nights x 169.00):	507.00
Taxes:	85.09
Room Subtotal:	592.08

EASY CANCELLATION

[Rate Details](#)

Total for stay: \$592.09 USD

## Optional services for an additional charge

Valet parking:	\$34.00, Subject to change.
In-Room Wireless Internet:	Complimentary
In-Room Wired Internet:	Complimentary
Public Wireless Internet:	Complimentary

## Guarantee and Cancellation Policy

There is a Credit Card required for this reservation. If you wish to cancel, please do so 24 hours prior to arrival to avoid cancellation penalties.

If you use a debit/credit card to check in, a hold may be placed on your card account for the full anticipated amount to be owed to the hotel, including estimated incidentals, through your date of check-out and such hold may not be released for 72 hours from the date of check-out or longer at the discretion of your card issuer.

## Payment Information

Card type: Visa  
 Card number: \*\*\*\*\*1985  
 Expiration: Oct 2015  
[Change payment Information](#)

## Rules & Restrictions

### Taxes

## WHAT SETS THIS CONFERENCE APART?

Now in its 47th year, the PCLELC is a truly unique CLE that features outstanding speakers and materials designed with your needs in mind.

**High Quality and Timely Insights** – Participants consistently leave the conference excited and inspired by cutting edge information, new legal developments and practical strategies.

**Exceptional Caliber of Speakers** – The conference features talented, nationally recognized experts – practitioners, judges, law professors, and others – without the expense and inconvenience of travel.

**Superb Presentations and Materials** – Our speakers are knowledgeable, entertaining, and engaging and their presentations are supplemented by unrivaled course materials.

**Outstanding Value** – A simply unbeatable price, with the best cost-per-credit you will find.

**Excellent Networking Opportunities** – With an expansive range of plaintiff, union, management and government attorneys, and neutrals, attendees network with colleagues throughout the region who share your focus on labor and employment law.

**Critical Scholarship Support** – For the 27th year, conference proceeds support labor and employment law scholarships for outstanding law students. This longstanding community focus is a vital part of the PCLELC's mission.

If you are a returning participant, a warm welcome back and many thanks for your continuing support. And, if you are attending for the first time, we are delighted that you will be joining us.

We look forward to seeing you at the conference on May 1st and 2nd!

Joyce L. Thomas  
*Chair, Conference Planning Committee*  
 Frank Fred-Subit & Thomas LLP  
 Seattle, Washington

IF YOU CAN ONLY ATTEND ONE CLE,  
**THIS IS THE ONE!**

47TH ANNUAL  
**Pacific Coast  
 Labor & Employment  
 Law Conference**

**MAY 1 & 2, 2014**

The Conference Center at Convention Place  
 across from the Washington State Convention Center  
**SEATTLE, WASHINGTON**

47TH ANNUAL  
**Pacific Coast  
 Labor & Employment  
 Law Conference**  
**MAY 1 & 2, 2014**  
 The Conference Center at Convention Place  
 across from the Washington State Convention Center  
**SEATTLE, WASHINGTON**

Labor & Employment Law Section  
 King County Bar Association  
 1200 Fifth Ave., Suite 600  
 Seattle, Washington 98101

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 PERMIT NO. 1445

## REGISTRATION INFORMATION

The advance registration fee for this exceptional program, including the optional ethics luncheon, is \$485, if postmarked by March 14, 2014.

Full registration of \$550 is required on all registrations postmarked after March 14. Sorry, no single-day or split registrations available. Standard registration fees include admission to all lectures, program materials (either hard copy/ binder OR electronic flash drive, both distributed at the conference), refreshment breaks and Thursday luncheon. KCBA Labor & Employment Law Section members receive a \$20 registration discount.

All sessions will be held at The Conference Center at Convention Place (across the street from the Washington State Convention Center) at 801 Pike Street, Seattle, 98101.

### Ethics Luncheon

Register for the optional ethics luncheon on Friday with Prof. Charles Craver. Enjoy lunch and you will receive 1.0 ethics credit (pending approval).

### Continuing Legal Education Credit

CLE credit has been applied for in Washington and Oregon (14.75 general credits, including 1.0 ethics credit if you attend the optional ethics lunch). Credit may be available in other states – please see the registration form.

### Disability Accommodation

To request disability accommodation, please contact Conference registration at least 10 days in advance of the program.  
 Voice: (206) 243-0927  
 Email: registration@pacficlablaw.com

### Parking

Parking is available in the Washington State Convention Center (across the street) for a fee. In addition to parking at the WSCC, there are other private parking lots near to The Convention Center at Convention Place.

# 4 WAYS TO REGISTER

1. **Online** [www.pacificlaborlaw.com](http://www.pacificlaborlaw.com)
2. **Mail** Send your registration form to  
PCLELC Registration  
P.O. Box 66321  
Seattle, WA 98166
3. **Phone** If you have any questions or would like to register by phone, please call our registration information line at (206) 243-0927
4. **Email** [registration@pacificlaborlaw.com](mailto:registration@pacificlaborlaw.com)

**Confirmation** Each registration will be confirmed via email once registration and payment have been received.

**Refunds** All requests for refund must be received in writing (postmarked) by April 7, 2014. Refunds are subject to a \$50 handling fee. No refunds will be made after April 7, but a substitute may be sent in place of a registered participant if Conference Registration is notified in writing prior to the conference.

Sorry, no single-day or split registrations available.

For more information visit our website:  
[www.pacificlaborlaw.com](http://www.pacificlaborlaw.com)

### Mary Ellen Krug Scholarship Fund

In 1987, the King County Bar Association and Employment Law Section created the Mary Ellen Krug Scholarship Fund to honor a woman of many talents, a single, widowed, and devoted mother of two children. Mary Ellen Krug was a highly respected attorney, all-around mom, a devoted mother, a professional, a colleague, a friend, and a dedicated teacher, tax therapist, and leadership coach. The fund honors her memory.

Each year the NLRB Labor and Employment Law Section awards scholarships to outstanding law students from the University of Washington and Seattle University. Proceeds from the Pacific Coast Labor & Employment Law Conference and donations from the legal community have awarded these scholarships as well as numerous other law students. Thank you for your contributions.

## PROGRAM AGENDA

### Thursday, May 1

- 8:15 A.M.** **Welcome & Program Objectives**  
Joyce L. Thomas  
Chair, Conference Planning Committee  
Friedman, Stebbins & Thomas LLP, Seattle, Washington
- 8:30 A.M.** **The Challenge of Mental Health and Impairment in the Workplace: Compassion, Accommodation, and Discipline**  
Sheila Engelmeier  
Engelmeier & Linnaboh P.S., Minneapolis, Minnesota
- 9:30 A.M.** **Employment Lawyer's Guide to Employee Benefits (ACA), DOMA and More**  
Teresa Renaker  
Lewin, Fenberg, Lee, Renaker, Jackson P.C., Oakland, California

- 10:45 A.M.** **Celebrating 50 Years of Title VII: Lessons from the Past, Present and Future**  
Hon. U.W. Clemon (retired)  
White Arnold & Powell P.C., Birmingham, Alabama
- 11:15 P.M.** **Commissioner Chai R. Feldblum**  
U.S. Equal Employment Opportunity Commission  
Washington, D.C.

- 12:15 P.M.** **CONFERENCE LUNCHEON**  
Presentation of the Mary Ellen Krug Scholarship

- 1:15 P.M.** **Navigating the Legal Challenges and Opportunities Presented by a Global Workforce**  
Grace E. Spragins  
Norgan Law, Washington, D.C.

- 2:15 P.M.** **No Man's Land: When Does Pregnancy/Reptire Accommodate?**  
Prof. Samuel Bagenski  
University of Michigan School of Law, Ann Arbor, Michigan

- 3:30 P.M.** **Consultant Sessions**  
*Taking the Temperature of Labor Law: The NLRB, The ACA and More*  
Moderator: Prof. Lea B. Vaughn  
University of Washington School of Law, Seattle, Washington

- 3:45 P.M.** **Susan Davis**  
Gibbs, Weiss and Simon LLP, New York, New York  
G. Roger King  
Jones Day, Columbus, Ohio

- 4:15 P.M.** **Litigating Complex Issues of Privilege and Privacy in the Electronic Age**  
Dennis P. Duffy  
Baker, Pletcher, Houston, Truax  
Buchanan, Aronoff, Kuschel & Sullivan LLP  
Portland, Oregon

- 5:00 P.M.** **ADJOURN**

### Friday, May 2

- 8:30 A.M.** **Welcome & Program Objectives**  
Trish K. Murphy  
Chair, Labor & Employment Law Section,  
King County Bar Association  
Northwest Workplace Law PLLC, Seattle, Washington

- 8:45 A.M.** **EEO Update: The Good, The Bad, and The Ugly**  
With Paul Grossman  
Paul Grossman  
Paul, Hastings, Janovsky & Walker LLP  
Los Angeles, California

- 10:30 A.M.** **Workplace Investigations: Issues & Answers**  
Hon. Bruce E. Heller  
King County Superior Court  
Seattle, Washington

- 11:15 A.M.** **Dennis P. Duffy**  
Baker, Pletcher  
Houston, Texas

- 12:00 P.M.** **ATTEND THE OPTIONAL ETHICS LUNCHEON\***  
The Ethical Negotiator  
Prof. Charles B. Graver  
The George Washington University School of Law  
Washington, D.C.

- 1:15 P.M.** **Is Just Cause the Same as Justice? What a Labor Arbitrator Can Teach Employment Practitioners**  
Norman Brand  
Norman Brand LLC  
San Francisco, California

- 2:15 P.M.** **Practical Guidance for Navigating Recent FMLA Developments**  
Ellen E. McLaughlin  
Sprayshaw LLP  
Chicago, Illinois

- 3:15 P.M.** **Electronic Surveillance and Beyond: Balancing the Rights of Employers and Employees in and Out of the Workplace**  
Barbara Camens  
Burr, McInerney,  
Washington, D.C.

- 4:45 P.M.** **ADJOURN**

## REGISTRATION FORM

First Name \_\_\_\_\_ Last Name \_\_\_\_\_  
 Firm/Company \_\_\_\_\_  
 Address \_\_\_\_\_ City \_\_\_\_\_  
 State \_\_\_\_\_ Zip \_\_\_\_\_  
 Telephone \_\_\_\_\_ Fax \_\_\_\_\_  
 E-mail Address \_\_\_\_\_

Continuing Legal Education Credits (CLEs) If you wish to receive CLE credit through your state bar association, please list the state(s) and corresponding bar number(s): \_\_\_\_\_

State(s) \_\_\_\_\_ Bar Number(s) \_\_\_\_\_  
 Please indicate your profession/field:  
 Attorneys: representing  Mgmt.  Labor  Plaintiff  Gov't  
 Human Resources Professional  Labor Representative  
 Neutral  
 How did you hear about the conference? Check all that apply:  
 King County Bar Bulletin  Oregon State Bar Bulletin  
 Brochure  Past Participation  Colleague  
 Other \_\_\_\_\_

**Registration Fees**  
 Includes attendance at all sessions, course materials (in one format), refreshment breaks and the Thursday conference luncheon. The optional Ethics Luncheon on Friday can be added for a fee - see below.

Advance rate (postmarked by March 14, 2014) \$485  
 Conference and Ethics Luncheon \$415  
 Conference Only \$550  
 Conference and Ethics Luncheon \$500

Please choose course materials format (each attendee will receive a hard copy of Mr. Grossman's materials):  
 Hard copy/binder  Electronic: flash drive  Both

If you chose both formats, please add \$50  
 Course Materials Only \$195  
 (Fee set - includes shipping, not available on the Web)

Sorry, no single-day or split registrations available. Current members of the ALBA Labor & Employment Law Section receive a \$20 discount.  
 Total Fees Enclosed in US Dollars \_\_\_\_\_

Method of Payment \_\_\_\_\_  
 Check enclosed payable to Labor Law Section (US funds only)  
 Visa  Mastercard  
 Exp. Date \_\_\_\_\_

Card Number \_\_\_\_\_  
 Name as it Appears on Card \_\_\_\_\_  
 Signature \_\_\_\_\_

## Three Road Alternatives Through the Donut Hole

Prepared for Bethel City Council by  
John Sargent, Rachael Pitts, and Bill Arnold

The City has a set procedure to develop a new road, which applies to all roads described herein. The road must be surveyed and put on a map as a preliminary plat. The plat must be brought before the Planning Commission for approval. The preliminary plat may require modifications before a final plat is produced and brought before the Planning Commission for approval. Once the Planning Commission approves the final plat, Bethel City Council must approve it.

