



City of Bethel

P.O. BOX 1388

Bethel, Alaska 99559

Phone: 907- 543-2047

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Regular City Council Meeting

Tuesday, March 22, 2016

6:30 P.M.

Council Chambers; Bethel, Alaska



City Council Meeting Agenda Regularly Scheduled Meeting March 22, 2016 – 6:30 pm City Hall 300 State Highway, Bethel, AK City of Bethel Council Chambers

Rick Robb
Mayor
Term Expires 2017
543-1879
rrobb@cityofbethel.net

Byron Maczynski
Vice-Mayor
Term Expires 2016
545-0970
bmaczynski@cityofbethel.net

Leif Albertson
Council Member
Term Expires 2017
543-2819
lalbertson@cityofbethel.net

Chuck Herman
Council Member
Term Expires 2016
545-5394
cherman@cityofbethel.net

Zach Fansler
Council Member
Term Expires 2016
545-3300
zfansler@cityofbethel.net

Nikki C. Hoffman
Council Member
Term Expires 2017
545-6653
nhoffman@cityofbethel.net

Alisha Welch
Council Member
Term Expires 2017
545-6026
arwelch@cityofbethel.net

Ann Capela
City Manager
543-2047
acapela@cityofbethel.net

Lori Strickler
City Clerk
543-1384
lstrickler@cityofbethel.net

Patty Burley
City Attorney

Mary Sattler
Lobbyist

- 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) *3-8-2016 Regular Meeting Minutes P2
- VII. REPORTS OF STANDING COMMITTEE**
 - a) Public Safety and Transportation Commission
 - b) Port Commission
 - c) Planning Commission
 - d) Parks, Recreation, Aquatic Health And Safety Center Committee
 - e) Finance Committee
 - f) Energy Committee
 - g) Public Works Committee
 - h) Marijuana Advisory Committee
 - i) Non Standing Committee Reports
- VIII. SPECIAL ORDERS OF BUSINESS**
 - a) United Pools Presentation (Mayor Robb)
- IX. UNFINISHED BUSINESS**
 - a) Public Hearing Of Ordinance 16-05: City Of Bethel Fee And Rate Schedule (Acting City Manager Williams) P24
 - b) Public Hearing Of Budget Ordinance 15-14 (e): Amending The Fiscal Year 2016 Budget (Acting City Manager Williams) P37
 - c) Public Hearing Of Budget Ordinance 16-06: Acquisition Of Property, Easements For Institutional Corridor Project –BNC (Acting City Manager Williams) P45
- X. NEW BUSINESS**
 - a) *Introduction Of Ordinance 16-09: Authorizing The Refund Of Real Estate Sales Tax For Overpayments (Mayor Robb) P68
 - b) *Introduction Of Budget Ordinance 15-14 (f): Amending The Fiscal Year 2016 Budget-Real Estate Sales Tax Overpayments (Mayor Robb) P70
 - c) *Introduction Of Ordinance 16-10: Repealing And Replacing Bethel Municipal Code 2.40, Access To Public Records (Mayor Robb) P72

Agenda posted on March 16, 2016, at City Hall, AC Co., Swanson's, and the Post Office.

Lori Strickler, City Clerk

(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 April 12, 2016**)



**City Council Meeting Agenda
Regularly Scheduled Meeting
March 22, 2016 – 6:30 pm
City Hall 300 State Highway, Bethel, AK
City of Bethel Council Chambers**

- d) ~~*Introduction Of Ordinance 16-11: Amending Bethel Municipal Code—18.36.030 To Add Alcohol Sales And Dispensing As A Conditional Use Permit Designation In The General Use Zone (Planning Commission) P84~~
- e) *Resolution 16-13: Supporting The Sewer Lagoon Project (Vice-Mayor Maczynski) P96
- f) *AM 16-22: Appointment Of Daniel Maczynski To The Public Safety And Transportation Commission (Mayor Robb) P109
- g) *AM 16-23: Appointment Of Tom McCallson To The Marijuana Advisory Committee (Mayor Robb) P110
- h) AM 16-24: Renewal Of Stop Loss Insurance Contract With HCC (City Manager Capela) P112
- i) AM 16-25: Renewal Of Third Party Administrator With TPSC (City Manager Capela)[Documentation not Received]

XI. MAYOR'S REPORT

XII. MANAGER'S REPORTS

XIII. CLERK'S REPORT

XIV. COUNCIL MEMBER COMMENTS

XV. EXECUTIVE SESSION

- a) AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity – Labor Negotiation Contract Between City of Bethel Employees Association, Local 6055, APEA/AFT And City Of Bethel (Mayor Robb)
- b) Executive Session To Discuss The Annual Evaluation Of The City Clerk 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 (Mayor Robb)

XVI. ADJOURNMENT

Agenda posted on March 16, 2016, at City Hall, AC Co., Swanson's, and the Post Office.

Lori Stickler, City Clerk

(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 April 12, 2016**)

Approval of the Meeting Minutes

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on March 8, 2016 at 6:30 p.m., in the council chambers, Bethel, Alaska.

Mayor Richard Robb called the meeting to order at 6:30 p.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Comprising a quorum of the Council, the following members were present:	
<input checked="" type="checkbox"/> Mayor Rick Robb	<input checked="" type="checkbox"/> Council Member Zach Fansler
<input checked="" type="checkbox"/> Vice-Mayor Byron Maczynski	<input checked="" type="checkbox"/> Council Member Alisha Welch
<input checked="" type="checkbox"/> Council Member Chuck Herman	<input checked="" type="checkbox"/> Council Member Nikki Hoffman <i>(arrived after roll call)</i>
<input checked="" type="checkbox"/> Council Member Leif Albertson	
Also in attendance were the following:	
<input checked="" type="checkbox"/> City Attorney Patty Burley	<input checked="" type="checkbox"/> City Clerk Lori Strickler
<input checked="" type="checkbox"/> City Manager Ann Capela	<input type="checkbox"/> Assistant To City Clerk Adriane Welch

IV. PEOPLE TO BE HEARD

Dave Trantham – Acknowledged the eight veterans working hard to establish the Alaska Territorial Guard Memorial. These eight individuals received a grant for \$140,000 to establish the park. The Alaska Territorial Guard Board members received a letter from the City of Bethel stating the ATG Board broke the law, he wishes he would have been provided an opportunity to defend himself.

Eric Middlebrook – As a previous City Council Member, provided some history on the Police Department and the issues with retention. Believes a good working environment is the key to keeping employees, not necessarily a higher salary.

Council Member Hoffman arrived at 6:37 p.m.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda

Moved by: Herman
Seconded by: Maczynski
Action: Motion carries by a vote of 7-0
In favor: Robb Maczynski Albertson Herman Fansler Hoffman Welch
Opposed: -0

Primary Amendment: Postpone indefinitely Action Memorandum 16-21.

Moved by: Herman
Seconded by: Maczynski
Action: Motion carries by a vote of 7-0
In favor: Robb Maczynski Albertson Herman Fansler Hoffman Welch
Opposed: -0

Secondary Amendment: Postpone until after the executive session.

Moved by: Herman
Seconded by: Fansler
Action: Motion carries by a vote of 7-0
In favor: Robb Maczynski Albertson Herman Fansler Hoffman Welch
Opposed: -0

Remove from Consent Agenda: Resoluition16-10, Resolution 16-11, Resolution 16-12,

Moved by: Robb

Main Motion: Postpone indefinitely Introduction of Ordinances 16-07 and 16-08.

Moved by: Herman
Seconded by: Maczynski
Action: Motion carries by a vote of 7-0
In favor: Robb Maczynski Albertson Herman Fansler Hoffman Welch
Opposed: -0

VI. APPROVAL OF THE MEETING MINUTES

Item A – Regular City Council Meeting February 23, 2015

Passed on the consent agenda.

VII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission

Council Representative, Chuck Herman –

Resolution 16-11 was approved by the Public Safety and Transportation Commission. The Commission does have two vacant positions.

Port Commission

Council Representative, Alisha Welch –

A meeting has not been held since the last City Council Meeting. Looking for volunteers for the Commission.

Planning Commission

Council Representative, Nikki Hoffman –

A meeting has not been held since the last City Council Meeting.

Parks and Recreation Committee

Council Representative, Richard Robb –

The Council will be considering a number of items from the Committee at this meeting.

Finance Committee

Council Representative, Leif Albertson –

A meeting has not been held since the last City Council Meeting.

Energy Committee

Council Representative, Zach Fansler –

A meeting has not been held since the last City Council Meeting.

Public Works Committee

Council Representative, Byron Maczynski –

A meeting has not been held since the last City Council Meeting.

Marijuana Advisory Committee

Council Representative, Zach Fansler –

Looked at modification to the Bethel Municipal Code. Considering what is happening in other communities within Alaska.

Non-Standing Committee

Transit Advisory Board Committee

Council Representative, Chuck Herman –

The Transit Committee is looking at their options since ONC will no longer be participating in the meetings.

VIII. SPECIAL ORDER OF BUSINESS

Item A – Proclamation, Proclaiming March 24, 2016 As World Tuberculosis Day.

Insert Whereas Statement as the second to last whereas:
Whereas, Alaska has a higher than average, National Rate; TB is costly to respond to especially in remote Alaska, the lack of adequate infrastructure and logistics.

Main Motion:

Moved by:	Hoffman
Seconded by:	Herman
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	0

Insert in the first Whereas statement "singing and speaking" at the end of the statement.

Main Motion:

Moved by:	Hoffman
Seconded by:	
Action:	Motion does not carry due to a lack of a second.

IX. UNFINISHED BUSINESS

Item A – Public Hearing Of Ordinance 16-03: Approving The Disposition Of City Owned Property/Building In The Form Of A Lease Agreement With University Of Alaska Fairbanks For The Teen Center As Well As Disposal Of Personal Property/Supplies And Equipment.

Mayor Robb opened the public hearing.

No one present to be heard.

Mayor Robb closed the public hearing.

Main Motion: Adopt Ordinance 16-03.

Moved by:	Herman
Seconded by:	Fansler
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	0

Item B – Public Hearing Of Ordinance 16-04: Amending The City Of Bethel Terminal Tariff #004.

Mayor Robb opened the public hearing.

No one present to be heard.

Mayor Robb closed the public hearing.

Main Motion: Adopt Ordinance 16-04.

Moved by:	Fansler
Seconded by:	Welch
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	0

Subsidiary

Motion: Suspend the rules to hear from the Port Director, Pete Williams.

Moved by:	Hoffman
Seconded by:	Albertson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	0

Item C – Wind Turbine Maintenance Contract With Northern Power.

A motion to approve was made at the February 9, 2016 Regular Meeting.

Main Motion:

Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	0

Establish a contract with Northern Power for a three year contract for Full Coverage in the amount of \$17,500.

Main Motion:

Moved by:	Welch
Seconded by:	Herman
Action:	Motion does not carry by a vote of 2-5
In favor:	<input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Maczynski

Main Motion: Establish a contract with Northern Power for a five year contract for Full Coverage in the amount of \$26,500.

Moved by: Fansler

Seconded by: Hoffman

Action: Motion carries by a vote of 6-1

In favor: Robb Maczynski Albertson Herman Fansler Hoffman

Opposed: Welch

X. NEW BUSINESS

Item A – Introduction Of Ordinance 16-05: City Of Bethel Fee And Rate Schedule.

Passed on the consent agenda.

Item B – Introduction Of Budget Ordinance 15-14 (e): Amending The Fiscal Year 2016 Budget.

Passed on the consent agenda.

Item C – Introduction Of Ordinance 16-06: Acquisition Of Property, Easements For Institutional Corridor Project- BNC.

Passed on the consent agenda.

Item D – Introduction Of Ordinance 16-07: Acquisition Of Property, Easements For Institutional Corridor Project AVEC.

Postponed indefinitely during the approval of the agenda.

Item E – Introduction Of Ordinance 16-08: Acquisition Of Property, Easements For Institutional Corridor Project –YKHC.

Postponed indefinitely during the approval of the agenda.

Item F – Resolution 16-10: Requesting The Governor And State Legislators Provide Funding In The Fiscal Year 2017 State Capital Budget To Fully Fund The State Of Alaska Municipal Harbor Facility Grant Program.

Main Motion: Adopt Resolution 16-10.

Moved by: Welch

Seconded by: Fansler

Action: Motion does not carry by a vote of 1-6

In favor: Welch

Opposed: Robb Maczynski Albertson Herman Fansler Hoffman

Item G – Resolution 16-11: Supporting The Health And Well-Being Of Our Children And Firefighters And Endorsing The Toxic Free Children’s Act.

Main Motion: Adopt Resolution 16-11.

Moved by:	Herman
Seconded by:	Fansler
Action:	Motion does not carry by a vote of 3-4
In favor:	<input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman

Item H –Resolution 16-12: Preparation And Submission Of Fiscal Year 2015 Staffing For Adequate Fire And Emergency Response Grant Application To Request Funding To Cover Salary And Benefits Of Two To Four Firefighter/EMTs .

Main Motion: Adopt Resolution 16-12.

Moved by:	Herman
Seconded by:	Fansler
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	-0

Subsidiary

Motion: Suspend the Rules to hear from the Fire Chief, Bill Howell.

Moved by:	Fansler
Seconded by:	Herman
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	-0

Primary Amendment: Strike in the fourth Whereas statement, “and prepare for the expected additional calls associated with upcoming alcohol sales in Bethel.”

Moved by:	Hoffman
Seconded by:	Welch
Action:	Motion carries by a vote of 4-3
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler

Item I – AM 16-15: Directing Administration To Work with LONG Building To Establish A Sole Source Draft Contract For Council Approval.

Main Motion: Approve AM 16-15.

Moved by: Herman

Seconded by: Fansler

Action: Motion carries by a vote of 7-0

In favor: Robb Maczynski Albertson Herman Fansler Hoffman Welch

Opposed: -0

Item J – AM 16-16: Directing Administration To Include Members Of The Parks, Recreation, Aquatic Health And Safety Center Committee On The Request For Proposal Review Committee For Pool Operators.

Main Motion: Approve AM 16-16.

Moved by: Herman

Seconded by: Fansler

Action: Motion carries by a vote of 7-0

In favor: Robb Maczynski Albertson Herman Fansler Hoffman Welch

Opposed: -0

Item K – AM 16-17: Directing Administration To Release A Request For Proposals For Repairs To The Pinky Park Boardwalk.

Main Motion: Approve AM 16-17.

Moved by: Herman

Seconded by: Fansler

Action: Motion carries by a vote of 7-0

In favor: Robb Maczynski Albertson Herman Fansler Hoffman Welch

Opposed: -0

Item L – AM 16-18: Directing Administration To Coordinate With Other Community Agencies To Establish A Working Group To Review And Comment On The Donlin Gold EIS.

Main Motion: Approve AM 16-18.

Moved by: Herman

Seconded by: Hoffman

Action: Motion carries by a vote of 6-1

In favor: Robb Albertson Herman Fansler Hoffman Welch

Opposed: Maczynski

Item M – AM 16-19: Directing The City Clerk’s Office To Establish An Ordinance And Operating Procedures To Commence By-Mail Elections For The 2017 Election Year.

Main Motion: Approve AM 16-19.

Moved by:	Herman
Seconded by:	Hoffman
Action:	Motion carries by a vote of # / Motion fails by a vote of #
In favor:	<input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson

Main Motion: Postpone until the first meeting in May.

Moved by:	Fansler
Seconded by:	Welch
Action:	Motion carries by a vote of 4-3
In favor:	<input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Albertson
Opposed:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Hoffman

Council took a ten minute break.

Item N – AM 16-20: Authorizing Administrative Leave To The City Clerk To Attend The Government Social Media Conference.