The price of easements is difficult to obtain and so was not included in the cost of road construction. One method of ascertaining the value of an easement involves paying for a survey of a land parcel and then paying for an appraisal of the parcel. Once the value of the land is determined, it could be divided by its square feet and this rate could be applied to the amount of square feet needed for the road. In other words, the value of the easement could be equal to the potential sale price of the land by the square foot.

### Executive Summary

Road Description	Builder	New Linear Feet	Construction time	Cost
#1 - Around H-Marker Lake to Tundra Ridge Rd.	City	3,065	2 months	\$680,262
	Contractor	3,065	2 months	\$1,373,996
#2 – Around H-Marker Lake to Ptarmigan Street	City	3,590	2.2 months	\$729,346
	Contractor	3,590	2.2 months	\$1,555,965
#3 – North from Highway Near Post Office to Ptarmigan Street	City	8,276	4 months	\$1,041,740
	Contractor	8,276	4 months	\$2,947,906

### Alternative #1 – Road Around H-Marker Lake to Tundra Ridge Road

#### Project Description

Construct 3,065 feet of new gravel road as an extension of Gunder’s Way around H-Marker Lake to connect with Tundra Ridge Road. The 32 ft. wide road would circumvent the private drive leading to houses around the lake. The road would follow a trail typically followed by four-wheelers over higher, drier land to the east and north around the lake. See map.

As part of the project, the Public Works Department feels strongly that Tundra Ridge Road from BIA Road to Gunder’s Way and Gunder’s Way to the place where new road construction will begin **MUST BE REHABILITATED** – Improved by adding more sand and gravel. The cost to rehabilitate Tundra Ridge Road and Gunder’s Way are included in the cost estimates. It was assumed that the City would complete this portion of the project even if a contractor was hired

to construct either of the new road options around H-Marker Lake. For this reason, the City's in-kind costs to rehabilitate Tundra Ridge and Gunder's Way were added to the contractor's costs.

This project is the City's #3 priority for State Legislative funding for FY 2015. The City requested \$4 million to complete this project.

#### Pros

- Least expensive for City to construct or pay a contractor to build.
- Short distance + higher/drier ground = easier NEPA clearance.
- Only one culvert required.
- Eliminates the need for City to plow H-Marker Lake Road in winter.
- One landowner appears to favor granting an easement to City for this project.
- Road bypasses private drive near houses along H-Marker Lake.
- Planner, Acting Public Works Director, and Grant Manager feel this is the least expensive route with the least amount of issues associated with construction.

#### Cons

- Erosion will favor the lake side; may require annual maintenance.
- Two easements required before construction may begin.

### **Alternative #2 – Gunder's Way Extension to Ptarmigan Street**

#### Project Description

Construct 3,590 feet of new gravel road as an extension of Gunder's Way around H-Marker Lake to connect with Ptarmigan Street. The 32 ft. wide road would circumvent the private drive leading to houses around the lake. The road would follow a trail typically followed by four-wheelers over higher, drier land to the east of the lake. See map.

As part of the project, the Public Works Department feels strongly that Tundra Ridge Road from BIA Road to Gunder's Way and Gunder's Way to the place where new road construction will begin. **MUST BE REHABILITATED** – Improved by adding more sand and gravel. The cost to rehabilitate Tundra Ridge Road and Gunder's Way are included in the cost estimates. It was assumed that the City would complete this portion of the project even if a contractor was hired to construct either of the new road options around H-Marker Lake. For this reason, the City's in-kind costs to rehabilitate Tundra Ridge and Gunder's Way were added to the contractor's costs.

#### Pros

- Length of road only 500 ft. longer than #1.
- Leaves north portion of four-wheeler trail around lake intact.
- Road bypasses private drive near houses along H-Marker Lake.

### Cons

- Requires easements from two landowners.
- Path of road goes over severe wetlands at it approaches Ptarmigan Street, which may take longer to obtain NEPA clearances.
- More culverts and/or other water mitigation measures required.

### **Alternative #3 – New Road Construction Post Office to Ptarmigan Street**

#### Project Description

Construct 8,276 feet of new gravel road from the Chief Eddie Hoffman Highway north on the east side of the Post Office and west side of the power plant across the donut hole to Ptarmigan Street. The road would come out on Ptarmigan Street between the new AVCP office building and the AVCP apartments. The road would follow a path such that it stayed on City land as much as possible.

#### Pros

- Road follows City land most of the way, reducing the number and length of easements required.
- Road could connect Akiachak Street to provide the community greater access to the aquatic center, Yuut Elitnaurviat, and Pinky's Park facilities.
- Road would increase access from the north and south of town and reduce the congestion on Ridgecrest Drive.

#### Cons

- Road is not straight, which increases cost, time to construct it, and makes driving on it more inconvenient.
- According to feedback from ONC, Bethel Utilities Corporation is concerned that a road so close to its power plant with its requisite traffic will bring would increase its security risk.
- Road adjacent to the Post Office is narrow and may not be able to be widened to accommodate the width of the new road and the expected traffic flow.
- ONC, the owner of 17 acres behind the Post Office, expressed its opinion to the City that it would prefer a north-south road proceed from Chief Eddie Hoffman Highway through the City's former readiness center property and not on the road east of the Post Office.

### **Cost Detail**

City construction costs are estimates of the City performing the construction work using City personnel when possible, City-owned equipment, and other City-owned resources. The City has the personnel, resources, and knowledge to complete all aspects of road development except surveying and preparing and engineered design.

All three road paths will require the City to obtain easements from two or more landowners, many of which will involve the Bureau of Indian Affairs and native allotment holders. The cost to purchase land or easements was NOT included in the cost estimates developed.

Alternative #1	City Construction Estimate		Contractor Rough Estimate	NOTES
	A	B		
<b>New Road</b>				
a. Survey (contractor)	\$ 8,000	\$ 8,000		A-80 hrs. @ \$64.50/hr.   B-Previously submitted estimate in a City proposal.
b. NEPA Compliance	\$ 5,160	\$ 25,000		A-18 Rolls @ \$975   B-Estimate.
c. Typar	\$ 17,550	\$ 35,000		A- Sand = 1,172 truck loads @ \$75/load   B-Sand, Gravel, Culverts all together.
d. Sand	\$ 87,900	\$ 1,013,782		A- Gravel = 179 truck loads @ \$1,200/load.
e. Gravel	\$ 214,800			A-1 @ \$10,200 & 5 @ \$3,600.
f. Culverts with flares	\$ 28,200			A-4,061 lbs. @ \$.39/lb.   B-\$1,584 base cost + \$5,000 to apply.
g. Calcium Chloride	\$ 1,584	\$ 8,584		A-(3,065 lf. X 9 ft. x 2 ft.) @ \$.11/sq. ft.
h. Hydroseed	\$ 6,068	\$ 10,945		
g. Labor	\$ 38,315	Contained in above		
<b>Subtotal</b>	\$ 407,577	\$ 1,101,311		
<b>Existing Road Repair</b>				
a. Sand Application	\$ 30,600	\$ 30,600		A/B-408 truck loads @ \$75/load
b. Gravel Application	\$ 216,000	\$ 216,000		A/B-180 truck loads @ \$1,200/load
c. Culvert Replacement	\$ 3,600	\$ 3,600		A/B-1 @ \$3,600
d. Labor	\$ 22,485	\$ 22,485		A/B-Prorated by % of cost.
<b>Subtotal</b>	\$ 272,685	\$ 272,685		
<b>TOTAL</b>	\$ 680,262	\$ 1,373,996		
Linear feet of New Road		3,065		
Linear feet of Existing Road		3,426		
B - Prorated based on Knik Telephone Estimate of \$600,000 for 1,814 ft. sand/gravel road.				

Alternative #2	City Construction Estimate		Contractor Rough Estimate		NOTES
	A		B		
<b>New Road</b>					
a. Survey (contractor)	\$ 10,200	\$	10,200	\$ 10,200	A/B-Prorated Alt. #1 survey cost by lf.
b. NEPA Compliance	\$ 5,160	\$	25,000	\$ 25,000	A-80 hrs. @ \$64.50/hr.   B-Previously submitted estimate in a City proposal.
c. Typar	\$ 19,500	\$	37,831	\$ 37,831	A-20 Rolls @ \$975   B-Estimate.
d. Sand	\$ 101,550	\$	1,187,431	\$ 1,187,431	A- Sand = 1,354 truck loads @ \$75/load   B-Sand, Gravel, Culverts all together.
e. Gravel	\$ 237,600	\$			A- Gravel = 198 truck loads @ \$1,200/load.
f. Culverts with flares	\$ 30,600	\$			A-2 @ \$9,900 & 3 @ \$3,600.
g. Calcium Chloride	\$ 1,855	\$	9,855	\$ 9,855	A-4,757 lbs. @ \$.39/lb.   B-\$1,855 base cost + \$8,000 to apply.
h. Hydroseed	\$ 6,963	\$	12,963	\$ 12,963	A-(3,590 lf. X 9 ft. x 2 ft.) @ \$.11/sq. ft.
g. Labor	\$ 43,233	\$	Contained in above		A-5 person crew working 40 hrs./wk. for 2.2 months
<b>Subtotal</b>	\$ 456,661	\$	1,283,280	\$ 1,283,280	
<b>Existing Road Repair</b>					
a. Sand Application	\$ 30,600	\$	30,600	\$ 30,600	A/B-408 truck loads @ \$75/load
b. Gravel Application	\$ 216,000	\$	216,000	\$ 216,000	A/B-180 truck loads @ \$1,200/load
c. Culvert Replacement	\$ 3,600	\$	3,600	\$ 3,600	A/B-1 @ \$3,600
d. Labor	\$ 22,485	\$	22,485	\$ 22,485	A/B-Prorated by % of cost.
<b>Subtotal</b>	\$ 272,685	\$	272,685	\$ 272,685	
<b>TOTAL</b>	\$ 729,346	\$	1,555,965	\$ 1,555,965	
Linear feet of New Road			3,590		
Linear feet of Existing Road			3,426		
B - Prorated based on Knik Telephone Estimate of \$600,000 for 1,814 ft. sand/gravel road.					

Alternative #3	City Construction Estimate A	Contractor Rough Estimate B	NOTES
<b>New Road</b>			
a. Survey (contractor)	\$ 15,200	\$ 15,200	A/B-Prorated Alt. #1 survey cost by lf.
b. NEPA Compliance	\$ 5,160	\$ 30,000	A-80 hrs. @ \$64.50/hr.   B-Previous estimate prorated by lf.
c. Typar	\$ 66,300	\$ 100,000	A-68 Rolls @ \$975   B-Estimate.
d. Sand	\$ 223,050	\$ 2,737,376	A- Sand = 2,974 truck loads @ \$75/load   B-Sand, Gravel, Culverts all together.
e. Gravel	\$ 510,000		A- Gravel = 425 truck loads @ \$1,200/load.
f. Culverts with flares	\$ 80,100		A-3 @ \$9,900 & 14 @ \$3,600.
g. Calcium Chloride	\$ 4,277	\$ 19,277	A-10,966 lbs. @ \$.39/lb.   B-\$4,277 base cost + \$15,000 to apply.
h. Hydroseed	\$ 16,053	\$ 46,053	A-(\$8,276 lf. X 9 ft. x 2 ft.) @ \$.11/sq. ft.   B-\$16,053 base cost + \$30,000 to apply.
g. Labor	\$ 121,600	Contained in above	A-5 person crew working 40 hrs./wk. for 4 months.
<b>TOTAL</b>	\$ 1,041,740	\$ 2,947,906	
Linear feet of New Road	8,276		
B - Prorated based on Knik Telephone Estimate of \$600,000 for 1,814 ft. sand/gravel road.			