Passed on the consent agenda.

Item O – AM 16-21: Approving The Retention Plan For The Police Department.

Postponed until after the Executive Session.

Item P- Approving The Emergency Leave For The City Manager.

Passed on the consent Agenda.

Item Q-Administrative Leave Request For City Manager To Attend PERS Summit.

Passed on the consent Agenda.

Item R- Direct Administration To Conduct A Salary Survey For All City Positions.

Direct Administration to conduct a Salary Survey for all City positions.

Main Motion:

Moved by:	Hoffman
Seconded by:	Welch
Action:	Postponed

Main Motion: Postpone until after the Executive Session.

Moved by:	Albertson
Seconded by:	Hoffman

Action: | Motion carries by a vote of 7-0
In favor: | Robb Maczynski Albertson Herman Fansler Hoffman Welch
Opposed: | -0

XI. MAYOR'S REPORT
XII. MANAGER'S REPORT
XIII. CLERK'S REPORT
XIV. COUNCIL MEMBER COMMENTS

Mayor Richard Robb –
Cama-i festival is coming up, the Ducks Unlimited Banquet is also around the corner.

Vice-Mayor Byron Maczynski –
No comment.

Council Member Albertson –
The State is having historic budget problems, encouraged people to speak up for the State funding important to them; be involved in the process.

Council Member Chuck Herman –
No comment.

Council Member Zach Fansler –
It is very important for people to be involved in the State's budgetary process.
Provided encouragement to the local mushers during the Iditarod.

Council Member Nikki Hoffman –
No comment.

Council Member Alisha Welch –
No comment.

XV. EXECUTIVE SESSION

Item A – AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity/Potential Litigation Regarding Real-estate Taxes.

Item B – AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity – Labor Negotiation Contract Between City of Bethel Employees Association, Local 6055, APEA/AFT And City Of Bethel.

Move into Executive Session To Discuss:
 AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity/Potential Litigation Regarding Real-estate Taxes.
 AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity – Labor Negotiation Contract Between City of Bethel Employees Association, Local 6055, APEA/AFT And City Of Bethel Those participating in the Executive Session will be the Council Members, City Attorney Burley, City Manager Capela and City Clerk Strickler.

Main Motion:

Moved by:	Albertson
Seconded by:	Maczynski
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	0

Council Member Herman departed the meeting at 9:00 p.m.

Council went back on the record at 11:13 p.m.

Mayor Robb read a press release regarding AS 44.62.310 (C) 1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity/Potential Litigation Regarding Real-estate Taxes.

Item O – AM 16-21: Approving The Retention Plan For The Police Department.

Item R- Direct Administration To Conduct A Salary Survey For All City Positions.

A motion to direct administration to conduct a salary survey was made previous in the meeting.

Main Motion:

Moved by:	Hoffman
Seconded by:	Welch
Action:	Motion does not carry by a vote of 1-5
In favor:	<input checked="" type="checkbox"/> Robb
Opposed:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch

XVI. ADJOURNMENT

Main Motion: Adjourn

Moved by:	Fansler
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Seconded by:	Welch
Action:	Motion carries by a vote of 6-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Maczynski <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Hoffman <input checked="" type="checkbox"/> Welch
Opposed:	∅

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Reports of Standing Committees



City of Bethel, Alaska

Parks, Recreation, Aquatic, Health & Safety Center Committee Agenda
Regular Meeting **March 14, 2016 – 6:00p.m.** City Hall 300 State Highway

Michelle DeWitt
Committee Chair
Term Expires 12/2017

Judy Wasierski
Committee Co Chair
Term Expires 12/2018

Kathy Hanson
Committee Member
Term Expires 12/2018

Barbara Mosier
Committee Member
Term Expires 12/2018

Beverly Hoffman
Committee Member
Term Expires 12/2018

Mary Weiss
Committee Member
Term Expires 12/2018

Rick Robb
Council Rep
Term Expires 10/2017

Matthew Ross
Parks and Recreation Rep.

Raunicka Ray
Pool/Health Center Rep.

Kathryn Baldwin
Alternate Committee Member
Term Expires 12/2017

Brian Lefferts
Alternate Committee Member
Term Expires 12/2017

Muzaffar Lakhani
Public Works Director

Pauline Boratko
Committee Recorder

- I. CALL TO ORDER**
- II. ROLL CALL**
- III. PEOPLE TO BE HEARD – THREE MINUTES PER PERSON**
- IV. APPROVAL OF AGENDA**
- V. APPROVAL OF THE MINUTES**
 - a. February 8, , 2016
- VI. SPECIAL ORDER OF BUSINESS**
- VII. DEPARTMENT HEAD REPORT**
- VIII. UNFINISHED BUSINESS**
 - a. Board walk behind University of Alaska- Update
 - b. Capital Fund Trails- Identification of Priority Improvements
 - c. Pool- Programs, Usage, financial, and facility operation discussion
 - d. 4-H Youth After School Program at the Pool- Spring Water Safety Activity
 - e. Corporate Discounts- Update
 - f. Pool Temp and Marketing Sub Committee Reports
 - g. Pool Financial Audit Report- Update
- IX. NEW BUSINESS**
- X. MEMBER COMMENTS**
- XI. ADJOURNMENT**



City of Bethel, Alaska

Public Works Committee Agenda

Wednesday, March 16, 2016 Regular Meeting 6:30PM City Hall Council Chambers

MEMBERS

Byron Maczynski
Council Rep.
Term Expires
10/2016

Vacant

Scott Guinn
Vice-Chair
Term Expires
12/2017

Robert Champagne
Committee Member
Term Expires
12/2017

Jennifer Dobson
Committee Member
Term Expires
12/2017

Vacant

Delbert Egoak
Committee Member
Term Expires
12/2018

Joseph Klejka
Alternate Member
Term Expires
12/2017

Muzaffar Lakhani
Ex-Officio Member

Secretary/Recorder
Pauline Boratko

- I. CALL TO ORDER:
- II. ROLL CALL:
- III. PEOPLE TO BE HEARD: – (5 Minute Limit)
- IV. APPROVAL OF AGENDA:
- V. APPROVAL OF MINUTES:
 - A. Minutes from the previous regular meeting – February 17, 2016 (there was a meeting).
- VI. SPECIAL ORDER OF BUSINESS:
 - A. Election of Chair and Vice Chair
- VII. UNFINISHED BUSINESS:
 - A. Institutional Corridor Piped Water Supply Project:
 - B. Sewer Lagoon, – PER (Preliminary Engineering Report) & ER (Environmental Report) for Truck Dump Site and other options.
 - C. Installing the slip lining inside the old metallic water pipes in the Bethel Heights subdivision and, possible avenues to find funding for this:----Byron Maczynski.
 - D. Hiring and Retention of the Employees:----Scott Guinn.
 - E. Funding Strategies for Sewer Lagoon:----Byron Maczynski.
- VIII. NEW BUSINESS:
 - A. Approving the Resignation of Franks Neitz.
- IX. DIRECTORS REPORT:
- X. MEMBER COMMENTS:
- XI. ADJOURNMENT:

City of Bethel, Alaska

Planning Commission Meeting

March 10, 2016

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Planning Commission was held on Thursday, March 10, 2016, at 6:30 PM at the City Hall Chambers in Bethel, Alaska. Vice-Chair Guinn called the meeting to order at 6:30 pm.

II. ROLL CALL

Compromising a quorum of the Commission, the following members were present for roll call: John Guinn, Lorin Bradbury, Kathy Hanson, and Cliff Linderoth; Nikki Hoffman arrived after roll call. Joy Shantz was excused. Also present was Planning Director Ted Meyer and Recorder Betsy Jumper.

III. PEOPLE TO BE HEARD

Nobody wished to be heard.

IV. MOTION TO APPROVE THE MINUTES OF THE FEBRUARY 11, 2016 MEETING

MOVED:	Lorin Bradbury	To approve the Feb. 11, 2016 minutes.
SECONDED:	Kathy Hanson	
VOTE ON MOTION	All in favor 4 yes and 0 opposed. Motion carries.	

V. APPROVAL OF THE AGENDA

MOTION TO APPROVE THE AGENDA OF MARCH 10, 2016

MOVED:	Kathy Hanson	To approve the agenda.
SECONDED:	Cliff Linderoth	
VOTE ON MOTION	All in favor 4 yes and 0 opposed. Motion carries.	

VI. NEW BUSINESS: A. A resolution of the Planning Commission recommending an ordinance amending chapter 18.36.030 of the Bethel Municipal Code to add alcohol sales and dispensing as a conditional use permit designation in the General Use District. (Action Item)

MOTION MADE TO RECOMMEND ORDINANCE 16- TO THE CITY COUNCIL

MOVED:	Kathy Hanson	To recommend to Council that Ordinance 16- amending chapter 18.26.030 be approved .
SECONDED:	Lorin Bradbury	
VOTE ON MOTION	All in favor 5 yes and 0 opposed. Motion carries.	

VII. PLANNER'S REPORT: Ted went over the Planning Director's monthly activity report.

IX . COMMISSIONER'S COMMENTS: **Lorin:** no comment; **Nikki:** no comment; **Kathy:** asked about the Planning office moving to the Log Cabin; **Cliff:** wanted to alert everyone about the YKHC crossing lights not working; **John:** no comment.

X. ADJOURNMENT

MOVED:	Kathy Hanson	Motion to adjourn the meeting at 8:10 PM
SECONDED:	Cliff Linderoth	
VOTE ON MOTION 5 yes and 0 opposed. Motion carries.		

The next meeting will be on April 14, 2016

_____, Joy Shantz, Chairman
ATTEST: _____, Betsy Jumper, Recorder

DRAFT

City of Bethel, Alaska

Public Safety & Transportation Commission

March 1, 2016

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Public Safety and Transportation Commission was held on March 1st, 2016 in the Bethel City Hall Council Chambers.

This meeting was called to order at 7:11 pm.

II. ROLL CALL

Present: Joan Dewey *Chair*
Chuck Herman *Council Representative*
Eileen Henrikson *Vice Chair*
Julene Webber

Absent: Deborah White
Naim Shabani

Ex-Officio Present: Andre Achee *Chief of Police* (via telephone conference)
Bill Howell *Fire Chief*
Christina Him *Recorder and Transportation Inspector Designee*

III. PEOPLE TO BE HEARD

Frank Mazzaro - *Concerned with monetary change for large bills in taxi cabs due to lack of services in Bethel. Would like to post a sign notifying customers that he cannot provide change for certain denominations before 8 in the morning and would like to inform the public about it to avoid conflict.*

IV. APPROVAL OF AGENDA

MOVED:	Herman	Motion to approve the agenda.
SECONDED:	Henrikson	
VOTE ON MAIN MOTION	All in favor.	

V. APPROVAL OF MINUTES

MOVED:	Herman	Motion to approve the minutes from the regular meeting of February 2 nd , 2016.
SECONDED:	Henrikson	
VOTE ON MAIN MOTION	All in favor.	

VI. CHIEFS' COMMENTS

Chief Bill Howell – *See Report in Commission Packet.*

Chief Andre Achee – *See Report in Commission Packet.*

VII. TRANSPORTATION INSPECTOR REPORT

See Report in Commission Packet

VIII. COUNCIL MEMBER'S COMMENTS

Council Member Herman – *City Council passed the Ordinance that requires cabs to have a video surveillance system inside of their cabs, it passed 4 to 3. I don't think there were any amendments made to it other than possibly the dates of implementation being shifted around a little bit.*

IX. UNFINISHED BUSINESS

None

X. NEW BUSINESS

A. Concerns with Ayaprun's Relocation to the new BNC Building

Discussed, Council member Herman will be sending an email to the City Planner in regards to the issue.

B. YKHC's Hospital Expansion and Traffic Congestion

Discussed, Council member Herman will be sending an email to the City Planner in regards to the issue.

C. Consideration of the Resolution to support the health and well-being of our children and firefighters and endorse the "Toxic Free Children's Act."

MOVED:	Webber	Motion to recommend.
SECONDED:	Herman	
VOTE ON MAIN MOTION	All in favor.	

XI. COMMISSION MEMBER COMMENTS

Eileen Henrikson – *Thanks to Chuck, there will be two career fairs this year. One will be at the high school on April 6th for local businesses, training and education, specifically geared for high school students so that they know what their options are; and the community wide career fair will be taking place on April 20th, at the Cultural Center. These career fairs are an opportunity for recruitment and networking.*

Chuck Herman – *I just wanted to give Kudos to the Public Safety and Transportation Commission; I really appreciate having two department heads who seem to be very proactive and working towards issues and solving issues. It is just really nice to be a part of a commission where it feels like we’re working towards goals and seeing at least progress towards them.*

Chief Andre Achee – *I know we can’t take any action on what Frank talked about, but I just want to let him know that he is an independent business owner and he could post whatever he wants on his business. He owns his own permit and his own cab, but he’s just using Kusko as a dispatch service.*

XII. ADJOURNMENT

MOVED:	Herman	Motion to adjourn.
SECONDED:	Henrikson	
VOTE ON MAIN MOTION	All in favor.	

Meeting adjourned at 8:49 pm.

APPROVED THIS _____ DAY OF _____, 2016.

Christina Him, Recorder

Joan Dewey, Chair

Special Order of Business

Unfinished Business

Introduced by: Acting City Manager Williams
Introduction Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #16-05

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING AN ORDINANCE AMENDING AND ADOPTING FEES AND CHARGES FOR THE CITY OF BETHEL

BE IT ORDAINED that the City Council of Bethel, Alaska,

Section 1. Classification. This ordinance is not permanent in nature and shall not be placed in the Bethel Municipal Code.

Section 2. The attached Fees and Charges schedule is hereby adopted. It shall be adhered to by all City Departments.

Section 3. Effective Date. This ordinance becomes effective ten (10) days after the passage of this ordinance.

PASSED AND APPROVED THIS ___ DAY OF MARCH 2016, BY A VOTE OF _ IN FAVOR AND _ OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Acting City Manager Williams
Introduction Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

City of Bethel
Fees and Charges

GENERAL SERVICES

Identification Card	\$10.00
Replacement Identification Cards	\$10.00
Wire Transfer Fee	\$25.00
NSF Check Fee.....	\$30.00
Check Replacement Fee	\$25.00
Notary Service, per document.....	\$3.00
Electronically Reproduced Records (up to 5 pages).....	\$5.00
(For documents over 5 pages in length, add \$0.25 per page)	
Bethel Business License Holders List/Information	\$25.00
Bethel Business License-based on business type (Valid 2 years).....	\$150.00
Bethel Lapel Pin	\$2.00
Passport Execution.....	In accordance with U.S. Department of State Fee
Lost key (Cost of replacing locks)	\$100.00
Regular Photocopies (per page).....	\$0.25
CD of public meeting/hearing (per CD).....	\$10.00
Burial Permit.....	\$50.00
Burial Lot Reservation.....	\$150.00
Appeal/Protest/Contract Dispute fees	\$150.00

CODE ENFORCEMENT

Vehicle Removal, (per vehicle).....	\$200.00
Impound fee, first day.....	\$25.00
Each day after.....	\$20.00

Introduced by: Acting City Manager Williams
Introduction Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

POLICE DEPARTMENT

Vehicles and Traffic

Towing or initial impoundment (4-Wheeler/ ATV/Snow machine)\$100.00
Storage per day (4-Wheeler/ ATV/Snow machine) \$10.00

Animal Control

Animal License (AVID Chip) onetime fee..... \$20.00
Animal Adoption (includes license) \$25.00
Destruction of Animal (euthanization)..... \$30.00
Impound fee, first day..... \$25.00
Each day after \$20.00
Rabies vaccination No charge
Quarantine (10 days) per day \$15.00

Chauffeur/Taxi Permits

Chauffeur Permit Initial Issuance.....\$250.00
Renewal.....\$250.00
Substitute Vehicle (good for 14 days).....\$85.00
 Renewal.....\$125.00
Renewal.....\$125.00
Taxi Cab, River Taxi & Dispatch Permit, per month.....\$185.00
 Renewal.....\$125.00
Dispatch Permit Renewal.....\$150.00
Taxi Cab/River Taxi Permit Application.....\$250.00

Taxi Cab/River Taxi Permit Renewal.....\$250.00
Appeal made to the Commission.....\$100.00
Application to Transfer an Interest.....\$125.00

Introduced by: Acting City Manager Williams
Introduction Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

Late Payments.....	\$100.00
Retest.....	\$25.00
Mailed Applications.....	\$15.00
Drug Testing	\$35.00

Protective Custody

If paid within 30 days.....	\$150.00
After 30 days.....	\$175.00

Copying Fee

First 3 pages (Reports/Other).....	\$5.00
Additional pages.....	\$0.25 per page

Miscellaneous

Fingerprints (by appointment only-when available).....	\$25.00 per card
Civil Process Service.....	\$45.00

Records Fees

CD (per).....	\$15.00
Searches, if over five hours (per hour).....	\$

If the search or production of records for one requester in a calendar month exceeds five person-hours, the requester shall pay the personnel costs required during the month to complete the search and copying tasks. The personnel costs may not exceed the actual salary and benefit costs for the personnel time required to perform the search and copying tasks. The requester shall pay the fee before the records are disclosed, and the city may require payment in advance of the search.

FIRE DEPARTMENT

Basic Life Support Ambulance Services.....	\$350.00
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Introduced by: Acting City Manager Williams
Introduction Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

Advanced Life Support Ambulance Services.....	\$450.00
Fire Incident Report	\$25.00
Ambulance Run Report.....	\$25.00

MAPS

Land Status Map.....	\$50.00
Street Map Booklet (11"x17").....	\$15.00
City Map Color (Grid Sheet).....	\$15.00
City Map B/W (Grid Sheet).....	\$10.00
Plat Copies.....	\$8.00
Plotted Reproduction of an existing file.....	\$15.00
Street Map PDF.....	\$25.00
Street Map (Addresses)	\$50.00

PLANNING FEES

Site plan, infill/moving of single family residence	\$25.00
A \$500.00 fine if infill/moving of residence without site plan application: Contractor/Owner Responsibility	
Site plan, residential single family new	\$25.00
A \$500.00 fine if developments of a new residence without site plan application Owner responsibility	
Site plan residential duplex	\$100.00
A \$500.00 fine if developments of a new residential duplex without site plan application Owner responsibility	
Site plan residential triplex	\$200.00
A \$1000.00 fine if developments of a new residential triplex without site plan application Owner responsibility	
Site Plan, infill Commercial	\$100.00
A fine of \$1000.00 if infill is done without site plan application: Developers Responsibility	

Introduced by: Acting City Manager Williams
Introduction Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

Site Plan, Demolition of Building either residential or commercial\$100.00
A fine of \$1000.00 for torn down

Site plan, commercial, major (New Development or existing site improvement)

A. A. Site plan Application Commercial: The application fee for a commercial, industrial or other non residential development shall be \$600 for the first \$100,000 of the total construction costs, plus an additional fee one half of one percent for the portion over \$100,000 of the total construction costs. Typical construction costs shall include all costs associated with the development for which the application is being submitted, including, but not limited to site improvement for which the application is being submitted, including, but not limited to, site improvement and building improvement costs including new or additional buildings, but shall include interior furnishings, atypical features, decorative materials or other similar features. For fees calculated based the percentage of construction costs, such costs shall be supported by the sworn statement of a licensed architect, licensed engineer or other qualified individual if an architect or engineer has not been retained for the project as the expected construction costs for projects over \$1,000,000 . Institutional (Hospital, Educational and Governmental) will be assessed a flat fee of \$600 for the total cost of the construction.

A. For a proposed linear development, the application fee shall be \$150.00 per acre of all land included in the right of way of the proposed linear development project plus \$150.00 per acre located outside of the right of way that will be disturbed as part of a linear development project. A Linear development means land uses such as roads, trails, sewerage and management of pipes, gas and water pipelines, electric, telephone and other transmission or distribution lines, which have the basic function of connecting two points, the rights-of-way therefore, and any accessory structures or uses directly associated therewith. Linear development shall not include residential, commercial, office or industrial buildings, improvements within a development such as utility lines or pipes, or internal circulation roads;

1. For a resource extraction permit application or permit renewal application, the application fee shall be \$1,500.00 plus \$30.00 per acre to be mined within each permit period (Yearly);
2. For a change of use with no additional development or home occupations, the application fee shall be \$200.00; and

Introduced by: Acting City Manager Williams
 Introduction Date: March 8, 2016
 Public Hearing: March 22, 2016
 Action:
 Vote:

The application fee for mixed residential and non-residential development shall be the sum of the residential and non-residential development fees as calculated according to the relevant fee schedules in (A) above.

Variance.....\$200.00

Vacation.....\$300.00

Conditional uses-permit\$200.00
 Re-plat, short subdivision, abbreviated plat, supplemental plat, waiver, floodplain land use.....\$100.0 plus recording fees

Preliminary subdivision plat.....\$300.00
plus \$15.00/lot

Final Subdivision plat.....\$300.00
plus recording fees

Site plan submitted after work has begun.....\$300.00

Utility Permit\$400.00

Platting Waiver\$100.00

Appeal.....\$100.00

MAPS

Xerographic type single sheet map copy..... \$5.00 per sheet

Computer generated retracement of single lot or tract with legal Description.....\$25.00

Computer generated single sheet maps-plats.....\$50.00 first sheets
\$25.00 each additional sheet

Land Status Map \$30.00

Street Map (Addresses) \$50.00

Comprehensive Plan on CD (*also available at no cost on City website*)..... \$25.00

Introduced by: Acting City Manager Williams
Introduction Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

The fee for a Letter of Interpretation or Amended Letter of Interpretation pursuant to Bethel Municipality Code shall be determined according to the following:

1. The application fee for any other Letter of Interpretation or Amended Letter of Interpretation shall be \$200.00.

(a) The application fee for the review and processing of a request for a letter stating information that is available in a municipal land use ordinance or stating other information readily available to the public from a source other than the Bethel Planning Commission shall be \$200.00.

(b) The application fee for an Amended Certificate of Filing shall be \$200.00 or 10 percent of the original permit fee, whichever is greater, with a maximum fee of \$3,000. If a request for an Amended Certificate of Filing is submitted more than five years following the issuance of the original Certificate of Filing, the fee shall be calculated as if a new application had been submitted.

(c) The fee for the review of any study or survey prior to the submission of a development application, including, but not limited to, any threatened or endangered species protocol, threatened or endangered species protocol results or a cultural resource survey, shall be one-third of the estimated application fee calculated in accordance with (a) through (b) above. Any fee submitted in accordance with this provision shall be deducted from the application fee due at the time of submission of the application for the proposed development for which the study or survey was prepared or conducted.

Code Enforcement

Junk Vehicles Removal, per vehicle	\$200.00
Impound fee, first day	25.00
Each day after	20.00
Removal of non-vehicles junk/honey buckets (percentage of cost of removal)	100%
Disposal of items plus city man power (wages), city vehicles usage (gas), court cost, attorney fees, only if property owners don't remove the debris from their property.	

PARKS AND RECREATION

Bethel 4-H Youth Center

Introduced by: Acting City Manager Williams
 Introduction Date: March 8, 2016
 Public Hearing: March 22, 2016
 Action:
 Vote:

** Center Fees can be waived by department policy.*

Monthly youth participant fee (grades K-12-6).....	\$40.00
Annual fee offered Aug to Nov PFD Special participant fee (grades K to 126)....	240.00
Annual Teen participant fee (grades 7-12).....	20.00
Drop-in fee (per day) (grades K-12)	5.00
Adult per day fee.....	5.00

(The Bethel Youth Center is open to adults during open hours that there are no scheduled youth programs)

~~Youth Center Rental:~~

Cleaning Deposit (refundable).....	\$200.00
Full Day (8+ hrs).....	225.00
Half Day (4 or less hrs).....	115.00

~~Non-profit Organization Rental Costs:~~

Cleaning Deposit (refundable).....	200.00
Full Day (8+ hrs).....	200.00
Half Day (4 or less hours).....	100.00
Staff Time, per hour, per staff member with rental.....	45.00

Log Cabin Rental:

Cleaning Deposit (refundable).....	200.00
Main Room full day	175.00
Kitchen full day	50.00
Both/full day	225.00
Main Room half day	90.00
Kitchen half day	25.00
Both/Half day	115.00

Log Cabin non-profit organization rental cost,

Introduced by: Acting City Manager Williams
Introduction Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

Cleaning Deposit (refundable).....\$200.00
Main Room full day 50.00
Kitchen and Main Room.....75.00

~~*Bethel Youth Center Fees can be waived by department policy.~~

PORT AND HARBOR

Seasonal Moorage for Floats.....\$48 plus \$12 per foot LOA
Small Boart Harbor Use Permit.....\$30.00
Small Boat Harbor Use Permit (for Vessel Moored more than Four Days).....\$60.00

*Other fees are in accordance with the most recently adopted tariff rates.

Verify with Bethel Port Office.

PUBLIC WORKS

Utility Permit Application Fee Annual Permit.....\$130.00
Utility Permit Application Fee Temporary Use\$50.00
Utility Permit Application Fee Emergency Use.....\$50.00

Water & Sewer Rates

Fees are in accordance with the most recently adopted ordinance establishing water and sewer rates. Verify with Bethel City Finance Office.

Garbage & Landfill Rates

Vehicle Disposal at the dump, per vehicle.....\$200.00
Vehicle Disposal at the dump, per vehicle without fluids/and or battery removed.\$300.00
Refrigerators and Freezers\$40.00

**City of Bethel
Fees and Charges**

GENERAL SERVICES

Appeal to city representative (not a hearing officer).....	50.00
Appeal/ Protest/Contract Dispute fees - Appeal to a hearing officer.....	\$150.00

POLICE DEPARTMENT

Copying Fee

First 3 pages (not part of records fees).....	\$5.00
Additional pages.....	0.25 per page

Miscellaneous

Fingerprints (by appointment only-when available).....	\$25.00 per card
Civil Process Service.....	\$45.00

Records Fees

CD (per).....	\$15.00
Collision Reports	\$10.00
Call for Service.....	5.00
Officer Report	10.00
CD.....	20.00

Searches, if over five hours (per hour).....\$

If the search or production of records for one requester in a calendar month exceeds five person-hours, the requester shall pay the personnel costs required during the month to complete the search and copying tasks. The personnel costs may not exceed the actual salary and benefit costs for the personnel time required to perform the search and copying tasks. The requester shall pay the fee before the records are disclosed, and the city may require payment in advance of the search.



Celebrating 50 Years of Service

CITY OF BETHEL

Fire Department

William F. Howell III, Fire Chief
P.O. Box 1388, Bethel, Alaska 99559
Phone: (907)-543-2131
Fax: (907)-543-2702
bhowell@cityofbethel.net

March 3, 2016

Ann Capela, City Manager
P.O. Box 1388
Bethel, AK. 99559

Ms. Capela,

Ambulance fees in the department are currently \$350 for basic life support (BLS) and \$450 for advanced life support (ALS). These fees were last adjusted in the early 2000's.

We propose the following increases:

- BLS from \$350 to \$466
- ALS from \$450 to \$600

These fees are well within the national average (\$350-\$1200) and would help offset the cost of providing critical services to the community. While call volume has risen steadily since 2010, there has been little corresponding increase in revenue.

The Department has also seen increased operating costs driven by energy prices to house, maintain and operate the ambulance service. Increases in manufacturing nation-wide have driven a nearly 22% increase in new ambulance prices; \$190,000 vs. \$150,000 just 13 years ago.

Personnel costs have increased over the last 10 years due to increased call volume leading to greater use of overtime. Anticipated increases in employee health care and insurance also create the need to increase revenue in the Fire Department.

Sincerely,

William F. Howell III, Fire Chief



CITY OF BETHEL

Office of the Port Director

P.O. Box 1388

Bethel, Alaska 99559

Ph. (907) 543-2310

Fax (907) 543-2311

Memorandum

To: City Manager
Cc: City Manager; Finance Director
From: Peter Williams, Port Director
Date: March 15, 2016
Re: Small Boat Harbor Permits

The Port Commission has recommended an increase of the small boat harbor permits from \$30.00 to \$60.00 for the 250-300 boats mooring along the embankments and beaches inside the SBH. This increase would not affect boats mooring to the wooden floats.

The Port Commission pointed out that 100 people are paying \$24,000 a year and 500 people are paying \$15,000 a year.

The purpose of the increase is for maintenance of the embankments and adjacent parking areas. The increase would add \$7,500-\$9,000 to the Small Boat Harbor revenues.

Sincerely Yours,

Peter Williams

“Deep Sea Port and Transportation Center of the Kuskokwim”

Action:
 Vote:

CITY OF BETHEL, ALASKA
ORDINANCE # 15-14 (e)

An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2016 Budget

Be it Enacted by the Bethel City Council that the FY 2016 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 2016, July 1, 2015 to June 30, 2016.