### City Constructed Road Methodology

The City of Bethel is able to construct a gravel road with purchased materials and its own resources. The road may be constructed a number of ways with a number of different materials. The chart below includes a list of steps and materials that have been successfully used to construct roads in rural Alaska.

<b>Steps and Materials for Gravel Road Construction in Rural Alaska</b>		
<b>Steps</b>	<b>Description</b>	<b>Purpose</b>
NEPA (Environmental Permits)	Contact State and Federal agencies with project description to obtain permits to construct road.	Meet federal NEPA (National Environmental Protection Agency) requirements.
Survey	Surveyor lays out best path for road with City input.	Keeps roads on correct property, straight, direct, can avoid water and other hazards.
*Design	Engineer evaluates materials with which the City has to work and designs road construction methodology, materials, location for Bethel environment.	Engineering expertise applied to road construction has potential for road to last longer with less maintenance required.
Typar	Lay typar down over the tundra on the road surface.	Keep ground frozen under road so it heaves and buckles less or not at all.
*Foam Board	Layer foam board over typar as insulation layer from frozen ground.	Provides barrier between cold permafrost and roadbed.
Culverts	Place culverts, if any.	Allow water to move freely under road so that it doesn't damage road.
Sand	Haul sand from City sand pit to road site. Deposit sand to road. Spread sand. Roll sand with roller. Slope edges of road 3 to 1.	Sand is readily available material in plentiful supply. Easy to access from City pit and work with on-site. City has loaders, dump trucks, graders.
*River Run Rock	Apply large (8"+) river run rock as a sub-base.	Provides solid foundation for gravel road base.
Gravel	Add 6" of D-1 gravel to top road.	Sharp gravel "bites" into road bed and holds together on surface better than small river rock.
Calcium Chloride	Apply calcium chloride and water with gravel.	Forms solid base; like pavement, until another application of calcium chloride is needed (after rain).
Hydroseed	Apply hydroseed mixture (seed, mulch, fertilizer) to slopes.	Grass helps stabilize slopes, reduces erosion of slopes and roadbed.
* Indicates optional step that can be eliminated in the interest of saving money and time, but may affect overall project quality upon completion.		

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*Bethel City Council*

*Office of the Mayor*

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# **Mayor's Report**





Consulting for

ENERGY

ENGINEERING

ENVIRONMENT

January 21, 2014

Joseph Klejka  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

Dear Mr. Klejka

Happy New Year! We at E3 Environmental, LLC (E3) hope that this letter finds you in good health and off to a productive year. As we move into the year 2014 we hope you will consider our services as one of your top choices when preparing for upcoming projects. I have enclosed our brochure to share our wide range of services you and the City of Bethel may be interested in.

The E3 mission is to provide high-quality professional consulting services to natural resource development, infrastructure and energy projects to benefit Alaskans and our Shareholders.

E3 is a subsidiary of the Calista Corporation formed in 2012 to meet the energy, engineering, and environmental needs of communities in the Region and around the state. E3 provides a wide-range of professional consulting services that draws on the extensive experience of its key personnel in the region and around the state to achieve customers' short and long-term project goals, improve efficiency, reduce long-term cost, minimize customer liability and provide maximum protection to the natural environment. E3 also provides a wide-range of environmental consulting services for all phases of project development from start to finish. We do this by fulfilling requirements of the Clean Air Act, Clean Water Act, Resource Conservation and Recovery Act, Oil Pollution Act, Occupational Safety and Health Act, National Environmental Policy Act, and many other regulatory programs.

E3 is a unique company. We have the knowledge of urban and rural capabilities and struggles, experience in small communities, and we work for you so that you, as a community, can improve and achieve short and long-term goals.

Enclosed please find our company brochure that highlights our services and capabilities. Please give me a call at (907) 565-4200 or email me at [ralcantra@E3Alaska.com](mailto:ralcantra@E3Alaska.com) if you have any questions. We look forward to the opportunity to work with you.

Quyana,

Rosetta Alcantra, General Manager



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*Bethel City Council*

*Office of the City Manager*

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# **Manager's Report**



# CITY OF BETHEL

Post Office Box 1388  
Bethel, Alaska 99559  
Voice: 907-543-1373  
Fax: 907-543-1394



January 21, 2014

**From:** Lee M. Foley, City Manager

**To:** Bethel City Council

-

**Info:** Lori Strickler, City Clerk

**Subj:** City Manager's Report

Listed below are some of the action items and activities that I've been working on, and involved in, for the period January 21- February 4, 2014.

## CITY ADMINISTRATION ACTION ITEMS AND ACTIVITIES

### **Projects:**

- **YK Aquatic Center** - Regular weekly teleconference meetings between the Project Management Team and City Administration are held each Friday at 9:00 a.m. The following items are germane:
  1. Enclosed with this report is a copy of the Monthly Pool Report with pictures, and a copy of the current budget.
  
- **Bethel Harbor Bank Stabilization** – This is the \$4,000,000.00 project approved through a State-wide bond. An RFP was issued and four (4) companies responded, i.e. DOWL, HKM, PND Engineers, Inc., Michael L. Foster & Associates, and Meridian. DOWL, HKM was selected (100 points). Numbers 2-4 were PND Engineers (78 points), Michael L. Foster & Associates (55 points), and Meridian (44 points). In your packets for this meeting is an Action Memorandum (AM) with the proposed contract, prepared and reviewed by the City Attorney, for Council's review, consideration, and approval.
  1. This information is carried over from my last report to Council because the request was never approved. The AM is again on the agenda for February 11.

**Miscellaneous:**

- **FY 2015 Budget** – The internal process that will culminate in a balanced draft budget being presented to Council on April 1, 2014, is ongoing and proceeding smoothly. We learned today, February 4, that PILT had been restored in the Federal Farm Bill and was approved. Alaska's share is approximately \$26.5M. We're waiting now to see how it will be allocated.
- **Optional Roads to Connect Tundra Ridge** – The Council directed the Administration to prepare three (3) options for consideration. Those options and estimated costs will be presented on February 11.

Thank you.

Enclosures

## Monthly Construction Report – Jan. 2014

Date: January 31, 2013  
Project: YK Aquatic Center, Bethel, Alaska



### **Budget**

Change Orders – No change orders processed this month.

- Anticipate a final change order for the special inspection/material test lab. This cost has been anticipated and is budgeted for.
- ProDev reviewing misc coordination issues for furnishings and equipment power and data with Contractor. Significant impacts are not anticipated.
- Received initial drawing from the contractor for an automated pool cover. Documents under review and the best approach for pool cover supply and installation will be a change order to the contract.

### **Project Management - Administration**

Safety – No accidents or recordable incidents to date.

Quality Control/Quality Assurance – A full time site presence is being maintained, construction manager is coordinating closely with City Hall, Public Works and the Contractors on site. No exceptions or conflicts are anticipated.

- Foundation Thermal Break (the compressed wood blocks) – The pile thermal break blocks have been replaced and a six day pool fill test began on Jan. 31. As of this report, no conflicts are foreseen. Non-conformance report to remain open until fill test is satisfactorily completed.
- Tours – Mike Nevenzal providing multiple tours weekly, tours have been well received.

### Pool Operations

- RFP – A request for proposal for a pool operator/manager was published Jan. 30, currently four out of state firms and Kuimarvik have expressed interest in responding.
  - A pre-proposal teleconference has been scheduled at City Hall at 9am Feb. 11.
  - Proposals are due March 7.

Easement – Awaiting reply from BNC regarding the request for Bethel Utility Corp easement for possible future power lines on BNC land. Farpoint Land Services has provided a draft plat for the easement on the City land.

### Furnishings Fixtures and Equipment

- YKHC has advised that some funding from their diabetes program may be available for purchase of fitness equipment for the Aquatic Center.
- The Rasmuson Foundation has formally requested a proposal for funding the aquatic center. Submittals are due March 14 and Rasmuson has requested a site visit soon after submittal.
- Pool Cover, Scoreboard, Bleachers
  - As Rasmuson funding may not be secured until summer, these items may not make this season's barge schedule. ProDev continuing to review and coordinate options offering the best value to the City.

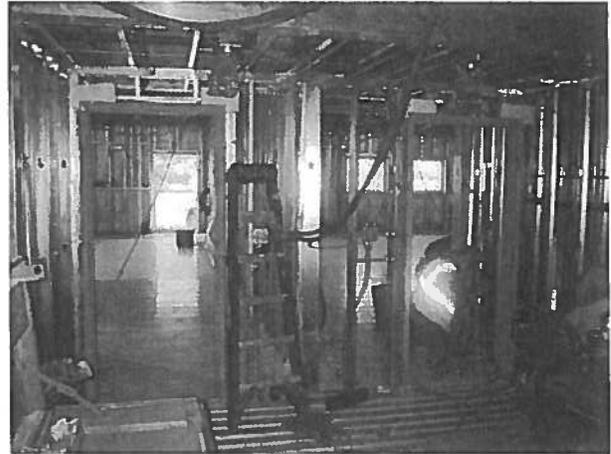
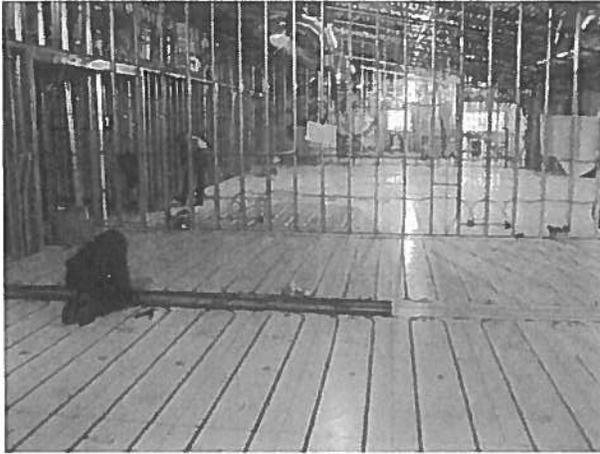
### Schedule

- No change from last month, the contractor has advised that completion of construction is anticipated prior to the contractual substantial completion date of Sept 30, 2014.
- This is not anticipated to impact the opening date rather the City will plan accordingly for the transition to operations and maintenance.
- Unseasonable warm weather has allowed accelerated progress on the roof.

### Construction

Week of 01/06 – Crews returning to the site after holiday break, heated floor installation at fitness area. Heating ductwork installation. Repair/retrofit of pile thermal breaks. Wall framing.

Week of 01/13 – Continue heated floor installation at fitness area, heating ductwork installation and repair/retrofit of pile thermal breaks. Interior door frame installation, wall board installation underway. Pool installers return to site to prep for fill test.



Week of 01/20 – Continue activities mentioned above. Pool installers patching shotcrete, roofers on site to take advantage of mild weather.



Week of 01/27 – Blocklayer crew returned to site to complete natatorium block walls. Generator room equipment rough-in, wall board installation ongoing.

### **Upcoming Activities**

Pool Fill Test – First week in Feb, six day pool fill test to be completed.

Furnishings and Equipment – Research and review options for furnishings and equipment purchases to allow timely procurement once funds are secured.

Tour Safety – When visiting the site, please schedule site visits through Mike Nevenzel. Also, please remind everyone involved to take an extra moment to proceed with caution, construction sites can be dangerous and we all want a safe jobsite with ZERO INJURIES.

End of Report

If you find any errors or omissions stated above, please contact the author immediately.



Yukon Kuskokwim Regional Aquatic Center  
Bethel, Alaska

**Program Budget**

	Contract	Forecast	Total	Spent to date
Pile \$	1,059,094	\$ -	\$ 1,059,094	\$ 1,059,095
Construction \$	20,560,277	\$ 8,765	\$ 20,569,042	\$ 14,561,725
FFE \$	-	\$ -	\$ -	\$ -
A/E Fees \$	45,289	\$ -	\$ 45,289	\$ 45,289
PM & Inspections \$	1,056,345	\$ 40,000	\$ 1,096,345	\$ 663,356
Misc \$	7,536	\$ 55,275	\$ 62,811	\$ 7,536

Total \$ 22,728,541 \$ 104,040 \$ 22,832,581 \$ 16,337,001

State Funding \$	23,075,000
Work under contract \$	22,728,541
Forecast additional costs \$	104,040
Available Funds \$	242,419

**Program Budget Breakdown**

Pile	Contract	Forecast	Spent
Arctic Foundations, Piling Purchase (early pay discount)	\$ 883,890	\$ -	\$ 883,891
Northland Services	\$ 52,542	\$ -	\$ 52,542
Air Freight, 2nd Piling Order 3 flights	\$ 122,662	\$ -	\$ 122,662
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ 1,059,094</b>	<b>\$ -</b>	<b>\$ 1,059,095</b>

**Construction**

Bethel Services Design Build Contract	\$ 20,044,750	\$ -	\$ 14,561,725
Change Order 1 Vented Metal Roof	\$ 165,000	\$ -	\$ -
Change Order 1 lockers PVC in leiu SS	\$ (29,000)	\$ -	\$ -
Change Order 1 Conc pool gutter in leiu of SS	\$ (22,500)	\$ -	\$ -
Change Order 1 PVC drains in leiu of SS	\$ (11,000)	\$ -	\$ -
Change Order 1 Pile Depth	\$ 73,826	\$ -	\$ -
Change Order 1 Thermister strings	\$ (35,000)	\$ -	\$ -
Change Order 2 Fire Hydrant	\$ 73,564	\$ -	\$ -
Change Order 2 BUC overhead power	\$ 11,063	\$ -	\$ -
Change Order 2 Relocate lift station	\$ 33,392	\$ -	\$ -
Change Order 2 Credit owner gravel	\$ (96,074)	\$ -	\$ -
Change Order 2 Locker room doors and dedicated circuits	\$ 20,000	\$ -	\$ -
Change Order 2 Fire Road	\$ 195,000	\$ -	\$ -
Change order 3 - Swap fridge	\$ 3,385	\$ -	\$ -
Change order 3 - Paint Pile Caps	\$ 5,237	\$ -	\$ -
Change order 3 - Recirc Waterline	\$ 111,601	\$ -	\$ -
Change order 3 - Roughin for future pool cover	\$ 17,033	\$ -	\$ -
Change order 3 - Sand operator	\$ 16,500	\$ -	\$ -
Change order 3 - 240 CY D-1 credit	\$ (16,500)	\$ -	\$ -
Elec Coord - PLACEHOLDER	\$ -	\$ 6,000	\$ -
Turbine Access Road PLACEHOLDER	\$ -	\$ -	\$ -
Paint PLACEHOLDER	\$ -	\$ 2,765	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
<b>Total</b>	<b>\$ 20,560,277.00</b>	<b>\$ 8,765.00</b>	<b>\$ 14,561,725.00</b>

**Fixtures, Furnishings & Equipment**

Not currently funded	\$ -	\$ -	\$ -
Art	\$ -	\$ -	\$ -
Pool Equip	\$ -	\$ -	\$ -
Furniture	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -
0	\$ -	\$ -	\$ -

	0	\$ -	\$ -	\$ -
	0	\$ -	\$ -	\$ -
	0	\$ -	\$ -	\$ -
	0	\$ -	\$ -	\$ -
<b>Total</b>		\$ -	\$ -	\$ -

**Architectural & Engineering Fees**

65% drawings funded from other source		\$ -	\$ -	\$ -
Design revision during bid process		\$ 45,289	\$ -	\$ 45,289
	0	\$ -	\$ -	\$ -
	0	\$ -	\$ -	\$ -
	0	\$ -	\$ -	\$ -
	0	\$ -	\$ -	\$ -
<b>Total</b>		\$ 45,289	\$ -	\$ 45,289

**Project Management & Inspection**

Project Management Labor		\$ 791,600	\$ -	\$ 466,025
Project Management Expenses		\$ 147,900	\$ -	\$ 53,853
	0	\$ -	\$ -	\$ -
Phase 1 Special Insp - NTE Thermopile		\$ 36,845	\$ -	\$ 39,981
Phase 2 Special Insp		\$ 40,000	\$ -	\$ 51,415
Phase 3 Special Insp		\$ 40,000	\$ 40,000	\$ 52,082
<b>Total</b>		\$ 1,056,345	\$ 40,000	\$ 663,356

**Miscellaneous**

Anch Daily News - Bid Advertisement		\$ 46	\$ -	\$ 46
Anch Daily News - Bid Advertisement		\$ 90	\$ -	\$ 90
City - Utility connection, power pole to site		\$ -	\$ 52,775	\$ -
Farpoint Easement Platt		\$ 5,575	\$ -	\$ 5,575
Easement fee to BNC		\$ 1,000	\$ -	\$ 1,000
Anch Daily News		\$ 43	\$ -	\$ 43
Dedication Plaque		\$ -	\$ 2,000	\$ -
Midwest Pool - RFP Peer review		\$ 781	\$ 500	\$ 781
	0	\$ -	\$ -	\$ -
<b>Total</b>		\$ 7,536	\$ 55,275	\$ 7,536



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*Bethel City Council*

*Office of the City Manager*

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# **Management Team Reports**



## Planning Department Report

**From: Rachael Pitts, Planning Director**

**Date: February 1, 2014**

We continue to work with Farpointe Surveying to get plats completed that will be reviewed this winter. The next two to be heard at the Planning Commission are for Pinky's Park, and for a right of way dedication. The Planning Commission will be continuing reviews of Preliminary and Final Plats.

Two zoning requests were discussed at the January 14th City Council meeting. Residential Planned Unit Development overlays are proposed for the Kasayuli and Tsikoyak (Larson) subdivisions, for the purposes of site plan permitting. This is minimal zoning code focused on the permitting process for new development. No action was taken.

City staff reviewed responses to the RFP for Small Boat Harbor Bank Stabilization. A number of good responses were received by the City.

Newton Chase, the new YKHC Vice President, visited the Planning Department to learn more about projects that will aid the hospital, such as the Institutional Corridor proposal.

Staff worked on mapping and presentation of three alternatives to increase traffic circulation, either near H-Marker Lake or through the Donut Hole. This will be an important topic for 2014.

Site Plan Permit Applications and Code Enforcement: The Planning Department has issued three Site Plan Permits to date.

Six junk vehicles were removed from the right of way this month in various parts of the City. The Planning Department is currently running an ad to locate the owner of a nuisance property.

### Construction Projects:

*Swimming Pool:* The project is moving along. Options are being reviewed for the management and staffing of the pool.



## MEMORANDUM

**DATE:** 02/01/2014  
**TO:** Lee Foley, City Manager  
**FROM:** Bill Arnold, Public Works Director  
**SUBJECT:** Manager's Report

### Programs/Divisions

#### **Public Works Director:**

##### **Utility Maintenance:**

This month we responded to eight after hour callouts. We also continue to level sewer lines and flush water lines in ASHA. Our guys also helped leveling a walk way at Pinky's Park. We also had a bad fire hydrant which we replaced in ASHA. We continue to monitor our liftstations daily and rebuild sewer pumps when needed. Our Water plants also operate daily. We also read water meters and BLUE TAG for our billing department on a monthly basis.

##### **Hauled Utilities:**

For the month of January even as we were short handed, we still pumped almost 3,000,000 gallons of water. And removed 2,500,000 gallons of sewage, and hauled 35 tons of trash.

The dumpsters are still getting filled with construction debris, oils, fuels, and other nefarious materials which could be a potential health and safety hazard, beside the fact these items have proven to do damage to the truck itself and the dumpsters.

We are still having man power issues, which have caused a lot of overtime.

And last but not least, Mother nature has thrown us a curve ball this month. The icy, wet, slick conditions of the roads and especially the drive ways, made it a challenge for servicing water and sewer customers, not to mention the accident rate has risen. Even with chained and studded tires the trucks have slid into cars, houses and off of some driveways.

##### **Property Maintenance:**

We have been checking our buildings daily for heat and plumbing issues as well as on the week-ends. Some boilers are being gone over to keep them trouble free. Steamers are being serviced to thaw culverts through this warm spell. We clear snow around the decks, stairs and ramps as needed and spread sand or de-icer

when necessary. Doors always need adjustments or hardware to replace in high traffic areas. Lights and ballast are big a maintenance item this time of year. We are changing them out to a more efficient type as what was recommended from the energy audit that was done recently. We are putting in new L.E.D. fixtures where we can as the budget permits. Industrial Boiler and Controls were out here to help us trouble shoot the problems we had with the heating plant at our Bethel Heights Pump House. All is well there now. I have been using Community Service Workers from the Tundra Center to assist us at times and they have been a big help at times. Thank you.

### **Road Maintenance:**

Streets and Road now has been working on steaming culverts that has been over flowing, the roads from the big thaw that we been having. We had to get the steamers out from winter storage and put them in operation in the middle of winter. We also have been pumping out some of the water at some of the culverts that have been having problem.

Streets and Roads has been sander the roads more this year than ever using one or two sanders as needed, and with that being said, we have been using more salt sand this winter on the roads, then any other winter. Being that we were getting two road sanders, we mixes up the biggest pile of roads sand for this winter, and so far we are still doing good on the salt sand pile, being we still have a little over two mouths to go, before its starts thawing for good.

Streets and Roads, working in the land fill, when we have time covering some of the scraps, trash, and tires in order to make more room in the landfill. We also been hauling sand to the landfill, but had to stop during the thaw with all the water in the city sand pit. But will start again, hauling sand from the sand pit as soon as it freezes.

### **Vehicles and Equipment:**

We have been busy lately getting slightly caught up with some of our water and sewer trucks that have needed major repairs. Now that we are through the big holiday season, we have seen our ordered parts through the airlines better showing up in a timely manner. With this warm weather occurring we have noticed quite a bit less of the cold weather common breakdowns that we are accustomed to. Being it is an early pothole season, we have had to replace a few leaf springs on a few of our water trucks in the past couple of weeks. We have also had to help respond, along with the road crew, to trucks that need some assistance getting out of some of the steeper driveways around town because of the slippery conditions. John, Tom, and Charles are still piecing there large truck lift together as time permits throughout past couple of weeks. It has shown to be a tedious assembly process to

guarantee that it will be put together to allow for many years of safe use and operation, in the repair process for our water and sewer truck fleet.

### **Transit System:**

The ridership has increased the past several months however it's still not at the level I had hoped for. For the first three weeks of January, 2014, the Bethel Transit System transported a total of 1335 passengers; 47 of those riders had a disability, 310 were elders and 1025 were adults and youth. The revenue for this time was \$1837 (fares), \$340 pre-paid tickets, and \$240 in monthly passes.

Keeping the buses clean inside and out is a constant challenge. You can wash them one day and it's raining and the next day they are covered with mud. We have received the new pressure washer but its 220 volt and we haven't been able to get it wired in yet. I brought a small pressure washer from home and hopefully it'll do the job until we get the other one working. Trying to keep the buses on the scheduled time, holding the drivers to their working hours and keeping the buses clean inside is a challenge for drivers.

The age of the buses, 100,000 miles+, and the rough roads has a toll on keeping the buses running. The shop crew no sooner gets one repaired and another is down. We have the DOT approval to order a new bus to replace Bus #436 (6 years old and 117,000+ miles) however finding the matching funds, \$10,000-15,000, may prove to be a challenge. We will need to start working on getting approval to order a new bus, to replace Bus #437 (6 years old and 107,000+ miles, in the FY 15 Grant process and finding the matching funds for it.

John Sargent, City Grant Manger, is working on the FY 15 FTA Grant 5311. We'll need to work closely with the Bethel City Council and ONC to get the grant completed by the deadline, January 31, 2014. With funds being tight, ONC has reduced their match from \$105,000 to \$60,000. I've contacted BNC and several other local organizations to see if they could help with the match money, for the Grant, but no one has additional funds available. With the lesser funds for FY15 the Transit System will need to reduce the services we're providing and run just one route per day.

### **Landfill / Recycle Center:**

The landfill is working hard at burying scrap, tires and trash in order to make more room in the landfill. The streets and roads guys have helped considerable with this project and hauling cover material.

The Recycle Center is still working steady at baling cardboard. Larry Epperly has been helping out by using Tundra Center workers to cleanup around dumpsters.