GENERAL FUND (10)

Budget Modification

Changes to General Fund

	Increases	
10-53-501	Salaries - Finance	12,953
10-53-511	Medicare - Finance	188
10-53-518	PERS - Finance	2,850
	Total Increases	15,990
	Decreases	
	Total Decreases	0
TOTAL	Net Change to General Fund Expenditures	15,990

Budget Modification

Changes to General Fund

	Increases	
10-54-501	Salaries - Planning	5,469
10-54-511	Medicare - Planning	79
10-54-518	PERS - Planning	1,203
	Total Increases	6,751
	Decreases	
	Total Decreases	0
TOTAL	Net Change to General Fund Expenditures	6,751

Budget Modification

Changes to General Fund

	Increases	
10-55-501	Salaries - IT	6,279
10-55-511	Medicare - IT	91
10-55-518	PERS - IT	1,381
	Total Increases	7,751
	Decreases	

		Total Decreases	0
TOTAL	Net Change to General Fund Expenditures		7,751

Budget Modification

Changes to General Fund

	Increases		
10-60-501	Salaries - Fire		12,045
10-60-511	Medicare - Fire		175
10-60-518	PERS - Fire		2,650
		Total Increases	14,870
	Decreases		
		Total Decreases	0
TOTAL	Net Change to General Fund Expenditures		14,870

Budget Modification

Changes to General Fund

	Increases		
10-61-501	Salaries - Police		25,211
10-61-511	Medicare - Police		366
10-61-518	PERS - Police		5,546
		Total Increases	31,123
	Decreases		
		Total Decreases	0
TOTAL	Net Change to General Fund Expenditures		31,123

Budget Modification

Changes to General Fund

	Increases		
10-65-501	Salaries - PW Administration		2,151
10-65-511	Medicare - PW Administration		31
10-65-518	PERS - PW Administration		473
		Total Increases	2,655
	Decreases		
		Total Decreases	0
TOTAL	Net Change to General Fund Expenditures		2,655

Budget Modification

Changes to General Fund

	Increases		
10-71-501	Salaries - Parks & Recreation		4,369
10-71-511	Medicare - Parks & Recreation		63
10-71-518	PERS - Parks & Recreation		961
		Total Increases	5,394
	Decreases		

		Total Decreases	0
TOTAL	Net Change to General Fund Expenditures		5,394

Budget Modification

Changes to General Fund

	Increases		
10-70-501	Salaries - Property Maint.		4,450
10-70-511	Medicare - Property Maint.		65
10-70-518	PERS - Property Maint.		979
		Total Increases	5,494
	Decreases		
		Total Decreases	0
TOTAL	Net Change to General Fund Expenditures		5,494

Budget Modification

Changes to General Fund

	Increases		
10-66-501	Salaries - Streets & Roads		5,869
10-66-511	Medicare - Streets & Roads		85
10-66-518	PERS - Streets & Roads		1,291
		Total Increases	7,245
	Decreases		
		Total Decreases	0
TOTAL	Net Change to General Fund Expenditures		7,245

Budget Modification

Changes to General Fund In-Kind & Transfer

	Increases		
10-73-653	Cash Transfer to Water/Sewer Enterprise Fund		37,856
		Total Increases	37,856
	Decreases		
		Total Decreases	0
TOTAL	Net Change to General Fund Expenditures		37,856

Budget Modification

Changes to General Fund Revenues

	Increases		
10-46-490	XFERS IN FROM OTHER FUNDS		199,889
		Total Increases	199,889
	Decreases		
		Total Decreases	0
TOTAL	Net Change to General Fund Revenues		199,889

	TOTAL CHANGE TO GENERAL FUND APPROPRIATIONS		
		Total Increases	135,130
		Total Decreases	0
	Cumulative Change to General Fund		135,130

	TOTAL CHANGE TO GENERAL FUND REVENUES		
		Total Increases	199,889
		Total Decreases	0
	Cumulative Change to General Fund REVENUES		199,889

	TOTAL CHANGE TO GF FUND BALANCE		
--	--	--	--

	Change to General Fund Revenues	199,889
	Change to General Fund Appropriations	135,130
	Cumulative Increase/Decrease to GF Fund Balance	64,759

Special Revenue WIND Turbine PROJECT Fund (38)

Budget Modification

Changes to Wind Turbine

	Increases	
38-46-990	Operating Transfer Oout	199,889
	Total Increases	199,889
	Decreases	
	Total Decreases	0
TOTAL	Net Change to Wind Turbine Project Transfers	199,889

	TOTAL CHANGE TO Operating Transfers	
	Total Increases	199,889
	Total Decreases	0
	Cumulative Change to Wind Turbine	199,889

	TOTAL CHANGE TO FUND BALANCE	
	Change to General Fund Revenues	0
	Change to General Fund Appropriations	199,889
	Cumulative Increase/Decrease to Wind Trubine Project Fund Balance	(199,889)

E-911 FUND (41)

Budget Modification

Changes to E-911

	Increases	
41-50-501	Salaries - E911	2,151
41-50-511	Medicare - E911	31
41-50-518	PERS - E911	473
	Total Increases	2,655
	Decreases	
	Total Decreases	0
TOTAL	Net Change to E-911 Expenses	2,655

	TOTAL CHANGE TO E-911 APPROPRIATIONS	
	Total Increases	2,655
	Total Decreases	0
	Cumulative Change to E-911 Revenues	2,655

	TOTAL CHANGE TO E-911 FUND BALANCE	
	Change to General Fund Revenues	0
	Change to General Fund Appropriations	2,655
	Cumulative Increase/Decrease to E-911 Fund Balance	(2,655)

Water Sewer Fund (51)

Budget Modification

Changes to Water Sewer Fund

	Increases	
51-80-501	Salaries - Utility Billing	1,179
51-80-511	Medicare - Utility Billing	17
51-80-518	PERS - Utility Billing	259
51-81-501	Salaries - Hauled Water	9,272
51-81-511	Medicare - Hauled Water	134
51-81-518	PERS - Hauled Water	2,040

	Change to General Fund Appropriations	7,947
	Cumulative Increase/Decrease to Port Fund Balance	(7,947)

Solid Waste Fund (50)

Budget Modification

Changes to Solid Waste

	Increases	
50-70-501	Salaries - Solid Waste	1,368
50-70-511	Medicare - Solid Waste	20
50-70-518	PERS - Solid Waste	301
50-71-501	Salaries - Solid Waste	1,741
50-71-511	Medicare - Solid Waste	25
50-71-518	PERS - Solid Waste	383
	Total Increases	3,838
	Decreases	
	Total Decreases	0
TOTAL	Net Change to Solid Waste	3,838

	TOTAL CHANGE TO Solid Waste APPROPRIATIONS	
	Total Increases	3,838
	Total Decreases	0
	Cumulative Change to Solid Waste	3,838

	TOTAL CHANGE TO Solid Waste FUND BALANCE	
	Change to Solid Waste Revenues	0
	Change to Solid Waste Appropriations	3,838
	Cumulative Increase/Decrease to Solid Waste Fund Balance	(3,838)

Fleet Replacement Fund (58)

Budget Modification

Changes to Fleet Replacement

	Increases	
58-50-698	Port Vehicles	25,225
	Total Increases	25,225
	Decreases	
	Total Decreases	0
TOTAL	Net Change to Port	25,225

	TOTAL CHANGE TO Fleet Replacement REVENUES	
58-43-411	Insurance Proceeds	25,225
	Total Increases	25,225
	Total Decreases	-
	Cumulative Change Fleet Replacement	25,225

	TOTAL CHANGE TO Fleet Replacement	
	Change to Fleet Replacement Fund Revenues	25,225
	Change to Fleet Replacement Fund Appropriations	25,225
	Cumulative Increase/Decrease to Fleet Replacement Fund Balance	0

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

PASSED AND APPROVED THIS _____ BY A VOTE OF ____ IN FAVOR AND ____ OPPOSED.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk



CITY OF BETHEL

Finance Director's Office

P.O. Box 1388

Bethel, Alaska 99559

Ph. (907) 543-1376

Fax (907) 543-5294

Memorandum

To: Bethel City Council
Cc: Pete Williams, Acting City Manager
From: Hansel L Mathlaw, Finance Director
Date: February 29, 2016
Re: Justifications for Budget Modification Request

Listed below is an explanation for the budget modification requested in Ordinance #15-14 (e)

There are several components to this budget modification. 1) The salary increase for city employees. 2) The insurance proceeds from the totaled port vehicle. 3) Transfer from the Wind Turbine Project Fund back to the general fund.

Salary Increases

The union and management salary increases for FY16.

Insurance proceeds

The port vehicle was "totaled" during the fall season. The City received \$25,225 from the insurance provider. The Port Director wants to use these funds to purchase a new truck. I have included the appropriation within this budget ordinance.

Transfer from Wind Energy Development Grant

Back in FY09, the City Council approved the transfer of \$199,889 [Ordinance #08-10(G)] from the general fund to use as match for the Wind Energy Development Grant. The grant was transferred to AVEC. Because the City no longer has the grant the funds will be moved back to the general fund. The accounting treatment will be credit the general fund as a transfer revenue and debit Fund 38 (Wind Turbine Project Grant) as a transfer expenditure.

Introduced by: Acting City Manager, Pete Williams
Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #16-06

AN ORDINANCE AUTHORIZING THE ACQUISITION OF INTEREST IN EASEMENTS/LAND FOR UTILITY EASEMENTS INVOLVING INSTITUTIONAL CORRIDOR (I.C.) PIPED WATER SUPPLY AND SEWER COLLECTION PROJECT

Whereas, the City of Bethel "City" has a grant from the state of Alaska (designated legislative grant) to provide for water and sewer improvements known as institutional corridor piped water supply and sewer collection project;

Whereas, the City has arranged for a multi phase project to supply water and collect sewer through the following described real property, including alignment of mains and service lines and other utilities through the easements and right-of-ways in perpetuity;

Whereas, the City needs to acquire these various easements across the properties involved in the I.C. water/sewer project;

Whereas, the proposed various easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for I.C. Project;

Whereas, in accordance with Section 4.08.020 of Bethel Municipal Code, the City Council hereby authorize the acquisition of these easements, in the forms as set forth in this ordinance;

Whereas, the easements consists of portion of lot 53, U.S. Survey No. 4117, according to the official Bureau of Land Management survey plat thereof, officially filed March 31, 2004 located in the Bethel Recording District, Fourth Judicial District, State of Alaska;

Whereas, the easements are more particularly described as follows:

The Basis of Bearing for these descriptions is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25° 43' 20.9" W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Introduced by: Acting City Manager, Pete Williams
Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

Parcel 12 A:

Beginning at the northeast corner of said lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W15.45 feet; thence departing said east line N89°56'55"W30.70 feet; thence N11°44'20"E15.32 feet to the north line of said lot 53; thence on said north line S89°56'55" E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

Parcel 12 B:

Beginning at the northeast corner of said lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W 15.45 feet; thence departing said east line N89°56'55"W 30.70 feet; thence N11°44'20" E 15.32 feet to the north line of said lot 53; thence on said north line S89°56'55" E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

Whereas, the easement consist of lot 4C, subdivision of lot 4, U.S. Survey No. 4117, according to plat No. 84-18 and 84-20, lying within lot 54, U.S. Survey No. 4117, according to the official Bureau of Land Management Survey plat thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

Whereas, the easements are more particularly described as follows:

The basis of bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of feet from NGS Station C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Beginning at the most northerly northwest corner of said lot 54, being the True point of Beginning for this description; thence on the north line thereof S80°08'48" E 135.86 feet to the northeast corner of said lot 54; thence on the east line thereof S09°47'45"W 29.88 feet; thence departing said east line N80°08'48" W 115.45 feet; thence S00°00'17"W 196.34 feet; thence N89°56'55"W 147.95 feet to the most westerly west line of the said lot 54; thence on said line N13°50'38"E 15.45 feet to the most westerly northwest corner of said lot 54; thence on a north line thereof

Introduced by: Acting City Manager, Pete Williams
Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

S89°56'55"E 129.25 feet to an angle point; thence on a west line thereof N00°00'17" E 214.74 feet to the True point of Beginning. Said easement embraces an area of 8,929 square feet, more or less as calculated from said courses and distances.

Whereas, the easement consist of Tract3, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18,1971 (85 stat 688,704; 43 USC 1601,1613(f) (1976) as reserved by the United States of America in the Patent of said land.

The basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET Bears S 25°43'20.9" W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinated of 6,266.8084 N 7,694.8219 E. U.S. Survey Feet.

Beginning at the northwest corner of said Tract 3, being the True Point of Beginning for this description; thence on the northerly line thereof, S69°59'15" E 21.00 feet; thence departing said northerly line S40°44'46"W 135.89 feet to the westerly line of said Tract 3; thence on the westerly line thereof, N32°02'29" E 129.95 feet to the True Point of Beginning. Said easement embraces an area of 1,335 square feet, more of less as calculated from said courses and distances.

NOW, THEREFORE BE IT ORDAINED, the City, in consideration of the agreement between Bethel Native Corporation, the Grantor, and the City of Bethel "CITY" the Grantee, mentioned herein, acquires these easements and this ordinance shall be recorded with each detailed "PUBLIC UTILITY EASEMENT" Documents.

SECTION 1. Classification. This ordinance is of a general nature and shall not become a part of the Bethel Municipal Code.

SECTION 2. Authorization. Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property.

SECTION 3. Effective Date. This Ordinance shall become effective upon the passage by the Bethel City Council.

Introduced by: Acting City Manager, Pete Williams
Date: March 8, 2016
Public Hearing: March 22, 2016
Action:
Vote:

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA,
THIS 8th DAY OF MARCH, 2016, BY A VOTE ___ IN FAVOR AND ___ OPPOSED.**

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk



Bethel Native Corporation
RESOLUTION 2016-06

A RESOLUTION OF BETHEL NATIVE CORPORATION TO APPROVE GRANTING OF PUBLIC UTILITY EASEMENTS TO THE CITY OF BETHEL

WHEREAS, Bethel Native Corporation (CORPORATION) is the Native Village Corporation for the village of Bethel, having incorporated and organized in accordance with Section 8 of the Alaska Native Claims Settlement Act (ANCSA) and the laws of the State of Alaska;

WHEREAS, the City of Bethel (CITY) plans to install a new piped water system along the Chief Eddie Hoffman Highway within the area known as the institutional corridor;

WHEREAS, the CITY wishes to acquire Public Utility Easements that are located on CORPORATION land as follows:

- 1) Parcel located within Lot 53, USS 4117, containing an area of 5,081 square feet, more or less and shown as Public Utility Easement Parcel 12a.
- 2) Parcel located within Lot 53, USS 4117 containing an area of 465 square feet, more or less and shown as Public Utility Easement Parcel 12b.
- 3) Parcel located within Lot 54, USS 4117 containing an area of 8,929 square feet, more or less and shown on Public Utility Easement 17a.
- 4) Parcel located within Tract 3, BNC Industrial Park, containing an area of 1,335 square feet, more or less and shown as Public Utility Easement 4a.
- 5) Parcel located within Lot 52, U.S.S. 4117, containing an area of 1,306 square feet, more or less and shown as Public Utility Easement Parcel 19A.
- 6) Parcel located within Lot 55, U.S.S. 4117, containing an area of 2,608 square feet, more or less and shown as Public Utility Easement Parcel 19B.
- 7) Parcel located within Lot 50, U.S.S. 4117, containing an area of 354 square feet, more or less and shown as Public Utility Easement Parcel 19C.

WHEREAS, CORPORATION supports the CITY's plans for the piped water system that will serve the institutional buildings such as the Hospital and the Long-Term Care Facility as well as many private properties in the area, including the Kipusvik building;

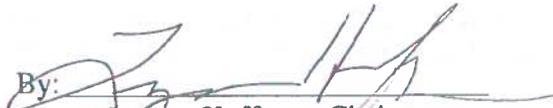
WHEREAS, Should the Easements described as: Parcel 19A, within Lot 52, U.S.S. 4117, Parcel 19B within Lot 55, U.S.S. 4117 and Parcel 19C within Lot 50, U.S.S. 4117 subsurface be impacted by Part 169 – Rights-of-Way over Indian Land [25 CFR 169], then BNC will not approve these Easements to the City of Bethel;

THEREFORE BE IT RESOLVED THAT the CORPORATION hereby approves the granting of the above described Public Utilities Easements to the City of Bethel and authorizes its President/CEO, Anastasia Hoffman, to sign such Easements on behalf of the CORPORATION.

ADOPTED AND DATED this 21st day of January 2016, in Bethel, Alaska, by a vote of 9 for, 0 against, and 0 not voting.

CERTIFICATE

The undersigned, Donna Lindsey, Secretary of Bethel Native Corporation, an Alaskan Corporation, does hereby certify that a meeting of the Board of Directors of said Corporation duly called and held on the 21 day of January, 2016, at which a quorum was at all times present and voting, the foregoing Resolution was duly adopted.

By: 
Lyman Hoffman, Chairman

Attest: 
Donna Lindsey, Secretary

PUBLIC UTILITY EASEMENT

This Grant of Easement is made this 17th day of February, 2016, by and between **KIPUSVIK LLC**, hereinafter called **Grantor**, whose address is P.O. Box 719, Bethel, Alaska 99559, and the **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "**City**" **Grantee**, whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant an easement and right-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "**Utilities**" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

Tract 3, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under Plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land.

Said easement is depicted on the Parcel Map attached hereto as Page 4 and more particularly described as follows;

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Beginning at the northwest corner of said Tract 3, being the True Point of Beginning for this description; thence on the northerly line thereof, S69°59'15"E 21.00 feet; thence departing said northerly line S40°44'46"W 135.89 feet to the westerly line of said Tract 3; thence on the westerly line thereof, N32°02'29"E 129.95 feet to the True Point of

Beginning. Said easement embraces an area of 1,335 square feet, more or less as calculated from said courses and distances.