**Staffing Issues/Concerns/Training:**

The Hauled Utilities Dept is down a total of 3 Water/Sewer Drivers;  
The V&E Dept. is down 1 Mechanic.

**Budget/Financial:**

See each Department.



( Repair of the tie-backs ; this is a shovel ready project and has been ready since 2005. It is a \$4M project the USACE puts into their budget request every year ; the port has a separate grant request for this project ).

-The USACE reports that they expect their project list will be scaled back to the four strategic sites that they are scheduled to dredge every year.

Port Comm. forwarded a Rec to Council for a repair of the seawall using the Seawall Maintenance Fund. I will put this on the February 11<sup>th</sup> as a Agenda Item or as a Memo of Action.

-Young Parcels -K& L Gates attempts to bring BIA and DNR together to discuss some questions about riparian rights is slowly moving forward. The BIA wants to know where the Jung property line was when Bethel was became a township (1962 ? ). Between 1962 and when the seawall was built this land washed away. The BIA is interested the value of this land

Larsen Consulting completed the survey of 208 East Ave. The survey was forward to the planning dept. and the city attorney.

### **Brown Slough**

- Planning on an late February start up to excavate what we couldn't excavate last winter. What gets accomplished will depend what we have to spend on fuel. Last year we spent approximately \$10,000. This year \$4,000 is all we have to spend on Brown Slough anything more and we will probably go over what was budgeted for fuel for FY-14.

-Discussed the need for the Port/City of Bethel to keep the entrance of Brown Slough usable for barges, skiffs and so forth.

### **City Dock**

There were some tugs broken into on Friday night the 24<sup>th</sup>. It was notice by the Port Director on the 25<sup>th</sup>. Bethel PD was notified. The companies owned the boats were notified and after inspecting their boats determined some TT's were taken. Police reports were filed.

### **East Timber Wall**

-USACE returned a cost estimate for the design of the East Timber Wall and it is \$380,000 with \$250,000 on hand. On Jan 17<sup>th</sup> we had a discussion dropping the concept plan and the cost of substituting a sheet pile wall in the same configuration that the timber wall is in now of repairing the timber wall. This issue was discussed with the Port Commission on Jan. 22<sup>nd</sup>. The ask me to make a Recommendation to the City Council for a Budget Mod using funds from the City Dock Deferred Maintenance Fund.

- USACE , Denali Comm and the Port meet on Jan 30<sup>th</sup> to discuss scaling back the concept plans and costs. Our goal is to replace the timber wall with a wall of either sheet pile, or perhaps repairing what we have in place, for the purpose of holding the uplands in place and providing for enough draft for boats using Brown Slough. The USACE is drafting a scope of work for the design of the wall and hopes to have it ready for February 3<sup>rd</sup> or 4<sup>th</sup>, 2014. The Port will pass this to the City Administration, Port Comm and City Council for review.

### **Petro Port/Beach**

- Redi Electric has received the lights for the sand shed and will start installing them - Thursday the 16<sup>th</sup>
- Requested two poles with lights for the Beach 2 road and parking lot. One of the street lights should

Peter A. Williams  
Port Director





## **MEMORANDUM**

DATE: February 2, 2014

TO: Lee Foley, City Manager

FROM: George Young, Fire Chief

SUBJECT: Manager's Report – Month of January, 2014

### **Programs/Divisions**

- All vehicles are up and running with the exception of the 1972 Engine-2 which has serious problems with its Cummins Diesel engine. It is not running reliably at this time although in an emergency it could be driven to a major fire and used probably for drafting water only and supplying it to another engine, but is nowhere safe or reliable to be considered as a front line fire engine. That was the bad news...the good news is that the City should be receiving it's new Fire Engine, courtesy of the State of Alaska with help from City Manager Foley, the previous City Council, Senator Hoffman, Representative Herron, City Grants Manager John Sargent, Fire Captain Bill Howell, Firefighter/EMT Instructor Daron Solesbee, Public Works heavy equipment mechanic Josh Howell, and myself. Arrival of the new City fire engine is expected to be between June and August of this year.

### **Staffing Issues/Concerns/Training**

- We are still recruiting for one vacant Firefighter / EMT position but have put a hold on the actual hiring while we prepare to suffer through the one to two million dollar budget deficit.
- The new building is holding up quite well. We are having some work done under the floor to bring the heat loop pump and controllers into the building instead of outside buried in the floor where they are hard to get at during an emergency.
- An EMT meeting was held on January 21 in the evening at the Fire Station. A review of recent ambulance runs was conducted by Firefighter/EMY Instructor Fred Watson followed by training in Do Not Resuscitate orders/ dealing with individuals obviously dead on arrival, the state of Alaska's Comfort one program (right to die) and we practiced advanced EMT cardiac skills.
- An EMT meeting was held on January 7 in the evening at the Fire Station. Training for the evening was conducted by Firefighter/EMT Instructor Fred

Watson and consisted of studying our written State of Alaska and our in house medical protocols for EMT I, II and III (cardiac) skill levels. We practiced drug calculations and practiced a trauma accident scenario.

- A few more potential EMT II students are finishing their written and practical tests this month, best of luck to them! We seriously need the help to prevent burn out of our paid and the current volunteer staff, who we are calling on more and more lately.
- A Fire meeting was held on January 23<sup>rd</sup> in the evening at the Fire Station. A review of recent fire calls was conducted by Fire Captain/EMT instructor Howell followed by training in our Self Contained Breathing Apparatus to include safety, cleaning and donning pack from the brackets mounted on the rigs...
- A Fire meeting was held on January 9<sup>th</sup> and was conducted by Fire Captain/EMT Instructor Howell. We practiced with water supply methods, drafting with portable high capacity pumps to the Tanker and then having the Tanker supply a 2 ½ " landline and nozzle. Best done with two firefighters, a 2 ½ " nozzle can supply up to 250 gallons per minute of water and can be quite difficult to hang on to when operation at 150 psi.

## **Budget/Financial**

- The department is operating within its allocated budget, for now. I have some concerns about our supply budget this year with medical supplies and appliances becoming more expensive to purchase and ship to Alaska. I now realize that almost every year for the few years I have had to make line item transfers to make it to the end of the year.
- Although our two ambulances appear new and shiny and still function reasonably well, they are starting to show signs of age and Bethel's rough roads. The newest ambulance is a 2003 and the older one is a 1999. We need to seriously consider going after a replacement for the older one while they both still function. Perhaps an item for consideration for a State Capital request for next year's not this year's budget.
- One item I have asked for in this year's early preliminary budget is a new pickup truck to replace the 1994 (20 years old) hand me down white Suburban with a plow that we constructed from two old City vehicles that were being thrown away or were going to put out to bid. It needs a new transmission, a rear differential, transfer case, and probably a new engine as it has a cracked block and constantly leaks fluid. The new pickup truck would also allow us to get rid of the 1992 (22 years old) blue Ford F-150 truck that does not start or run well anymore. It needs its third or fourth total front end rebuild, has had two fires in the engine compartment and generally is a fairly unreliable vehicle in the cold.
- I have talked to Representative Herron and Senator Hoffman only briefly about the concept of adding an ambulance only bay to the West side of the fire station building, the side that faces the Cultural Center. We have far too much expensive equipment like our boat, two 4-wheelers, summer brush fire truck and

our portable cascade air delivery system (it looks like an old ambulance and is parked outside the fire station). This vehicle provides very rapid filling of our SCBA bottles at large fires and really should be inside along with the other equipment mentioned above. Although our delegates are not really in power right now Representative Herron said that one or two million projects like this that are additions to current fire/ambulance stations often receive very favorable funding....especially over new building construction. The extra bay would allow all three ambulance rigs to be positioned closer to the living quarter's side where most of the volunteers spend their overnights...

## PRESS RELEASE

City of Bethel Fire Department  
320 Chief Eddie Hoffman Highway  
P.O. Box 1388  
Bethel, Alaska 99559-1388  
Contact: George S. Young, Fire Chief  
Phone: (907) 543-2131  
FAX: (907) 543-2702  
Cell: (907) 545-4998

### **FOR IMMEDIATE RELEASE**

**Date: 02-02-2014**

### **FIRE, MEDIC AND RESCUE CALLS**

On 1-1-13 at 3:01 a.m. medics responded to Tundra Ridge for the report of a male with a bloody face. The patient refused transport. Medics returned to quarters.

On 1-1-13 at 12:38 p.m. medics responded to Tundra Ridge for report of person who had a seizure. The patient was assessed on scene and then transported to the hospital.

On 1-1-13 at 12:49 p.m. medics responded to Main Street for report of person who had rolled their snowmachine and was trapped under it. On arrival, medics found the person was freed and didn't want to be assessed by medics. M-5 returned to quarters, the patient was taken by officers.

On 1-1-13 at 5:17 p.m. firefighters responded to Mission Road for the report of a fire in the drive way. Upon arrival, talked to homeowners and they stated they had a little warming fire burning. Fire was extinguished and firefighters returned to quarters.

On 01-02-14 at 10:00 p.m. medics responded to Calista Drive for a report of a male with low blood sugar. Upon arrival, medics found a patient complaining of weakness. The patient was assessed and transported to the hospital.

On 01-2-14 at 12:12 p.m. medics responded to Chief Eddie Hoffman Hwy for the report of a patient needing transported to the hospital. The patient was assessed and transported to the hospital.

On 01-2-14 at 2:52 p.m. medics responded to Akakeek Street for the report of a female patient having trouble breathing. The patient was assessed and transported to the hospital.

On 01-2-14 at 5:25 p.m. medics responded to Atsaq Street for the report of a disabled male patient throwing up. The patient was assessed and transported to the hospital.

On 01-2-14 at 6:20 p.m. medics responded to the hospital for the report of a patient needing transport to Long Term Care. The patient was transported and medics returned to quarters.

On 01-2-14 at 7:37 p.m. medics responded to AC main for the report of a male patient passed out on the steps. The patient was assessed and transported to the hospital.

On 1-3-2014 at 2:54 p.m. medics responded to state hwy for report of a unresponsive person. On scene patient was assessed and then transported to the hospital.

On 1-3-2014 at 8:10 p.m. medics responded to Kasayuli for report of a motor vehicle accident. All involved were assessed and refused treatment and transport. Medics returned to quarters.

On 01-04-14 at 9:36 a.m. firefighters responded to Ptarmigan Road for the report of smoke filling up a hallway. Upon arrival, firefighters found a cooking fire that had already been extinguished. Firefighters investigated and returned to the fire station.

On 01-04-14 at 12:59 p.m. medics responded to East Avenue for a vehicle lock-out. The vehicle information was gathered from the owner and the vehicle was unlocked. Medics returned to the fire station.

On 01-05-14 at 7:41 p.m. medics responded to Jacobs Way for the report of a man who was bleeding above his eye. The patient was assessed and transported to the hospital.

On 01-05-14 at 8:32 p.m. medics responded to the airport for the report of an unresponsive female. The patient was assessed and transported to the hospital.

On 01-06-14 at 11:15 a.m. medics responded to East Avenue for the report of a person who had been assaulted. The patient was assessed and transported to the hospital.

On 01-06-14 at 2:41 p.m. medics responded to BNC Complex for the report of an intoxicated person who was unresponsive. The patient was assessed and transported to the hospital.

On 01-07-14 at 11:29 a.m. medics responded to Ptarmigan Street for the report of an intoxicated unresponsive female patient. On arrival, no patient was found. Medics returned to quarters.

On 01-08-14 at 3:57 p.m. medics responded to Akakeek Street for the report of a person who was found frozen to the ground. Medics observed conditions that were incompatible with life. The body was left in custody of the Bethel Police Department.

On 01-09-14 at 10:43 a.m. medics responded to City Sub for the report of a male having a seizure. The patient was assessed and transported to the hospital.

On 01-09-14 at 9:23 p.m. medics responded to the hospital for the report of a vehicle lockout. The vehicle was unlocked. Medics returned to quarters.

On 01-10-14 at 1:53 p.m. medics responded to Swanson's for report of a unresponsive person. On scene medics assessed patient and transported them to the hospital.

On 01-10-14 at 4:23 p.m. medics responded to Yukon air for report of person coming in on a flight with back pain. Patient was assessed when they landed and loaded into medic 5. Patient was then transported to the YKDRH ER.