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of the City, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities or activities by any person on said property in or on any structures on the easement. Grantor agrees not to interfere with the lateral support for the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

Grantor grants City free ingress and egress to the easement across Grantor's property. Grantor grants City free use of Grantor's property for construction of the Utility Lines for only that time period necessary for construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair.

City shall indemnify Grantor from all liability, claims, demands, suits and costs, arising in whole or in part, from any damages or other claims resulting directly from the City's ingress and egress on Grantor's property during any construction, reconstruction, alteration, operation, replacement, relocation, maintenance or repair of the City owned structures or direct City access to the easement.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this 17th day of February, 2016.

KIPUSVIK, LLC

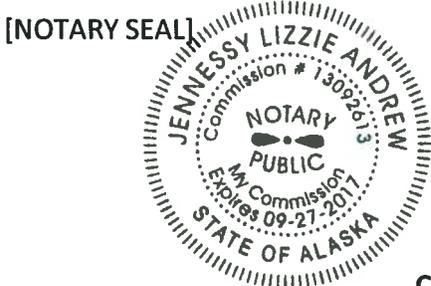
By: 
Anastasia Hoffman, Manager
Bethel Native Corporation, Member

ACKNOWLEDGMENT OF GRANTOR-CORPORATION

STATE OF ALASKA)
) ss:
Fourth Judicial District)

On this 17th day of February, 2016 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Anastasia Hoffman, Manager** of Kipusvik, LLC, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that she executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.



Jennessy Lizzie Andrew
Notary Public in and for the State of Alaska
My Commission Expires: 9/27/2017

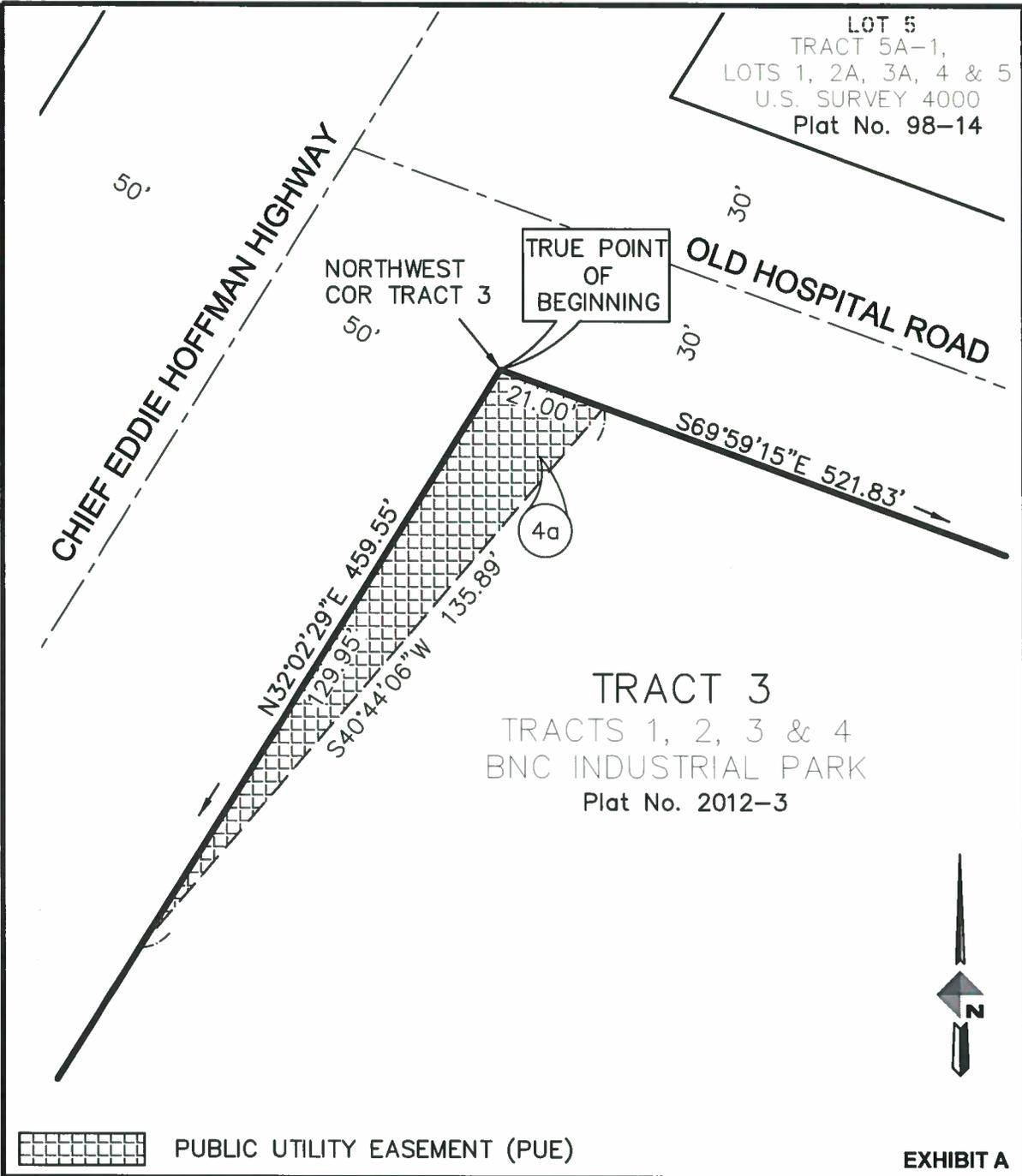
CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the City of Bethel, Grantee herein, after a review by the planning commission and a majority vote of the city council, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2016.

By: _____
Richard Robb, Mayor

After Recording Return to:
City of Bethel
P.O. Box 1388
Bethel, AK 99559



CITY OF BETHEL PUBLIC WORKS DEPARTMENT		INSTITUTIONAL CORRIDOR PIPED WATER DELIVERY SYSTEM	
	OWNER'S INITIALS: _____	EXISTING PARCEL AREA: ± 229,200 S.F.	ROW ACQUISITION TYPE: PUE
	PAGE 4 OF 4 DATED _____	ROW ACQUISITION AREA: ± 1,335 S.F.	SCALE: 1"=30'
		DATE: DEC 2015 PARCEL No. 4a	

PUBLIC UTILITY EASEMENT

This Grant of Easement is made this 17th day of February, 2016, by and between **BETHEL NATIVE CORPORATION**, hereinafter called **Grantor**, whose address is P.O. Box 719, Bethel, Alaska 99559, and the **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "City" **Grantee**, whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant these easements and rights-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "Utilities" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

That portion of Lot 4C, Subdivision of Lot 4, U.S. Survey No. 4117, according to Plat No. 84-18 and 84-20, lying within Lot 54, U.S. Survey No. 4117, according to the official Bureau of Land Management survey plat thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows;

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Beginning at the most northerly northwest corner of said Lot 54, being the True Point of Beginning for this description; thence on the north line thereof S80°08'48"E 135.86 feet to the northeast corner of said Lot 54; thence on the east line thereof S09°47'45"W 29.88 feet; thence departing said east line N80°08'48"W 115.45 feet; thence S00°00'17"W 196.34 feet; thence N89°56'55"W 147.95 feet to the most westerly west line of said Lot 54; thence on said line N13°50'38"E 15.45 feet to the most westerly northwest corner of said Lot 54; thence on a north line thereof S89°56'55"E 129.25 feet to an angle point; thence on a west line thereof N00°00'17" E 214.74 feet to the

True Point of Beginning. Said easement embraces an area of 8,929 square feet, more or less as calculated from said courses and distances.

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utility Lines and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of the City, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities or activities by any person on said property in or on any structures on the easement. Grantor agrees not to interfere with the lateral support for the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

Grantor grants City free ingress and egress to the easement across Grantor's property. Grantor grants City free use of Grantor's property for construction of the Utilities for only that time period necessary for construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair.

City shall indemnify Grantor from all liability, claims, demands, suits and costs, arising in whole or in part, from any damages or other claims resulting directly from the City's ingress and egress on Grantor's property during any construction, reconstruction, alteration, operation, replacement, relocation, maintenance or repair of the City owned structures or direct City access to the easement.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this 17th day of February, 2016.

BETHEL NATIVE CORPORATION

By: 
Anastasia Hoffman, President

By: Donna Lindsey
Donna Lindsey, Secretary

ACKNOWLEDGMENT OF GRANTOR-CORPORATION

STATE OF ALASKA)
) ss:
Fourth Judicial District)

On this 17th day of February, 2016 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Anastasia Hoffman**, President of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that she executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written

[NOTARY SEAL]



Jennessy Lizzie Andrew
Notary Public in and for the State of Alaska
My Commission Expires: 9/27/2017

STATE OF ALASKA)
) ss:
Fourth Judicial District)

On this 17th day of February, 2016 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Donna Lindsey**, Secretary of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that she executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]



Jennessy Lizzie Andrew
Notary Public in and for the State of Alaska
My Commission Expires: 9/27/2017

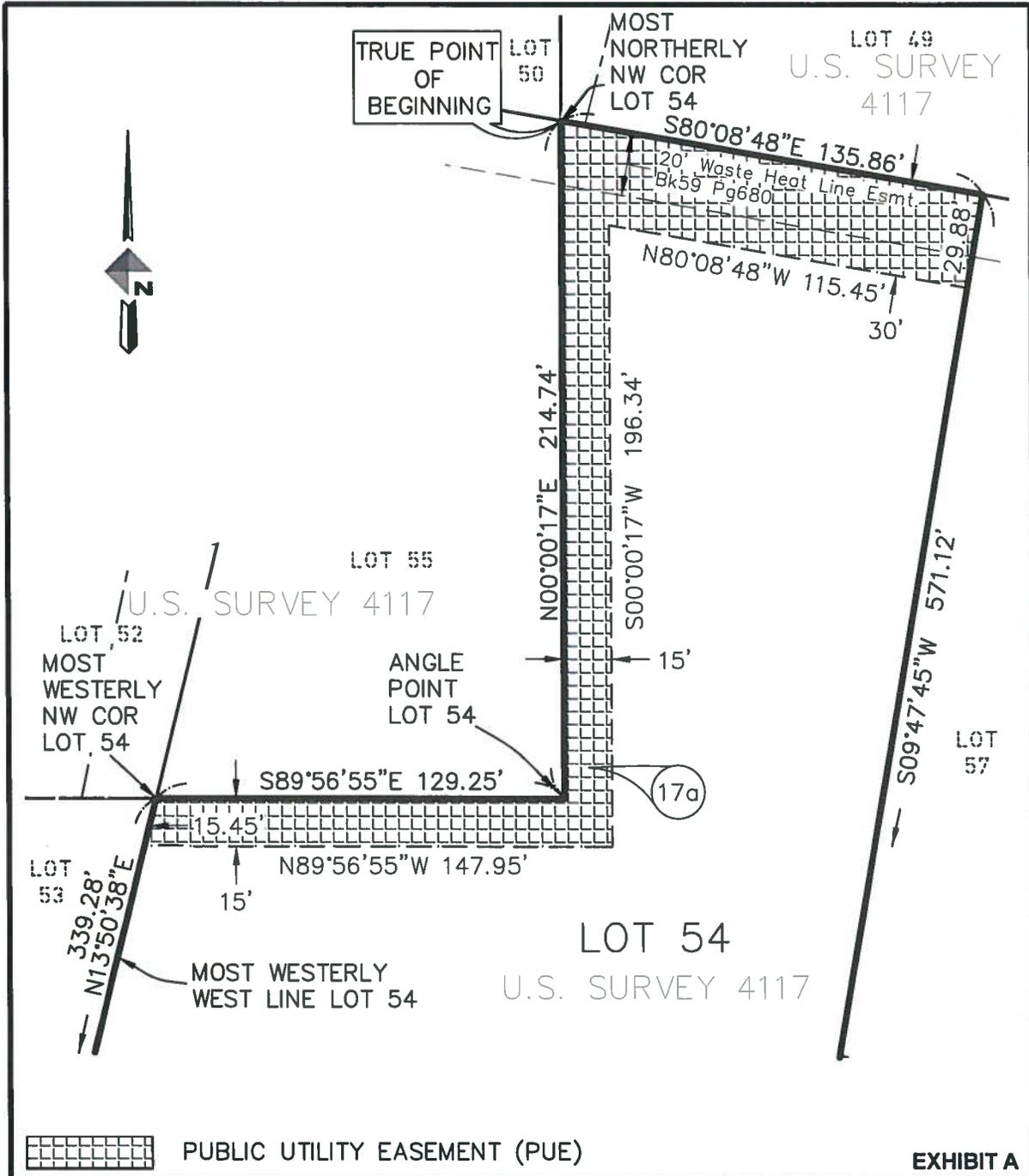
CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the City of Bethel, Grantee herein, after a review by the planning commission and a majority vote of the city council, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2016.

By: _____
Richard Robb, Mayor

After Recording Return to:
City of Bethel
P.O. Box 1388
Bethel, AK 99559



CITY OF BETHEL PUBLIC WORKS DEPARTMENT		INSTITUTIONAL CORRIDOR PIPED WATER DELIVERY SYSTEM	
	OWNER'S INITIALS: _____	EXISTING PARCEL AREA: ±108,900 S.F.	ROW ACQUISITION TYPE: PUE
	PAGE 5 OF 5 DATED _____	SCALE: 1"=50'	DATE: DEC 2015 PARCEL No. 17a

PUBLIC UTILITY EASEMENT

This Grant of Easements is made this 17th day of February, 2016, by and between **BETHEL NATIVE CORPORATION**, hereinafter called **Grantor**, whose address is P.O. Box 719, Bethel, Alaska 99559, and the **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "City" **Grantee**, whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant these easements and rights-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "Utilities" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

Lot 53, U.S. Survey No. 4117, according to the official Bureau of Land Management survey plat thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

Said easements are depicted on the Parcel Maps attached hereto as Pages 6 and 7. The easements are more particularly described as follows;

The Basis of Bearing for these descriptions is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

PARCEL 12A:

Beginning at the northeast corner of said Lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W 15.45 feet; thence departing said east line N89°56'55"W 30.70 feet; thence N11°44'20"E 15.32 feet to the north line of said Lot 53; thence on said north line S89°56'55"E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

PARCEL 12B:

Beginning at the northeast corner of said Lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W 15.45 feet; thence departing said east line N89°56'55"W 30.70 feet; thence N11°44'20"E 15.32 feet to the north line of said Lot 53; thence on said north line S89°56'55"E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of the City, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities or activities by any person on said property in or on any structures on the easement. Grantor agrees not to interfere with the lateral support for the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

Grantor grants City free ingress and egress to the easement across Grantor's property. Grantor grants City free use of Grantor's property for construction of the Utilities for only that time period necessary for construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair.

City shall indemnify Grantor from all liability, claims, demands, suits and costs, arising in whole or in part, from any damages or other claims resulting directly from the City's ingress and egress on Grantor's property during any construction, reconstruction, alteration, operation, replacement, relocation, maintenance or repair of the City owned structures or direct City access to the easement.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this 17th day of February, 2016.