On 01-10-14 at 6:54 p.m. medics responded to the airport for the report of an unresponsive female. The patient was assessed and transported to the hospital.

On 01-10-14 at 8:01 p.m. medics responded to Ptarmigan Street for the report of an unresponsive male. Upon arrival, a male was awake and was transported by CSP officers. Medics returned to the fire station.

On 01-11-14 at 3:20 a.m. medics responded to Salmonberry Street for the report of an assault victim. The patient was assessed and transported to the hospital.

On 01-11-14 at 7:10 p.m. firefighters responded to Chief Eddie Hoffman Highway for the report of a vehicle lockout. The vehicle was unlocked and firefighters returned to quarters.

On 01-11-14 at 10:30 p.m. firefighters responded to Main Street for the report of a vehicle lockout. The vehicle was unlocked and firefighters returned to quarters.

On 01-12-14 at 4:00 a.m. medics responded to Schwalbe Road for the report of a person having trouble breathing. The patient was treated and transported to the hospital.

On 01-12-14 at 8:17 a.m. firefighters responded to Blackberry Drive for the report of a possible chimney fire. Upon arrival, no fire was found. Firefighters returned to quarters.

On 01-12-14 at 3:06 p.m. medics responded to Ridgecrest Drive for the report of a person experiencing altered mental status. The patient was assessed by medics and transported by police officers.

On 01-12-14 at 9:19 p.m. medics responded to Ptarmigan Road for the report of a person with a bump on their head. The patient was assessed and refused transport.

On 01-13-14 at 12:24 a.m. medics responded to Fourth Avenue for the report of a person with an injured knee. Upon arrival, no patient was found and medics returned to the fire station.

On 01-13-14 at 7:35 a.m. firefighters responded to Salmonberry Drive for the report of a vehicle lock out. The vehicle was unlocked and firefighters returned to quarters.

On 01-13-14 at 12:55 p.m. firefighters responded to the City Sub Pump House for the report of a possible fire alarm. Upon arrival, employees stated that the alarm was a water fill level alarm. Firefighters returned to quarters.

On 01-13-14 at 4:55 p.m. firefighters responded to Swan Court for a lockout. The door was opened for the resident. Firefighters returned to quarters.

On 01-13-14 at 7:15 p.m. medics responded to Ridgecrest Drive for the report of an intoxicated person who was unresponsive. The patient was assessed and transported to the hospital.

On 01-13-14 at 10:48 p.m. medics responded to Ptarmigan Road for the report of a child experiencing abdominal pain. The patient was assessed and transported to the hospital.

On 01-14-14 at 7:45 a.m. medics responded to Akakeek Street for the report of a person complaining of their heart racing. The patient was assessed, but refused transport to the hospital.

On 01-14-14 at 12:46 p.m. medics responded to Ron Edwards Way for the report of a person who was experiencing pain. The patient was assessed and transported to the hospital.

On 01-14-14 at 3:36 p.m. medics responded to the airport for a medivac. The patient and medevac crew were transported to the airport. Medics returned to quarters.

On 01-14-14 at 8:10 p.m. medics responded to Fourth Avenue for the report of a person with a hurt knee. The patient was assessed and then transported to the hospital.

On 01-14-14 at 9:11 p.m. medics responded to Covenant Church for report of person having trouble breathing. The patient was assessed and then transported to the hospital.

On 01-15-14 at 6:15 p.m. medics responded to Ridgecrest Drive for the report of an unresponsive person. The patient was assessed by medics and was transported to the hospital by police officers.

On 01-15-14 at 8:45 p.m. medics responded to the hospital for a patient transport. The patient and flight crew were transported to the airport.

On 01-16-14 at 3:41 a.m. medics responded to Akiak Drive for the report of an intoxicated person who was vomiting blood. The patient was assessed and transported to the hospital.

On 01-16-14 at 12:02 p.m. medics responded to the airport for the report of a child who was experiencing seizures. On arrival, medics were advised by airport staff that the plane was unable to land. Medics returned to quarters.

On 01-16-14 at 2:45 p.m. medics responded to Chief Eddie Hoffman Highway for the report of a person who was unable to walk. The patient was assessed and transported to the hospital.

On 01-16-14 at 11:28 p.m. medics responded to the hospital for a patient transport. Two patients and flight crews were transported to the airport.

On 01-17-14 at 4:23 p.m. medics responded to Willow Street for the report of a person who was unresponsive. The patient was assessed and transported to the hospital.

On 01-19-14 at 4:21 p.m. medics responded to Our Own Road for the report of a man bleeding. Upon arrival, medics found a 48 year old male who had been assaulted. The patient was assessed and transported to the hospital.

On 01-19-14 at 4:41 p.m. firefighters responded to Katie Hatley Drive for the report of a house fire. Upon arrival, firefighters found an outbuilding on fire. The fire was extinguished and an investigation continues. Three individuals were assessed by medics for possible smoke inhalation.

On 01-19-14 at 11:31 p.m. medics responded to East Avenue for the report of a possible overdose. Upon arrival, medics found a 29 year old female who may have taken some medication. The patient was assessed and transported to the hospital.

On 01-20-14 at 6:07 p.m. medics responded to 3<sup>rd</sup> Avenue for the report of a male with a dislocated shoulder. The patient was assessed and transported to the hospital.

On 01-21-14 at 1:53 a.m. medics responded to Akakeek Street for the report of a male patient with a bloody nose. The patient refused transport and medics returned to quarters.

On 01-21-14 at 4:54 a.m. medics responded to the Calista Drive for the report of a male with a bloody face. The patient was assessed and transported to the hospital.

On 01-21-14 at 11:22 p.m. medics responded to Chief Eddie Hoffman Highway for the report of a woman having a seizure. Upon arrival, medics found a 73 year old female who was unresponsive. The patient was assessed and transported to the hospital.

On 01-21-14 at 2:44 p.m. medics responded to Chief Eddie Hoffman Highway for the report of a woman with leg pain. Upon arrival, medics found a 42 year old female who fell and injured her leg. The patient was assessed and transported to the hospital.

On 01-21-14 at 5:44 p.m. medics responded to the airport for a medivac. Upon arrival, medics found a 1 month old male who was sick. The patient was assessed and transported to the hospital.

On 01-21-14 at 6:27 p.m. medics responded to Chief Eddie Hoffman Highway for the report of a woman who was disoriented. Upon arrival, medics found a female who was intoxicated. The patient refused transport to the hospital.

On 01-21-14 at 6:42 p.m. medics responded to the airport for a female with stomach pain. Upon arrival, medics found a 38 year old female complaining of abdominal pain. The patient was assessed and transported to the hospital.

On 01-23-14 at 11:28 firefighters responded to Chief Eddie Hoffman Highway for the report of an alarm sounding. Upon arrival, it was found that a faulty smoke detector set off the system.

On 01-23-14 at 12:18 p.m. firefighters responded to Ptarmigan Street for the report of an unauthorized burn. Upon arrival, it was found that an individual was burning trash. He was instructed to extinguish the fire and firefighters returned to the fire station.

On 1-23-14 at 2:47 p.m. medics responded to the airport for a report of a person unable to walk. Upon arrival, medics found a male who was unable to walk. The patient was assessed and transported to the hospital.

On 1-23-14 at 10:39 p.m. medics responded to AC main for report of person who fell down the stairs. On scene patient did not want care and signed a refusal.

On 1-24-14 at 5:13 a.m. medics responded to the hostel for report of person having an asthma attack. On scene patient was assessed and transported to the hospital.

On 1-24-14 at 5:33 a.m. medics responded to 5<sup>th</sup> and Willow for report of person lying in snow. The patient was assessed and transported to the hospital.

On 01-24-14 at 4:49 p.m. medics responded to Kasayuli Subdivision for the report of a motor vehicle collision. There were no injuries. The patient refused transport and medics returned to quarters.

On 01-24-14 at 7:20 p.m. medics responded to Tundra Ridge for the report of a female with severe abdominal pain. The patient was assessed and transported to the hospital.

On 01-24-14 at 8:34 p.m. medics responded to Akakeek Street for the report of a male cutting his wrist. Medics were cancelled while enroute and returned to quarters.

On 01-24-14 at 9:03 p.m. medics responded to Chief Eddie Hoffman Highway for the report of a person who was unconscious. The patient was assessed and transported to the hospital.

On 01-25-14 at 8:20 a.m. medics responded to Chief Eddie Hoffman Highway for the report of a person who was unconscious. The patient refused transport and medics returned to quarters.

On 01-25-14 at 3:27 p.m. medics responded to YKCC for the report of a male having seizures. The patient was assessed and transported to the hospital.

On 01-26-14 at 12:19 a.m. medics responded to Kasayuli Subdivision for the report of a baby choking. On arrival, the patient was breathing and the parents refused transport. Medics returned to quarters.

On 01-26-14 at 12:44 a.m. medics responded to Tundra Ridge for the report of a patient with schizophrenia. The patient was assessed and transported to the hospital.

On 01-26-14 at 6:46 p.m. medics responded to the airport for the report of a female experiencing chest pain. The patient was assessed and transported to the hospital.

On 01-26-14 at 8:46 p.m. medics responded to Chief Eddie Hoffman Highway for the report of a male who had a cut on his wrist. The patient was assessed and transported to the hospital.

On 01-27-14 at 2:17 P.M. medics responded to the Sobering Center for the report of a person who was unresponsive. The patient was assessed and transported to the hospital.

On 01-27-14 at 8:15 p.m. medics responded to East Avenue for the report of a person with low back pain. The patient was assessed and transported to the hospital.

On 01-27-14 at 9:46 p.m. medics responded to Ridgecrest Drive for the report of a female who had fallen. The patient was assessed and transported to the hospital.

On 01-27-14 at 11:40 p.m. medics responded to Second Avenue for the report of a male who had fallen. The patient was assessed and transported to the hospital.

On 01-28-14 at 3:18 p.m. medics responded to Chief Eddie Hoffman Highway for the report of a person who was intoxicated. The patient was assessed and transported to the hospital.

On 01-29-14 at 1:00 a.m. medics responded to Mission Road for the report of a female with a broken hand. The patient was assessed and transported to the hospital.

On 01-29-14 at 1:10 p.m. medics responded to Atsaq Street for the report of a female who was unable to walk. The patient was assessed and transported to the hospital.

On 01-29-14 at 6:06 p.m. medics responded to Chief Eddie Hoffman Hwy for the report of a male having seizures. The patient was assessed and transported to the hospital.

On 01-30-14 at 10:36 a.m. medics responded to Mission Drive for the report of a male who had a seizure. The patient was assessed and transported to the hospital.

On 01-30-14 at 2:58 p.m. medics responded to Cranberry Street for the report of a female needing transport to the hospital. The patient was assessed and transported to the hospital.

On 01-30-14 at 10:15 p.m. medics responded to Uiviq Subdivision for the report of a male with a broken arm. The patient was assessed and transported to the hospital.

On 01-31-14 at 2:27 a.m. medics responded to Chief Eddie Hoffman Highway for the report of a man who was unable to stand. Upon arrival, the patient was awake and walking. The individual was transported by police officers.

On 01-31-14 at 2:53 a.m. medics responded to Chief Eddie Hoffman Highway for the report of a male with facial lacerations. The patient was assessed and transported to the hospital.

On 01-31-14 at 08:39 a.m. medics responded to Bethel Regional High School for the report of person who had fallen and was experiencing back and neck pain. The patient was assessed and transported to the hospital.



Memorandum

DATE: February 4, 2014  
TO: Lee Foley, City Manager  
FROM: Hansel L Mathlaw, Finance Director  
SUBJECT: Manager's Report – February 2014

Finance Committee

The finance committee had a meeting on January 27, 2014(Monday). The committee has one open seat. The committee elected Carol Ann Willard as Finance committee chair and Mike Shantz as vice Chair. Jon Cochran is a new finance committee member.

Staffing Issues/Concerns/Training

We have a new finance Director, Hansel L Mathlaw. I started the position on January 20, 2014.  
Currently, the finance department is fully staffed. As I progress through my position, I will provide you with a enhanced report.