BETHEL NATIVE CORPORATION

By: 
Anastasia Hoffman, President

By: 
Donna Lindsey, Secretary

ACKNOWLEDGMENT OF GRANTOR-CORPORATION

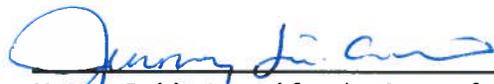
STATE OF ALASKA)
) ss:
Fourth Judicial District)

On this 17th day of February, 2016 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Anastasia Hoffman**, President of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that she executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]




Notary Public in and for the State of Alaska
My Commission Expires: 9/27/2017

City of Bethel

Public Utility Easement
Institutional Corridor Piped Water Project

Parcel 12A & 12B
Page 3 of 7

STATE OF ALASKA)
) ss:
Fourth Judicial District)

On this 17th day of February, 2016 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Donna Lindsey**, Secretary of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that she executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]



Jennessy Lizzie Andrew
Notary Public in and for the State of Alaska
My Commission Expires: 9/27/2017

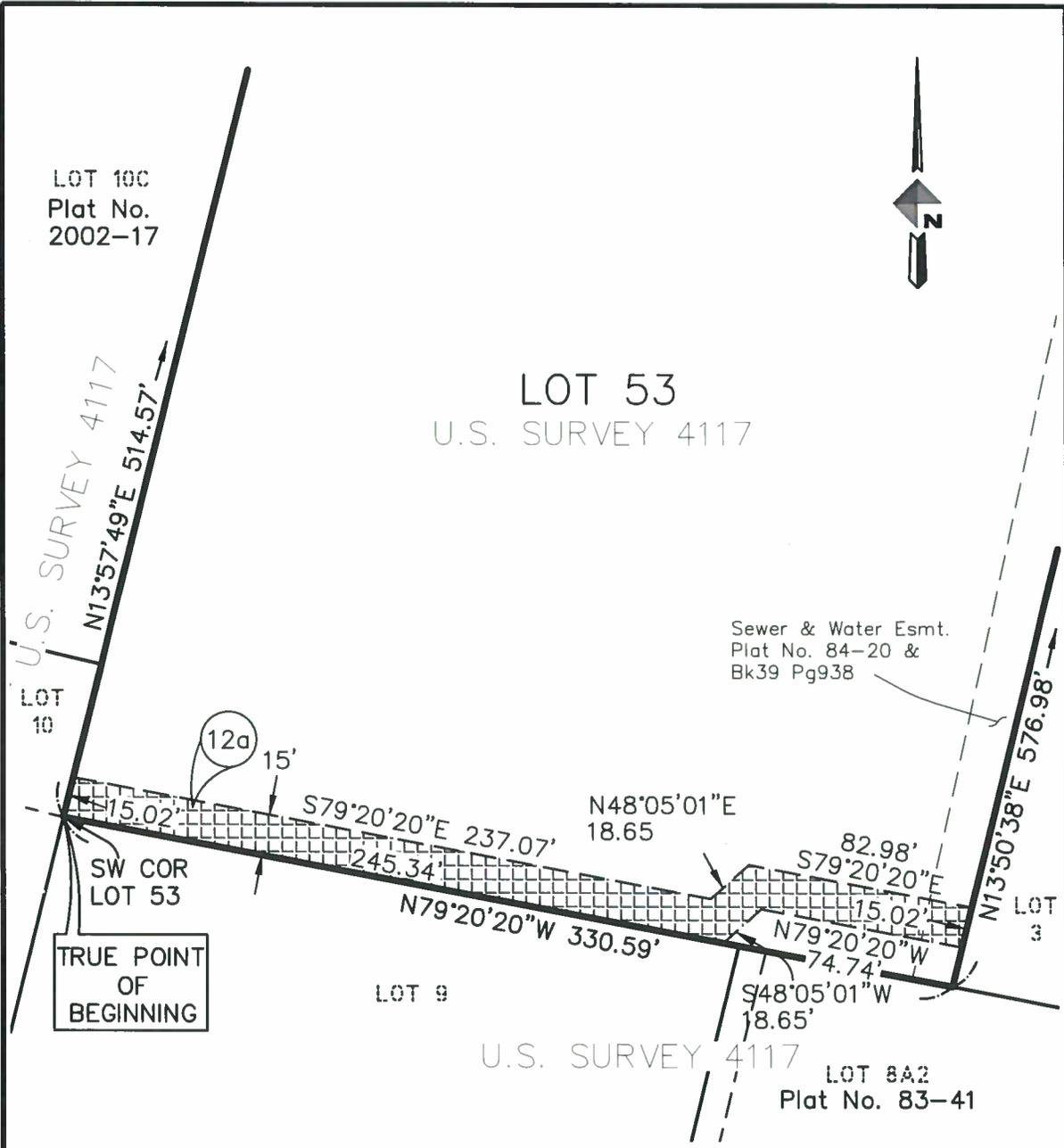
CERTIFICATE OF ACCEPTANCE

THIS IS TO CERTIFY that the City of Bethel, Grantee herein, after a review by the planning commission and a majority vote of the city council, hereby accepts for public purposes the real property, or interest therein, described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this _____ day of _____, 2016.

By: _____
Richard Robb, Mayor

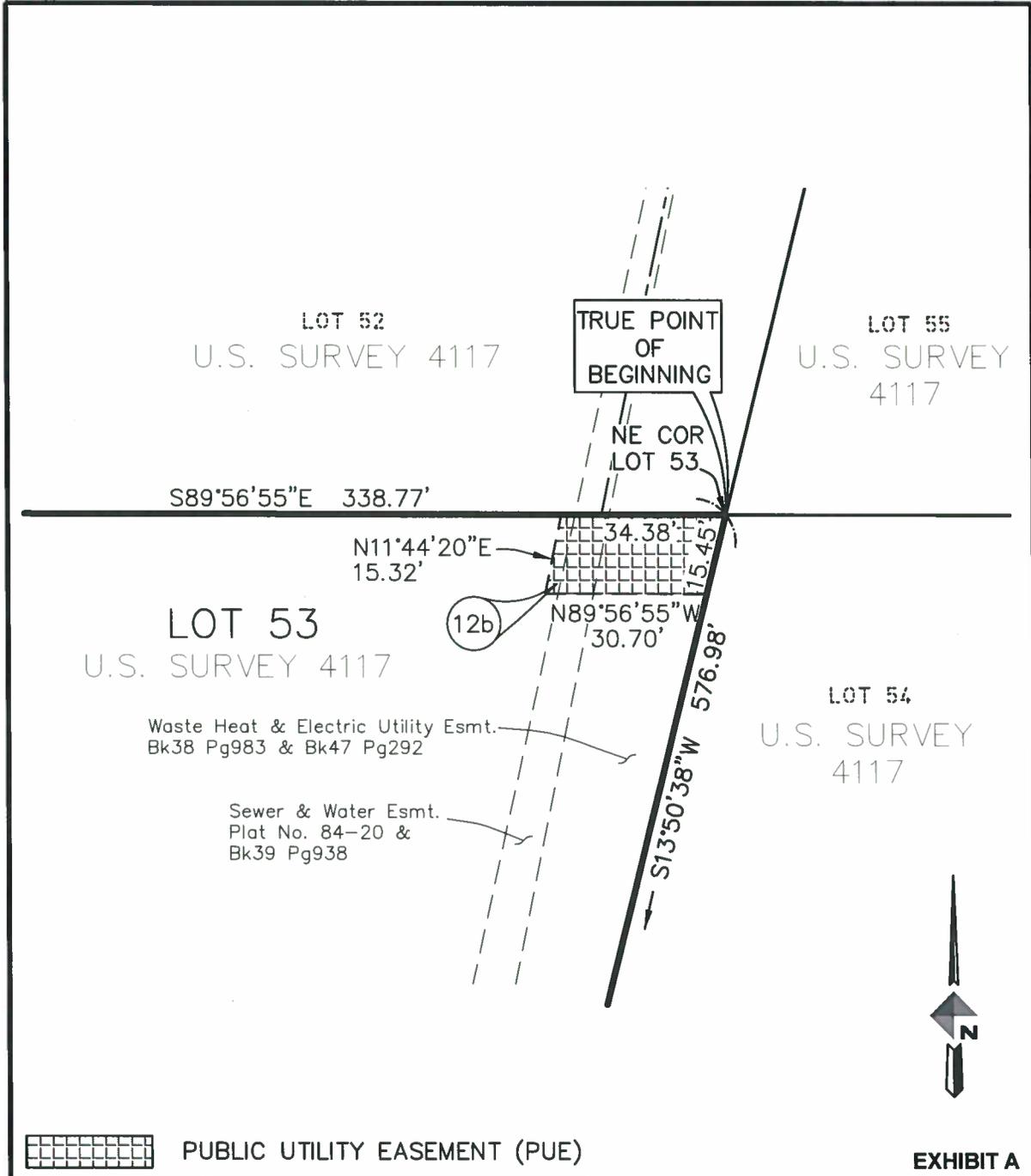
After Recording Return to:
City of Bethel
P.O. Box 1388
Bethel, AK 99559



PUBLIC UTILITY EASEMENT (PUE)

EXHIBIT A

CITY OF BETHEL PUBLIC WORKS DEPARTMENT		INSTITUTIONAL CORRIDOR PIPED WATER DELIVERY SYSTEM	
	OWNER'S INITIALS: _____	EXISTING PARCEL AREA: ± 179,467 S.F.	ROW ACQUISITION TYPE: PUE
	PAGE <u>6</u> OF <u>7</u> DATED _____	SCALE: 1"=60'	DATE: DEC 2015 PARCEL No. 12a



PUBLIC UTILITY EASEMENT (PUE)

EXHIBIT A

CITY OF BETHEL PUBLIC WORKS DEPARTMENT		INSTITUTIONAL CORRIDOR PIPED WATER DELIVERY SYSTEM	
	OWNER'S INITIALS: _____	EXISTING PARCEL AREA: ± 179,467 S.F.	ROW ACQUISITION TYPE: PUE
	PAGE <u>7</u> OF <u>7</u> DATED _____	SCALE: 1"=30'	DATE: DEC 2015 PARCEL No. 12b

New Business

CITY OF BETHEL, ALASKA

Ordinance #16-09

AN ORDINANCE BY THE BETHEL CITY COUNCIL AUTHORIZING THE REFUND OF REAL ESTATE SALES TAX OVERPAYMENTS

WHEREAS, Bethel Municipal Code (BMC) Section 4.16.040, Exemptions [for Sales Taxes] was passed on September 24, 2002;

WHEREAS, since its passage in 2002, the Ordinance has not been amended;

WHEREAS, BMC 4.16.040 (Y) reads "That portion of the selling price of real property in excess of twenty (20) percent of the first (1st) three hundred seventy-five thousand dollars (\$375,000) of the selling price is exempt. This exemption does not apply to rentals of real property. This exemption applies to all sales of real property, including casual and isolated sales;"

WHEREAS, while working on a re-write of the current Sales Tax Code, the City became aware of a manifest clerical error in BMC 4.16.040;

WHEREAS, it was discovered the language which passed on September 24, 2002 (Ordinance 02-29) actually read "That portion of the selling price of real property in excess of twenty percent of the first ~~\$375,000~~ \$275,000 of the selling price is exempt. This exemption does not apply to rentals of real property. This exemption applies to all sales of real property, including casual and isolated sales."

WHEREAS, the language of the September 24, 2002 Ordinance is supported by the minutes of that meeting;

WHEREAS, the City has researched the matter and has been able to determine that not all persons who paid real estate sales taxes were affected by the error;

WHEREAS, the City, having discovered the error, has developed a process to issue refunds to eligible individuals who overpaid real estate sales tax;

WHEREAS, any refunds issued as a result of the error will include interest at the rate of 3.5% from the date of accrual;

SECTION 1. classification. This is a non-codified Ordinance and shall not become part of the Bethel Municipal Code.

Introduced by: Mayor Robb
Introduction Date: March 22, 2016
Public Hearing:
Action:
Vote:

SECTION 2. Authorization for Refunds. The City Council finds and determines a manifest clerical error has occurred in the printing of the Bethel Municipal Code. As a result of that error the City Council authorizes the finance committee to proceed with a plan to refund any over-payment of real estate sales taxes to eligible applicants who provide satisfactory proof of overpayment.

SECTION 3. Effective Date. This ordinance shall become effective upon passage by the Bethel City Council.

ENACTED THIS _____ DAY OF APRIL 2016, BY A VOTE OF _____ IN FAVOR AND _ OPPOSED.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk

Introduced by: Mayor Robb
 Introduction Date: March 22, 2016
 Public Hearing: April 12, 2016

Action:
 Vote:

CITY OF BETHEL, ALASKA
ORDINANCE #15-14 (f)

An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2016 Budget

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 2016

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

Budget Modification

General Fund

	Increases	
10-53-723	Sales Tax Refunds - CITY ACCT CLEANUP ADJUSTMENTS	238,000.00
	Total Increases	238,000.00
	Decreases	
10-39900	Unrestricted Undesignated Fund Balance	238,000.00
	Total Decreases	238,000.00
TOTAL	Net Change to Appropriations	238,000.00

TOTAL CHANGE TO OVERALL CITY BUDGET

	<i>Change to Revenues Increase/(Decrease)</i>	
	<i>Change to Appropriations Increase/(Decrease)</i>	238,000
	These changes INCREASE↑ the overall expenditures/expenses of the City by	238,000

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

PASSED AND APPROVED THIS _____ DAY OF APRIL 2016 BY A VOTE OF _____ IN FAVOR AND _____ OPPOSED.

ATTEST:

 Richard Robb, Mayor

 Lori Strickler, City Clerk



CITY OF BETHEL

Finance Director's Office

P.O. Box 1388

Bethel, Alaska 99559

Ph. (907) 543-1376

Fax (907) 543-5294

Memorandum

To: Bethel City Council
Cc: Ann K. Capela
From: Hansel L Mathlaw, Finance Director
Date: March 9, 2016
Re: Justifications for Budget Modification Request

Listed below is an explanation for the budget modification requested in Ordinance #15-14 (f)

Based upon the manifest clerical error recently discovered in the Bethel Municipal Code and the council's directive to correct that error, this budget modification seeks to allocate the funds necessary to repay the taxes collected erroneously along with interest on those taxes.

CITY OF BETHEL, ALASKA

Ordinance #16-10

AN ORDINANCE BY THE BETHEL CITY COUNCIL REPEALING AND REPLACING BETHEL MUNICIPAL CODE 2.40, ACCESS TO PUBLIC RECORDS

SECTION 1. Classification. This is a Codified Ordinance and shall become part of the Bethel Municipal Code.

SECTION 2. Amendments. Bethel Municipal Code Chapter 2.40, Access to Public Records is repealed in its entirety and enacted as follows (old language is stricken):

Chapter 2.40 ACCESS TO PUBLIC RECORDS

Sections:

- ~~2.40.010—Public records.~~
- ~~2.40.020—Access and inspection of public records.~~
- ~~2.40.030—Copies of public records.~~
- ~~2.40.040—Compilation or creation of records.~~
- ~~2.40.050—Exemptions for particular records.~~
- ~~2.40.060—Access to city personnel records.~~
- ~~2.40.080—Special procedures for obtaining access to city personnel records.~~
- ~~2.40.100—Appeal of denial of request.~~

~~2.40.010 Public records.~~

~~Except as provided by BMC 2.40.050, or by other provision of municipal, state, or federal law, the books, records, papers, files, accounts, writings, and transactions of the city are public records open to inspection by the public under reasonable rules during regular office hours.~~

~~2.40.020 Access and inspection of public records.~~

~~Public records may be inspected at the place where the records are kept during regular office hours. All city officers and employees shall, consistent with the orderly conduct of city business, make a good faith and diligent effort to respond to requests for inspection of records. If responding to one (1) or more requests for inspection of public records made by the same person within a calendar month are anticipated to require more than four (4) hours of labor to complete, the city may require the person making the request to pay the city's labor costs for the period in excess of four (4) hours actually spent by any city employee in responding to the request. The costs may not exceed the unit cost~~

~~of salary and benefits for employees who are involved in the search. The city clerk is authorized to establish rates and costs for all inspections of public records.~~

~~2.40.030 Copies of public records.~~

~~A. Certified Copies. The city clerk shall give, on request and payment of costs, a certified copy of any public record.~~

~~B. Photocopies. The city shall give, on request and payment of costs, copies of any public record.~~

~~C. Charge for Copies. The charge for copies (whether certified or not) may not exceed the cost to the city, which cost may include all photocopy, clerical and other costs directly related to the provision of the copies. Payment for copies shall be received before making copies. The city clerk is authorized to establish rates and charges for copies of public records. The city clerk may, in his or her discretion, waive charges for incidental copies.~~

~~2.40.040 Compilation or creation of records.~~

~~Nothing in this code shall require the city to create records, compile, summarize, outline or in any other way create information from existing public records.~~

~~2.40.050 Exemptions for particular records.~~

~~The following documents are not public records:~~

~~A. Documents which reveal the current or past financial or medical status of any specific individual;~~

~~B. Records of vital statistics and adoption proceedings;~~

~~C. Records pertaining to juveniles;~~

~~D. Records required to be kept confidential by federal, state, or city law, statute, ordinance, regulation or contract;~~

~~E. Trade secrets;~~

~~F. Patented and/or copyrighted material;~~

~~G. Records of engineering, marketing, accounting, or other technical or financial data, which, if released, would provide a competitive advantage to any other persons or business engaged in similar or related activities;~~

~~H. Proprietary information which a manufacturer, consultant or provider reasonably expects to be kept privileged or confidential to protect the property interests of persons providing the information or data;~~

~~I. Communications between any agency or city employee and the city attorney which contain legal advice or analysis or concern potential, pending or actual litigation. This subsection does not protect from disclosure documents which were public records prior to the commencement of the litigation. Public records which are otherwise subject to disclosure may not be protected from disclosure by submission to the city attorney. Any documents marked "confidential" which are submitted to any agency or city employee from the city attorney's office shall only be produced if the city attorney so authorizes.~~

~~2.40.060 Access to city personnel records.~~

~~A. City personnel records, including employment applications and examination materials, are confidential and are not open to public inspection except as provided in this section.~~

~~B. The following information or records are available for public inspection, in accordance with the procedures established by this chapter:~~

- ~~1. The names and position titles of all city employees;~~
- ~~2. The position held by any city employee;~~
- ~~3. Prior positions held by any city employee;~~
- ~~4. The dates of hire and separation of a city employee;~~
- ~~5. The compensation authorized for a city employee;~~
- ~~6. Any resume submitted by any person seeking employment with the city for one (1) of the following positions:~~

- ~~a. City manager;~~
- ~~b. Public works director;~~
- ~~c. Finance director;~~
- ~~d. Chief of police;~~

~~7. Any performance evaluation of the city manager but only to the extent the performance evaluation does not contain any personal information the release of which would be an unwarranted invasion of privacy, or deal with the personal, intimate or otherwise private life of the city manager.~~

~~2.40.080 Special procedures for obtaining access to city personnel records.~~

~~All persons who wish copies of city personnel records shall submit their request for this information in writing to the city clerk. Within five (5) working days after receipt of such a request, the city clerk shall give the city employee for whom access to information has been requested a copy of the request. If the employee objects to release of the requested information, the employee shall inform the city clerk of the objection and the reasons for the objection in writing within five (5) working days after receipt of the copy of the request. The city clerk shall then make a decision in writing as to whether the record will be provided and give a copy of the decision to both the affected employee and the person requesting the personnel record. Any person not satisfied with the decision of the city clerk may appeal the clerk's decision to the city council at its next regularly scheduled meeting.~~

~~2.40.100 Appeal of denial of request.~~

~~In the event any person requests to inspect or have copied any document and is not allowed to do so, the person may appeal that decision to the city clerk. If not satisfied with the decision of the city clerk, the person shall be notified within five (5) working days of that decision of their right to appeal to the city council at its next regularly scheduled meeting. The decision of the city council shall be final and binding on the city and the person making the appeal.~~

- 2.40.010 Definitions
- 2.40.020 City records declared public property
- 2.40.030 City records subject to inspection and copying
- 2.40.040 City records related to litigation
- 2.40.050 Exemptions for particular records
- 2.40.060 Response to requests for public record
- 2.40.070 Copying charges for records
- 2.40.080 Denial of request
- 2.40.090 Appeal from denial of a public record
- 2.40.100 Appeal determination

2.40.010 Definitions.

The following words and phrases, when used in this chapter, shall have the meanings set forth in this section:

- A. "City agency" means any department, division, office, board, commission, or other instrumentality of the city.
- B. "City record" means any book, paper, file, account, writing, including drafts and memorializations of conversations, and other items, regardless of format or physical characteristics, that are developed or received by a city agency, or by a private contractor for a city agency, and that are preserved for their informational value or as evidence of the organization or operation of the city agency; "city record" does not include a proprietary software program.
- C. "Confidential information" means information the disclosure of which is restricted by a city, state or federal law, ordinance, regulation, rule or judicial decision.
- D. "Litigation" or "involved in litigation" means a party to litigation or representing a party to litigation, including obtaining city records for the party.
- E. "Proprietary information" means information regarding techniques, methods, strategies, or other unique data in which a valuable property interest may be established or which may be used by one (1) person or entity for a competitive advantage.
- F. "Requester" means a person who makes a request to the city to inspect or obtain a copy of a city record.

2.40.020 City records declared public property.

- A. All city records are the property of the city. Unless otherwise permitted or required by law, no person may:
 - 1. Deface, alter or destroy a city record;
 - 2. Remove a city record from the city's possession;
 - 3. Disclose, or allow disclosure of, confidential information in a city record;

4. Except for a city officer or employee in the course of performing official duties, inspect or copy confidential information in a city record.

B. In addition to any other penalty provided by law, violation of subsection (A) of this section by a city employee may be cause for disciplinary action up to and including discharge.

C. The city may initiate a civil action to recover a city record that unlawfully has been removed from the city's possession, and to obtain a remedy for any violation of the provision of this section.

2.40.030 City records subject to inspection and copying.

A. Except as provided in Section 2.40.040 and 2.40.050 or by other provisions of city, state or federal law, a city agency shall make city records open to inspection during regular business hours by any person and provide copies of requested city records, subject to reasonable restrictions regarding the place and manner of inspection and the payment of any fee.

B. Nothing in this chapter requires the city to create city records, or to compile, summarize, outline or in any other way create information from existing city records, at the request of a member of the public.

C. The city is not required to produce city records for inspection, or to copy city records, in the exact form or medium in which they are stored; provided, that any alteration of the form or medium of a city record shall not change the substantive content of the information contained in the public record.

2.40.040 City records related to litigation.

A city record that is subject to disclosure and copying under this chapter remains a city record subject to disclosure and copying even if the record is used for, included in, or relevant to litigation, including law enforcement proceedings, involving a city agency, except that, with respect to a person involved in litigation, the records sought shall be disclosed in accordance with the rules of procedure applicable in a court or an administrative adjudication. In this section, "involved in litigation" means a party to litigation or representing a party to litigation, including obtaining city records for the party.

2.40.050 Exemptions for particular records.

A. The following city records are not subject to inspection or copying under this chapter:

1. Communications between any agency and the city attorney or other attorney engaged to represent the city which pertain to legal matters in actual or impending litigation. In addition, records privileged under the attorney/client or work-product privileges are included in this exception. However, this subsection does not protect from disclosure documents which were public records prior to

the legal situation, and public records which are otherwise subject to disclosure may not be protected from disclosure by mere submission to the attorney.

2. Personnel, payroll or medical files or records, or other files or records that reveal the financial or medical status of any specific individual, the release of which would constitute an unwarranted invasion of privacy. This subsection does not protect from disclosure the following personnel information:
 - a. The names and position titles of all city employees;
 - b. The positions held by city employees;
 - c. Prior positions held by city employees;
 - d. Whether a city employee is in the collective bargaining unit;
 - e. The dates of appointment and separation of a city employee;
 - f. The salary and fringe benefits paid to any city employee. A city employee has the right to examine the employee's own personnel files and may authorize other to examine those files.
3. Information which municipal governments engaged in collective bargaining regularly consider to be privileged or confidential for purposes of successful collective bargaining.
4. Records pertaining to juveniles unless disclosure is authorized by law.
5. Any records which are accorded confidential or privileged status by this code or which are accorded confidential or privileged status under state or federal law.
6. Records or information compiled by law enforcement purposes, but only to the extent that the production of the law enforcement records or information:
 - a. Could reasonably be expected to interfere with enforcement proceedings;
 - b. Would deprive a person of a right to a fair trial or an impartial adjudication;
 - c. Could reasonably be expected to constitute an unwarranted invasion of the personal privacy of a suspect, defendant, victim, or witness;
 - d. Could reasonably be expected to disclose the identity of a confidential source;
 - e. Would disclose confidential techniques and procedures for law enforcement investigations or prosecutions;
 - f. Would disclose guidelines for law enforcement investigations or prosecutions if the disclosure could reasonably be expected to risk circumventing of the law;
 - g. Could reasonably be expected to endanger the life or physical safety of an individual;
7. Name, address, telephone number or other identifying information about complainants in actions to enforce building, zoning, environmental, animal

protection or other city ordinances or regulations. This subsection does not protect from disclosure the contents of the complaint, so long as the complainant is not identifiable; or the name of the complainant when such disclosure becomes necessary to fair and just disposition of the charge or complaint in enforcement proceedings.

8. City records containing information that would disclose or might lead to the disclosure of a component in the process used to execute or adopt an electronic signature, if the disclosure would or might cause the electronic signature to cease being under the sole control of the person using it.
9. Records or information pertaining to a plan, program or procedure for establishing, maintaining, or restoring security in the city, or to a detailed description or evaluation of systems, facilities, or infrastructure in the city, but only to the extent that the production of the records or information:
 - a. Could reasonably be expected to interfere with the implementation or enforcement of the security plan, program or procedures;
 - b. Would disclose confidential guidelines for investigations or enforcement, and the disclosure could reasonably be expected to risk circumvention of the law; or
 - c. Could reasonably be expected to endanger the life or physical safety of an individual or to present a real and substantial risk to the public health and welfare.
10. Bids submitted in response to a request for bids but only until such times as the bids are publicly opened;
11. Proposals submitted in response to a request for proposals but only until such time as the City Council has approved or disapproved the recommended candidate.
12. Trade secrets and commercial or financial information the disclosure of which would be likely to cause substantial harm to the competitive position of the person from whom the information was obtained.
13. Proprietary information which a manufacturer, consultant or provider reasonably requires to be kept privileged or confidential to protect the property interests of persons providing the information or data.
14. Information obtained by and in the custody of insurance carriers insuring the city and their attorneys and agents regarding possible and pending claims against the city.
15. Personal information other than name and address given to the city with the legitimate expectation of privacy in conjunction with licenses, permits or other city services.
16. Draft audit reports and supporting work papers until respective management officials have had the opportunity to review the draft audit findings for accuracy

- of fact and substance and provide written responses to the auditor. The maximum time allowed for this exemption will not exceed 30 days from the date of the draft audit report. Financial audits are released after council acceptance.
17. Appraisals used in property negotiations, during such negotiations, unless the city manager determines it is in the best interest of the city to release the information to the other party.
 18. Income tax returns, Social Security numbers, employer identification numbers, and similar personal data, unless release of the information is necessary in litigation or an administrative proceeding.
 19. Any records otherwise subject to disclosure under this chapter if the requester or the requester's principal is in litigation with the city or a city agency in a judicial or administrative forum. Disclosure of any records relevant to that litigation, or reasonably likely to lead to the discovery of relevant evidence, shall be governed by the rules or orders of that forum (to include AS 40.25.122) and not by this chapter.
 20. Any other record and documents specifically exempted from disclosure by federal or state law or other city ordinance.

B. Nothing in this section shall prevent a council member, or an agent of the city from reviewing information otherwise confidential under this section if that person has a valid city purpose for reviewing the information and if the person agrees to maintain the confidentiality of the information.

2.40.060 Response to requests for public record.

- A. All municipal officers and employees shall, consistent with the orderly conduct of city business, make a good faith and diligent effort to provide a rapid and intelligible response to request for inspection of records made pursuant to this chapter.
- B. A requester shall submit a written request to inspect or obtain a copy of a public record to the city agency that is the custodian of the public record.
- C. A city agency that receives a request to inspect or provide a copy of a public record shall respond as follows:
 1. If the city record is subject to inspection under this chapter and is readily available, the city agency may permit the requester to inspect the city record, and provide the requester with a copy of the city record, at the time the request is made.
 2. If the requested city record is subject to inspection under this chapter but either the city record is not immediately available or staff resources of the city agency are not sufficient to respond to the request when it is made, the city agency shall provide the city record for inspection or provide a copy of the record as requested within ten (10) business days after receiving the request.

3. If the city agency must determine whether the city record is subject to inspection under this chapter, within ten (10) business days after receiving the request the city agency shall make that determination and at that time either:
 - a. Provide the city record for inspection; or
 - b. Provide a copy of the record as requested; or
 - c. State in writing that the city record is not subject to inspection with the following information:
 1. Date;
 2. Item of information requested;
 3. The specific provision of applicable state, federal or city law exempting the request information in whole or in part from disclosure;
 4. The title and signature of the official withholding the information; and
 5. The right of the requestor to appeal the decision pursuant to BMC section 2.04.090 and 2 AAC 96.340 to include the fee for such appeal, however no appeal bond is required;
 6. The right of the requestor to obtain immediate judicial review of the denial by seeking an injunction from the superior court under AS 40.25.125 however, an election not to pursue injunctive remedies in superior court shall have no adverse effects on the rights of the requestor before the public agency;
 7. A copy of 2 AAC 96.335-2AAC 96.350 must be enclosed with the denial.
- D. The city agency may extend the initial ten (10) business-day period established under subsection (B) of this section for a period not to exceed ten (10) additional business days by providing notice to the requester within the initial ten (10) business-day period. The notice must state the reason for the extension and the date by which the city agency expects to be able to furnish the requested record or to issue a determination that the record is not subject to disclosure.

2.40.070 Copying charges for records.

- A. The council shall establish the standard unit cost of copying city records under this chapter. The fee for copying a city record may not exceed the standard unit cost.
- B. A deposit or prepayment for the record may be required in advance of the search and the fee for the record must be paid in full before the record is disclosed.
- C. If the personnel time required to provide city records for one requester or the agent of a requester in a calendar month exceeds five person-hours, the requester shall pay the city agency for the personnel costs required during the

month to complete the search and copying tasks. The personnel costs may not exceed the actual salary and benefit costs for the personnel time required to perform the search and copying tasks. The requester shall pay a deposit to the city agency before the search is performed and shall pay the fee in full before the records are disclosed.

- D. A city agency may reduce or waive a fee when the city agency determines that the reduction or waiver is in the public interest. Fee reductions and waivers shall be uniformly applied among persons who are similarly situated. A city agency may waive a fee of \$5.00 or less if the fee is less than the cost to the city agency to arrange for payment.

2.40.080 Denial of request.

- A. A request for a public record that complies with this section may be denied only if:
1. The record is not known to exist after the public agency makes a diligent search for it;
 2. The record is not in the public agency's possession, and after a diligent search the public agency does not know where the record is to be found;
 3. The record has been destroyed in accordance with the city's records retention schedule;
 4. Nondisclosure of the record is authorized by a federal, state or city law;
 5. The record is believed to be in the agency's possession but has not yet been located, in which case the agency shall proceed under Subsection D of this section.
- B. A request may be denied only by an agency employee whom denial authority has been delegated by the public agency head. An initial denial of a written request must be in writing as provided in Section 2.40.060C(3)(b).
- C. A denial of a written request for a public record is considered to be issued at the time the denial is delivered to the United States Postal Service for mailing.
- D. If a written request is denied because a record has not yet been located and the record is believed to exist in the City's possession, the agency responsible for maintaining the record shall continue to search until the record is located or until it appears that the record does not exist or is not in the city's possession. An agency employee shall periodically inform the requestor of its progress in searching for the requested information.
- E. A record that is subject of a public records request that has been denied shall not be destroyed or transferred from the city's custody until at least 60 business days after the denial of the record is issued, or if there is an administrative or

judicial appeal or other legal action pending at the end of the 60 business day period, until the requestor has exhausted those actions.