Budget/Financial

The Finance Department Budget year to date (as of December 31) expenditures totaled \$415,315, which represents 55% of the total budget.

The Utility Billing under my supervision had expenditures of \$67,626, which represents 48% of the budget



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*Bethel City Council*

*Office of the City Clerk*

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# **Clerk's Report**





# City of Bethel, Alaska

City Clerk's Office

**To:** City Council  
**From:** Lori Strickler  
**Subject:** Clerk's Report

## **Upcoming Council Events:**

**February 10, 2014 Special City Council Meeting**

**February 11, 2014 Regular City Council Meeting**

**February 12, 2014 Joint Task Force Meeting at ONC Council Chambers**

## **Records Retention –**

Laserfiche

For unknown reasons, we are unable to connect to the Laserfiche server. IT is looking into the issue.

Document Restoration

The final books from the restoration and preservation have been received meaning all Ordinances through 2012 are ready for permanent archiving.

## **Elections**

2014 will be another big year for elections. The City and State have confirmed the Lower Kuskokwim School District Office has the new location for Precinct number 2 which in the past was the Senior Center then the Long House Hotel. We hope the move to the District Office will provide to be a perfect fit for the long term. Election days for 2014 are, August 19, October 7, and November 4.

The City Clerk's Office is working with the State to determine the best date to hold Election Training for Poll Workers and Translators.

## **Committee/Commission**

The City Clerk's Office has requested KYUK provide public notices of the City's many vacancies through the Tundra Drums announcements.

Per the Bethel Municipal Code, any member of a City Board will have thirty days from the date of their term expiration to provide an application for reappointment to the seat. Unfortunately, there are a number of people who have not met that deadline and therefore, the City Clerk's office is required to post their seats as vacant.

As with previous years, the City Clerk's Office will hold the committee and commission training in February and March of 2014. The City Clerk's Office has spent some time reviewing and updating the training material.

Annual recorder and ex-officio training has been arranged for February 6<sup>th</sup> pending jury duty. The City Clerk's Office has spent some time reviewing and updating the training materials.

**Miscellaneous**

The City Clerk's Office hours will be irregular during the month of February, the City Clerk has been summoned for jury duty. Anyone needing to obtain a passport should contact the City Clerk's Office to set up an appointment.



The City of Bethel currently has vacancies on the following Committees & Commissions.

### **Port Commission**

2 Commission Vacancies with three year terms and 2 Alternate Vacancies

### **Public Works Committee**

1 Committee Vacancy with three year term and 2 Alternates Vacancies

### **Energy Committee**

3 Committee Vacancies with three year term and 2 Alternate Vacancies

*\*The Energy Committee has two seats awaiting Committee action for vacation of the seat (not identified under the committee vacancies notice, and one pending action before the Council for appointment to one of the vacant seats.*

### **Finance Committee**

2 Alternate Vacancies

### **Planning Commission**

2 Commission Vacancies, 1 three and 1 one year term, and 2 Alternate Vacancies

### **Public Safety and Transportation Commission**

2 Commission Vacancies with three year terms and 2 Alternate Vacancies

### **Parks and Recreation Committee**

2 Alternate Vacancies

**The City of Bethel is committed to citizen involvement in local government to develop programs and services, which provide efficient and positive benefits for residents, workers and visitors.**

**The City has established committees which are advisory in nature and commissions which are quasi-judicial. Qualifications to serve vary with the committees and commissions, but the most important qualifications are interest and a willingness to serve your community.**

**If you are interested in offering your services to Bethel's community, by serving on a committee or commission, please pick up an application at the City Clerk's office or contact the City Clerk at 543-1384 or at [Istrickler@cityofbethel.net](mailto:Istrickler@cityofbethel.net) for more information.**



**Director's Office**  
PO Box 110017  
Juneau, Alaska 99811-0017  
907.465.4611 907.465.3203 FAX  
[elections@alaska.gov](mailto:elections@alaska.gov)



**Regional Offices**  
Anchorage 907.522.8683  
Fairbanks 907.451.2835  
Juneau 907.465.3021  
Nome 907.443.5285

**STATE OF ALASKA**  
**Division of Elections**  
**Office of the Lieutenant Governor**

**Notice of Precinct Boundary Changes**

On July 14, 2013, the Alaska Redistricting Board adopted new boundaries for the Alaska legislative house and senate districts. Although the Division of Elections is not involved in the redistricting process, we do make adjustments to the boundaries of existing voting precincts if the precinct boundary is affected by a change to the legislative district boundary.

The division has recently finalized the adjustments to the precinct boundaries in those areas affected by legislative district boundary changes made by the Alaska Redistricting Board and have adopted proposed regulations. Although many of the precinct boundaries in the state did not change, the house district number and precinct numbers were changed due to the redistricting process.

The proposed regulations provide a description of all voting precinct boundaries in the state. The proposed regulations and maps of the precincts are posted on the division's website at: <http://www.elections.alaska.gov>.

The public comment period for the proposed regulations is now open. Attached is a copy of the public notice for the proposed precinct boundary regulations. The public notice provides information on how to submit comments if you so desire. Once the public comment period is closed, the division will finalize and adopt the regulations. New voter identification cards listing the new district and precinct designations will be mailed to all registered voters in March.

If you have questions regarding the precinct boundaries, please contact the appropriate regional office listed below.

**Region I – Juneau**

House Districts 29-36  
(907) 465-3021  
Toll Free 1-866-948-8683

**Region II - Anchorage**

House Districts 7-8, 10-28  
(907) 522-8683  
Toll Free 1-866-958-8683

**Region III – Fairbanks**

House Districts 1-6, 9  
(907) 451-2835  
Toll Free 1-866-959-8683

**Region IV – Nome**

House Districts 37-40  
(907) 443-5285  
Toll Free 1-866-953-8683



NOTICE OF PROPOSED CHANGES IN THE  
REGULATIONS OF THE DIVISION OF ELECTIONS  
OFFICE OF THE GOVERNOR

BRIEF DESCRIPTION

The Division of Elections proposes to repeal a number of obsolete and superseded regulations and set out new descriptions relating to precinct boundaries due to redistricting.

The Division of Elections proposes to adopt regulation changes in Title 6 of the Alaska Administrative Code, dealing with precinct boundary descriptions, including the following:

- (1) 6 AAC 300.010; 6 AAC 300.020; 6 AAC 301.446 – 6 AAC 340.330 which sets out new precinct boundary descriptions due to redistricting, was added.
- (2) 6 AAC 200.010; 6 AAC 200.020; and 6 AAC 201.135 – 6 AAC 240.040 which were the current election district precincts, are repealed. The effect of the repeal is to adopt new descriptions due to redistrict.

You may comment on the proposed regulation changes, including the potential costs to private persons of complying with the proposed changes, by submitting written comments to Becky Weimer at P.O. Box 110017 Juneau, AK 99811. Additionally, the Division of Elections will accept comments by facsimile at 907-465-3203 and by electronic mail at [becky.weimer@alaska.gov](mailto:becky.weimer@alaska.gov). Comments may also be submitted through the Alaska Online Public Notice System, by accessing this notice on the system and using the "comment" link. The comments must be received no later than 4:00pm. on March 3, 2014.

If you are a person with a disability who needs a special accommodation in order to participate in this process, please contact Becky Weimer at 907-465-2874 no later than February 24, 2014 to ensure that any necessary accommodations can be provided.

For a copy of the proposed regulation changes, contact Becky Weimer at P.O. Box 110017, Juneau, AK 99811, phone 907-465-2874, email [becky.weimer@alaska.gov](mailto:becky.weimer@alaska.gov) or go to [www.elections.alaska.gov](http://www.elections.alaska.gov).

After the public comment period ends, the Division of Elections will either adopt the proposed regulation changes or other provisions dealing with the same subject, without further notice, or decide to take no action. The language of the final regulations may be different from that of the proposed regulations. **You should comment during the time allowed if your interests could be affected.**

**Statutory Authority:** AS 15.10.020; AS 15.15.010

**Statutes Being Implemented, Interpreted, or Made Specific:** AS 15.10.020; AS 15.10.050; AS 15.10.090

**Fiscal Information:** The proposed regulation changes are not expected to require an increased appropriation.

DATE: 1/21/14

  
Gail Fenumiai, Director, Division of Elections



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*Bethel City Council*

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# **Executive Session**



NEGOTIATED AGREEMENT

Between  
City of Bethel, Alaska  
And  
Lee M. Foley

**THIS AGREEMENT**, by and between the City of Bethel, Alaska, a municipal corporation ("Employer"), and LEE M. FOLEY ("Employee") hereby agree and understand as follows:

**WITNESSETH**

**WHEREAS**, Employer desires to employ the services of said Employee as City Manager of the City of Bethel, Alaska ("City"), as provided by Section AS 29.20.500 of the Alaska Statutes; and

**WHEREAS**, it is the desire of the Council ("Council") of the City to provide certain benefits, establish certain conditions of employment and to set working conditions of said Employee; and

**WHEREAS**, it is the desire of the Council to secure and retain the services of Employee by and through the terms of this Agreement; and

**WHEREAS**, Employee desires to accept employment as City Manager pursuant to the terms of this Agreement.

**NOW THEREFORE**, in consideration of the mutual covenants herein contained, the Employer and Employee agree as follows:

**Section 1. POWERS AND DUTIES**

Employer hereby agrees to employ LEE M. FOLEY as City Manager of the City to perform the functions, powers and duties specified in Section AS 29.20.500 of the Alaska Statutes, and to perform other legally permissible and proper duties and functions as the Council shall from time to time assign.

**Section 2. TERM**

- A. Employee shall serve at the pleasure of the Council and is an at-will employee of the City. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Council to terminate the services of the Employee at any time with or without cause, subject only to the provisions set forth in Section 5, paragraph A of this Agreement. The City shall comply with the City's insurance policy endorsement regarding any termination.

- B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from the position of City Manager, subject only to those provisions set forth in Section 5, paragraph B, of this Agreement.
  
- C. Employee shall reside within the City Limits of Bethel.

**Section 3. DURATION**

This Agreement shall become effective when signed and executed and shall continue for a term of two years. The term of the Agreement may be extended only upon the mutual written agreement of both parties. If either of the two parties desire to extend Employee's employment beyond the termination date, they must notify the other party in writing of their proposal no later than three (3) months prior to the Agreement's termination.

**Section 4. SALARY**

For the first twelve (12) months of employment under the terms of the Agreement, Employee shall be paid a base salary of \$102,295, payable in installments at the same time as other employees of the Employer. Employee's base salary shall be increased 2.5% annually on December 17.

**Section 5. TERMINATION AND SEVERANCE PAY**

- A. In the event Employee is terminated by the majority vote of the Council before the duration of this Agreement has expired, the Employee will be provided a lump sum payment by payroll check equal to three (3) months aggregate salary.
  
- B. In the event Employee voluntarily resigns his position with Employer before the duration of this Agreement has expired, the Employee will assist the Employer in identifying a qualified replacement and will aid in the orderly transition of the duties and powers of the position. For purposes of this Agreement, sufficient time will be a minimum of sixty (60) calendar days, unless both parties agree in writing to a lesser time span.

**Section 6. EMPLOYEE EVALUATION**

- A. Purpose  
Evaluation of the performance of the Employee shall be directed toward improving the performance of the Employee, and include information that identifies self-improvement and positive manifestations of management and leadership.
  
- B. Evaluation Completion Date

The Employee shall be provided a performance evaluation six (6) months following the execution of this Agreement and thereafter an annual performance review on or about June of each year during the term of this Agreement.

**C. Evaluation Instrument**

1. The evaluation document used by the Council shall be consistently used throughout the term of this Agreement. Factors to be considered by the Council in this process shall include leadership and management skills, administrative applications and techniques, and interpersonal relationships with Council members, City employees, general public and other business professionals.
2. The Council representative (i.e., the Mayor) will provide the Employee with a copy of the Council approved evaluation instrument within thirty (30) days prior to the start of the employee evaluation process. The Council representative (i.e., the Mayor) will further discuss the evaluation procedure with the Employee as necessary.
3. Before the Mayor provides the Employee with the evaluation instrument referred to in subparagraph C.1 above, the Council and the Employee shall meet to review the evaluation instrument, and identify recommended improvements to it and to the evaluation process.

**D. Methodology**

1. The Council's evaluation of the Employee will be in writing in accordance with Section 6.C above. The Employee may request one (1) additional written evaluation of his performance.
2. The Council will solicit input from the Employee that will be considered for inclusion in the Employee's evaluation.
3. Acknowledgement of content signed by both the Mayor and the Employee shall be included on each evaluation placed in the Employee's personnel file. The Employee shall be informed that he has the right to review each written evaluation prior to filling such document in his personnel file with the opportunity to comment in writing. The request to comment on his evaluation may not be used against him.
4. Any written complaint (or a copy thereof) made against the Employee by a City employee, Council member, or other person(s) which may be used in evaluating the Employee shall be provided to the Employee with the opportunity to respond in writing to the complaint.
5. Unless mutually agreed otherwise by both the Employer and Employee, no portion of a written evaluation may be made public except as allowed, or required, by law.

**Section 7. HOURS/DAYS OF WORK**

Employee's position is an executive position requiring the exercise of independent judgment on the part of the Employee and requiring periods of extended work that exceed the normal office hours, work day and work week established by the Employer. The Employee will be available during regular business hours. Employee will be expected to work whatever hours are needed based upon the demands of the job. Employee forever waives any claim for overtime compensation or compensatory time compensation based on hours worked by Employee in excess of eight (8) hours per day or forty (40) hours per week. Any time in excess of the normal hours in a day or week is not compensated or credited in any manner by the Employer.

#### **Section 8. OUTSIDE EMPLOYMENT**

Outside employment and business pursuits are prohibited unless first authorized by Council. Any outside employment of business pursuits other than those authorized by Council must occur while Employee is on leave and must occur outside the regular business hours of the City unless otherwise provided herein or otherwise agreed to by the Employer.

Notwithstanding the foregoing or any authorization by Council, the Employee is authorized and allowed to perform his duties as the President of SAVE THE WOLVES FOUNDATION, INC., a self-owned, non-profit, 501 (c) (3) entity, during non-business hours, on holidays, and on personal vacation, or leave time. Employee agrees that his duties in this regard will not take precedence over any duties that may arise in the position of City Manager. Further, Employee agrees to perform the duties of the City Manager when the interests of the City require without regard to regular work hours or days or the competing needs of the Employee's outside employment or business interests.

#### **Section 9. TELEPHONE**

Employer shall provide Employee with a cellular telephone for local and domestic long distance City business usage and pay the monthly service fee and charges.

#### **Section 10: COMPENSATED LEAVES**

**A. Personal Time Off (PTO)**

PTO shall accrue at the rate of 24 hours per month of service. PTO can be accumulated up to a maximum accrual of 425 hours. The Employer agrees to compensate the Employee for all remaining PTO hours at the termination of this agreement.

**B. Emergency Leave**

The Employer agrees to grant the Employee a maximum of forty (40) hours leave for death or serious illness in the immediate family. For purposes of this type of leave, one's immediate family includes the Employee's spouse, child, son-in-law, daughter-in-law, parent, father-in-law, mother-in-law, brother or sister.

C. Injury Leave

Should the Employee become injured on the job, he will be entitled to the compensation benefits as provided by the Worker's Compensation Act.

D. Court Leave

The Employee shall be granted leave, with pay, for jury duty, if the Employee is required to appear in court as a defendant as a result of a City matter, the Employer agrees to provide the Employee administrative leave for the court appearance(s). In the event that the Employee is found guilty in a criminal proceeding, the leave will be changed to leave without pay and appropriate salary deduction will be made.

E. Administrative Leave

The Employee may be granted administrative leave with pay by a majority vote of the Council for reasons specified, including attendance at a manager's professional conference. In any event, Employee will not be required to use accrued annual leave when the Council directs or requests him to attend any meeting or conference that is related to the duties of City Manager.

F. Uniformed Service Leave

The Employee is fully retired from the U.S. Navy and has no Reserve component time to serve. However, retired military officers from all services can be recalled to active duty by the appropriate Service Secretary when deemed appropriate. If such an event were to occur, a Uniformed Service Leave of Absence will be granted to the Employee in accordance with federal law and laws of the State of Alaska and the position of City Manager will be reclaimed by the Employee upon completion of the service time per such laws.

G. Holidays

All holidays recognized by the Employer shall be granted to the Employee with holiday pay status provided the same as regular full time and regular part-time positions of the Employer.

**Section 11. BENEFITS**

- A. Employee shall be allowed to participate in the City employee's group coverage plan for full family Life, Accidental Death & Dismemberment, Long Term Disability, Dental, Vision and Health insurance program with no premium deductibles charged to the employee; provided, however, nothing set forth herein shall prevent Employer from modifying, or reducing, benefits currently offered to City employees.
- B. Employee shall have the opportunity to participate in the City Utility Services Benefit for the same monthly fee as paid by other City management employees.
- C. Employer agrees to purchase on behalf of Employee a whole life insurance policy in the amount of two (2) times the first annual gross salary of Employee. Employer shall pay the required premiums and Employee may name a beneficiary to receive any benefits paid.

- D. Retirement: The Employer shall offer the Employee the opportunity to join and participate in the Alaska Public Employees Retirement System (PERS) equal to that which is provided for all other employees of the Employer.

**Section 12. INDEMNIFICATION**

- A. Employee agrees to hold harmless, defend, and indemnify Employer from and against any and all claims and damages, including costs and attorney's fees, caused by or resulting from any intentional or malicious act or omission by Employee during and in the scope of his position as City Manager.
- B. Employer agrees to hold harmless, defend, and indemnify Employee from and against any and all claims and damages, including costs and attorney's fees, caused by or resulting from any act or omission of ordinary negligence by Employee in and during the scope of his employment as City Manager, but only to the extent such as act or omission can be insured by Employer at reasonable, affordable premium costs charged by a reasonable, prudent underwriter in the normal course of purchasing municipal liability insurance coverage.

**Section 13. BONDING**

Employer shall bear full costs of any fidelity or other bonds required of the Employee under any law or ordinance.

**Section 14. OTHER TERMS AND CONDITIONS OF EMPLOYMENT**

Council may consider any such other terms and conditions of employment, as it may determine from time to time, relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, Bethel Municipal Code, or any other laws.

**Sections 15. REDUCTION OF BENEFITS**

Employer shall not at any time during the term of this Agreement reduce salary, compensation or other benefits of Employee; provided, however, nothing set forth herein shall prevent Employer from modifying, or reducing City employee benefits generally.

**Section 16. NOTICES**

Notices pursuant to this Agreement shall be given by deposit in the custody of the United States Postal Service, postage prepaid, addressed as follows:

(1) EMPLOYER: City of Bethel  
c/o Mayor Joseph Klejka  
PO Box 1388  
Bethel, AK 99559

(2) EMPLOYEE: Lee M. Foley  
PO Box 2748  
Bethel, AK 99559

Alternatively, notices required pursuant to this Agreement may be personally served in the same manner as applicable to civil judicial practice. Notice shall be deemed given as of the date of the personal service or as of the date of deposit of such notice in the course of transmission in the United States Postal Service.

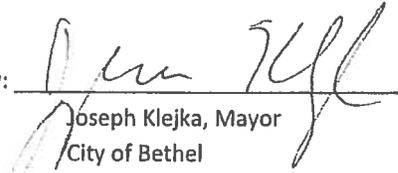
#### **Section 17. GENERAL PROVISIONS**

- A. This Agreement constitutes the entire agreement between both parties. Any modification or amendment shall be enforceable only if approved by a majority vote of the council in a duly convened public session, and if transcribed to a written document executed by both parties.
- B. This Agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.
- C. Employer and Employee recognize the need to treat each other with respect, decorum and professionalism and will endeavor to act accordingly.
- D. If any provisions or any portion thereof contained in this Agreement is held unconstitutional, invalid, or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable. The remainder of this Agreement shall not be affected and shall remain in full force and effect.
- E. Understanding. Employee acknowledges that the Employee has read and understands the terms of this Agreement, has had the opportunity to review the same with council of his choice, and is executing this Agreement of his own free will.

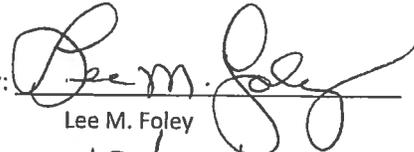
IN WITNESS WHEREOF, the City of Bethel, Alaska, has caused this Agreement to be signed and executed on its behalf by its Mayor and Council and the Employee has signed and executed this Agreement both in duplicate.

Dated this 17<sup>th</sup> day of December, 2011

Employer:

By:   
Joseph Klejka, Mayor  
City of Bethel  
12/17/11

Employee:

By:   
Lee M. Foley  
12/17/11

**CITY OF BETHEL**  
**CITY MANAGER EVALUATION — FEBRUARY 11, 2014**

**City Manager: Lee Foley**

*Rating: 5 = Excellent; 1 = Needs improvement*

	5	4	3	2	1
<b>Enforcement of Laws and Implementation of Policy Directives</b>					
Manage the City's administrative affairs according to state statutes and Bethel Municipal Code					
<i>Comments:</i>					
Analysis and development of policies and procedures					
<i>Comments:</i>					
Implement and monitor policies enacted by City Council					
<i>Comments:</i>					
Supervision of City administration and departments					
<i>Comments:</i>					
Problem solving and conflict resolution					
<i>Comments:</i>					
Management and valuation of cultural diversity					



**CITY OF BETHEL  
CITY MANAGER EVALUATION — FEBRUARY 11, 2014**

<i>Comments:</i>								
Creativity, innovation and ability to change to meet needs								
<i>Comments:</i>								
Long range planning								
<i>Comments:</i>								
Development and management of real and personal property of the City								
<i>Comments:</i>								
<b>SUBTOTAL OF CATEGORY:</b>								

	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>
<b>Appointing Authority</b>					
Serve as Personnel Officer (Director) of the City					
<i>Comments:</i>					
Manage Labor Relations/Employee Relations					
<i>Comments:</i>					



**CITY OF BETHEL  
CITY MANAGER EVALUATION — FEBRUARY 11, 2014**

Monitor employee benefit program:									
<i>Comments:</i>									
Analyze human resources and technical needs and implement solutions									
<i>Comments:</i>									
<b>SUBTOTAL OF CATEGORY:</b>									

<b>Preparation, Submission and execution of annual budget and capital improvements</b>	<b>5</b>	<b>4</b>	<b>3</b>	<b>2</b>	<b>1</b>
Development and submission of recommended annual budget					
<i>Comments:</i>					
Development and submission of recommended capital improvement program budget					
<i>Comments:</i>					
Budget management, control and analysis					
<i>Comments:</i>					
<b>SUBTOTAL OF CATEGORY:</b>					



**CITY OF BETHEL**  
**CITY MANAGER EVALUATION — FEBRUARY 11, 2014**

	5	4	3	2	1
<b>Performance of other duties assigned by law or City Council</b>					
Timeliness, quality and clarity of communications with city council					
<i>Comments:</i>					
Timeliness, quality and clarity of communications with the public and media					
<i>Comments:</i>					
Ethics, values, judgment and perceptiveness					
<i>Comments:</i>					
Communicates projects and project status with Council					
<i>Comments:</i>					
<b>SUBTOTAL OF CATEGORY:</b>					

	5	4	3	2	1
<b>Ethics and Communication</b>					
Defends principle and conviction in the face of partisan influence and pressure					
<i>Comments:</i>					
Maintains high standards of ethics, honesty and integrity in all matters					
<i>Comments:</i>					







**CITY OF BETHEL**  
**CITY MANAGER EVALUATION — FEBRUARY 11, 2014**

<b>City Manager Foley's Total Score:</b>	<b>Excellent: 130</b>
	<b>Very Good: 104</b>
	<b>Good: 78</b>
	<b>Satisfactory: 52</b>
	<b>Needs Improvement: 26</b>

***Additional City Council comments/recommendations:***

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***City Manager Comments:***

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**Reviewer's Signature**

**Date**

**City Manager's Signature**

**Date**