2.40.090 Delegation of authority.

The delegated authority to review and determine appeals of agency decisions on the denial of public requests for information is provided to the city clerk. In the event the city clerk is unable to review and determine an appeal due to a conflict of interest or other just cause, the city clerk may delegate the authority to a hearing officer.

2.40.0100 Appeal from denial of a public record.

- A. *Appeal of Agency Decision.* In the event a person is denied access to requested information, the person may submit a written appeal to the city clerk within 60 business days from the issuance of the denial. The written appeal must include:
- a. Name, address and contact number for the person filing the appeal;
 - b. Name, address and contact number for the attorney of record representing the appellant (if applicable);
 - c. A description of the record requested;
 - d. The name of the agency employee issuing the denial;
 - e. The date of the denial;
 - f. A statement clearly identifying the decision being appealed and the basis for the appeal.
- B. *Appeal of Agency, Failure to respond.* In an appeal from the failure of an agency to respond to the records request within the appropriate time limit, the appeal must include:
- a. Name, address and contact number for the person filing the appeal;
 - b. Name, address and contact number for the attorney of record representing the appellant (if applicable);
 - c. A description of the record requested;
 - d. The agency to which the request was directed;
 - e. The date the request was made to the agency.
- C. The period to appeal begins upon the issuance of the denial, or if no denial is issued, the expiration of the time period within which the agency should have responded.
- D. *Conflict of Interest-City Clerk.* In the event the city clerk is unable to review and or determine an appeal due to a conflict of interest or other just cause, the city clerk shall notify the party filing the appeal and shall offer the party an opportunity to have the matter reviewed by a hearing officer. Such

Introduced by: Mayor Robb
Introduction Date: March 22, 2016
Public Hearing: April 12, 2016
Action:
Vote:

notification shall be made within ten business days from the filing of the appeal.

2.40.100 Appeal determination.

- A. Within ten business days after the close of the record on appeal, the city clerk, or hearing officer, shall issue a written determination stating which of the records that are the subject of the appeal will be disclosed and which records will not be disclosed. The written determination must include:
 - a. A brief statement for the denial to include the specific statute, regulation or court decision that is the basis for the denial;
 - b. Notice that this determination is the final agency decision and that, as provided by AS 40.25.124, the requester may obtain judicial review of the denial by appealing the denial to the superior court.
- B. The city clerk or hearing officer, may extend the 10 business day period not to exceed 30 business days upon the written request from the requestor, or by sending a written notice to the requestor within the initial 10 business day time period.

SECTION 3. Effective Date. This ordinance shall become effective August 1, 2016 upon passage by the Bethel City Council.

ENACTED THIS _____ DAY OF APRIL 2016, BY A VOTE OF _____ IN FAVOR AND _ OPPOSED.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk

Introduced by: Planning Commission
Date: March 22, 2016
Public Hearing:
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #16-11

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING CHAPTER 18.36.030 OF THE BETHEL MUNICIPAL CODE TO ADD ALCOHOL SALES AND DISPENSING AS A CONDITIONAL USE PERMIT DESIGNATION IN THE GENERAL USE ZONING DISTRICT

WHEREAS, Bethel Municipal Code (BMC) Section 5.08.060 states that any use which includes the retail sale or dispensing of alcoholic beverages is permitted only by a Conditional Use Permit; and

WHEREAS, the Conditional Use Permit provides additional review of land uses which are generally considered appropriate in certain zoning districts provided that appropriate safeguards are considered to ensure their compatibility with permitted principal uses; and

WHEREAS, conditional uses are specifically identified in certain zoning districts described in BMC Chapter 18; and

WHEREAS, the General Use District is intended to allow a mix of compatible residential and commercial uses; and

WHEREAS, the **PLANNING COMMISSION** has reviewed BMC Title 18 and recommends that alcohol sales and dispensing shall be limited to the City of Bethel General Use District only, and that it be added as a Conditional Use designation in Section 18.36.030 , General Use District Conditional Uses; and

THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska, that: Alcohol sales and dispensing shall be limited to the City of Bethel General Use District only, and that it be added as a Conditional Use designation in Section 18.36.030 (General Use District Conditional Uses).

SECTION 1. Classification. This ordinance is of a permanent nature and shall be codified in the Bethel Municipal Code.

SECTION 2. Amendment. Section 18.36.30 of the Bethel Municipal Code is amended as follows (new language is underlined):

Chapter 18.36
GENERAL USE DISTRICT – GU DISTRICT

Sections:

- 18.36.010 Intent.
- 18.36.020 Permitted and principal uses and structures.
- 18.36.030 Conditional uses.
- 18.36.040 Minimum lot size.
- 18.36.050 Minimum setback requirements.
- 18.36.060 Maximum height of structure.

18.36.010 Intent.

The general use district is intended to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district. [Ord. 01-05 § 8.]

18.36.020 Permitted and principal uses and structures.

The following are permitted and principal uses and structures in the GU district:

- A. Trails and boardwalks.
- B. Nonmotorized public access areas to the Kuskokwim River or other areas that require public access.
- C. Single-family dwelling units.
- D. Duplex uses.
- E. Greenbelts and land reserves.
- F. Subsistence activities.
- G. Any accessory use or structure associated with the principal use or structure on the lot. The use of a freezer van as a residential unit is specifically prohibited, but its use as an accessory structure for storage is not prohibited.
- H. The facilities of sewer, water and other utilities.
- I. All uses listed as conditional uses in the PLI district.

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Date: March 22, 2016
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J. Triplexes and apartment buildings.

K. Commercial uses and structures, including:

1. Delicatessens, meat, seafood, and other food specialty shops.
2. Art and picture framing shops.
3. Shoe repair shops.
4. Bookstores, stationery, gift, novelty, souvenir, and card shops.
5. Drug stores.
6. Laundry and dry cleaning shops.
7. Beauty and barber shops.
8. Cafes, restaurants, drive-in and fast-food restaurants, and other places serving food and beverages.
9. Knit shops, yarn shops, dry goods, dressmaking and notions stores.
10. Small appliance repair shops.
11. Photography studios, art studios.
12. Sporting goods stores, bicycle sale shops.
13. Business, professional, and administrative offices.
14. Day care facilities.
15. Video stores.
16. Clothing, apparel, and shoe stores.
17. Hobby store.
18. Florist.
19. Tobacco store.
20. Wholesaling and distribution operations, including incidental assembly or processing of goods for sale at retail or wholesale on the premises, but not to include yards for storage or display of any scrap, junk, or salvaged materials or for any scrap or salvage operations.
21. Jewelry stores.
22. General merchandising store.
23. Wholesale and retail camera and photographic supply stores.
24. Funeral services, including crematoriums.
25. Motion picture theaters and live theaters.
26. Banking and financial institutions.
27. Medical and health services.
28. Business service establishments, including office supply and printing and publishing establishments.
29. Parking lots.
30. Taxicab and dispatching offices.
31. Hotels, motels, hostels, bed and breakfasts, bunk houses and boarding houses.
32. Radio and television studios.

Introduced by: Planning Commission
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33. Plumbing and heating service and equipment dealers.
34. Paint, glass and wallpaper stores.
35. Electrical or electronic appliances, parts and equipment.
36. Gasoline service stations.
37. Aircraft and marine parts and equipment stores, and outboard motor repair.
38. Antiques and secondhand stores, including auctions, pawnshops.
39. Automotive accessories, parts and equipment stores.
40. Automotive repair, services and garages.
41. Motor vehicle dealers, new and used.
42. Wholesale and retail fur repair, storage, and sales.
43. Automobile display lots, new and used.
44. Lumber yards and builders supply stores.
45. Nurseries and garden supply stores.
46. Automobile car washes.
47. Air passenger terminals.
48. Amusement arcades, billiard parlors, bowling alleys, roller and ice skating rinks.
49. Veterinary clinics and boarding kennels, with activities conducted in a completely enclosed building.
50. Vocational or trade schools.
51. Wholesale and retail furniture and home finishing stores.
52. Wholesale and retail radio and television stores.
53. Wholesale and retail household appliance stores.
54. Wholesale, industrial, and retail hardware stores.
55. Merchandise vending machines sales and service.
56. Frozen food lockers.
57. All-terrain vehicles remodeling or repair.
58. Boat building.
59. Sign shops.
60. Cabinet shops.
61. Cleaning, laundry or dyeing plants.
62. Other commercial uses of a character similar to those uses listed in this section.

18.36.030 Conditional uses.

The following uses and structures are permitted in the GU district under the terms of a conditional use permit:

- A. Industrial uses permitted in the I district.
- B. Radio and television towers and antennas, but not including amateur radio and citizen band radio antennas that are accessory to the principal use of the lot.

Introduced by: Planning Commission
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- C. Landing strips and air taxi services.
- D. Planned unit developments.
- E. Alcohol Sales and Dispensing

18.36.040 Minimum lot size.

The minimum lot size in the GU district is seven thousand (7,000) square feet.

18.36.050 Minimum setback requirements.

Structures, other than minor structures, in the GU district shall be set back from property lines to provide yards as follows:

- A. Front yard: Fifteen (15) feet.
- B. Side yard: Ten (10) feet.
- C. Rear yard: Ten (10) feet.
- D. Twenty-five (25) feet from the mean high water mark of any drainage or lake.

18.36.060 Maximum height of structure.

The height of a structure in the GU district is not restricted except as may be limited under airport height restrictions applied under BMC 18.48.250 through 18.48.270.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon passage by the City Council.

**ENACTED THIS DAY OF 2016, BY A VOTE OF IN FAVOR AND
OPPOSED.**

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

MEMO

TO: City of Bethel Planning Commission

FROM: Ted Meyer, Planner

SUBJECT: Justification for Recommending the Sale of Alcohol in the General Use Zoning District

DATE: March 3, 2016

As alcohol sales must be permitted through a Conditional Use Permit, I looked at the Conditional Uses allowed in each district (*see attached Zoning District definitions for reference*). The objective was to see if commercial alcohol sales are compatible or fit in with any of the Conditional Uses listed for each district.

Preservation District (P)

Conditional Uses for this district allow only Commercial Uses permitted as a Principle Use in the General Use District.

Public Lands and Institutional District (PLI)

No commercial uses are identified as Conditional Uses for this district.

Open Space District (OS)

The only commercial activities allowed as a Conditional Use are a landing strip and air taxi service. No compatibility.

Residential District (R)

No commercial uses are identified as Conditional Uses for this district.

General Use District (GU)

Commercial alcohol sales fit in with the 62 retail and wholesale activities allowed as Principle Uses in this district, although the Conditional Uses allowed in the GU District are of a different nature. The General Use District seems to be the logical district to allow alcohol sales.

Industrial District (I)

For reference, only commercial uses allowed as Principle Uses in the General Use District are allowed as Principle Uses in the Industrial District.

The only allowable Conditional Use listed in the Industrial District is a Planned Unit Development (PUD). Two types of PUDs (Business/Commercial, and Industrial) are allowed. However, BMC 18.52.060 (Business Planned Unit Developments) and BMC 18.52.070 (Industrial Planned Unit Developments) both allow only principle uses identified in the GU and I Districts. No compatibility.

ZONING DISTRICTS

Definitions, Principle Uses, and CUPs

1. 18.20 PRESERVATION DISTRICT

The preservation district is intended to apply to significant wetlands and drainage ways that should be preserved as open areas or to which careful attention must be given to development that would disturb the wetlands or affect the drainage ways.

Principle Uses

- A. Greenbelts.
- B. Trails and boardwalks that do not require the use of fill material.
- C. Subsistence and recreational uses that do not require the use of fill material.
- D. Any accessory use or structure that does not require the use of fill material. [Ord. 01-05 § 8.]

Conditional Uses

- 1. Subsistence, recreational, and accessory uses and structures that require fill;
- 2. Trail, walkways, boardwalks, and roads that require the use of fill;
- 3. Agricultural uses;
- 4. Single-family, duplex, triplex and apartment residential uses; provided, the use of freezer vans as residential units is prohibited;
- 5. Planned unit development;
- 6. Commercial uses permitted as a principal use in the GU district;
- 7. Public and institutional uses permitted as principal uses in the PLI district;
- 8. Landing strips and air taxi services.

2. 18.24 PUBLIC LANDS AND INSTITUTIONAL DISTRICT

The public lands and institutional district is intended to apply to undeveloped public lands not dedicated for open space, and public and quasi-public institutional uses, including government office buildings, facilities, and existing land reserves for public and institutional use. [Ord. 01-05 § 8.]

Principle Uses

- A. Greenbelts and land reserves.
- B. Trails and boardwalks.
- C. Sewer facilities and water supply facilities.
- D. Utility facilities.
- E. Any accessory use or structure associated with the principal use or structure on the lot. [Ord. 01-05 § 8.]

Conditional Uses

- A. Parks, playfields, and playgrounds.
- B. Museums, historic and cultural exhibits.
- C. Educational institutions, including public, private or parochial academic schools, colleges, and universities.
- D. Hospitals, sanitariums, children's homes, group homes, nursing homes, convalescent homes, homes for the aged, and similar homes.
- E. Cemeteries.
- F. Churches and synagogues, along with the customary accessory uses, including administrative offices, parsonages, day nurseries, kindergartens and meeting rooms.
- G. Headquarters or administrative offices for charitable organizations and similar quasi-public organizations of a noncommercial nature.

- H. Governmental office buildings.
- I. Radio and television transmission towers and antennas, not including amateur radio and citizen band radio antennas that are accessory to a residential use.
- J. Recreation uses.
- K. Governmental service shops, maintenance and repair centers, and equipment storage yards.
- L. Private roads and parking areas.
- M. Animal control facility.
- N. Other public buildings and uses.
- O. Landing strips and air taxi services.
- P. Other uses and structures that are compatible with existing development and support or supplement existing development. [Ord. 01-05 § 8.]

3. 18.28 OPEN SPACE DISTRICT

The open space district is intended to provide undeveloped open space, to protect trails, to provide open areas for recreation, and to provide buffers between incompatible districts. [Ord. 01-05 § 8.]

Principle Uses

- A. Trails and boardwalks.
- B. Nonmotorized public access areas to the Kuskokwim River or other areas that require public access.
- C. Public recreation areas.
- D. Greenbelts and buffers.
- E. Subsistence uses. [Ord. 01-05 § 8.]

Conditional Uses

- A. Parks, playgrounds and playfields.
- B. Parking area related to a permitted or conditional use.
- C. Moorage of skiffs in a designated area.
- D. Motorized vehicle (including snowmachine and four-wheeler) access areas to and from the Kuskokwim River.
- E. Landing strips and air taxi services. [Ord. 01-05 § 8.]

4. 18.32 RESIDENTIAL DISTRICT

The intent of the residential district is to provide protection to residential areas from encroachment from nonresidential activities.

Principle Uses

- A. Trails and boardwalks.
- B. Nonmotorized public access areas to the Kuskokwim River or other areas that require public access.
- C. Single-family dwelling units.
- D. Duplex uses.
- E. Greenbelts and land reserves.
- F. Subsistence activities.
- G. Any accessory use or structure associated with the principal use or structure on the lot. The use of a freezer van for any purpose is specifically prohibited; except, during the construction or substantial improvement of the primary structure on a lot, a freezer van used solely for storage of construction materials and equipment may be located on the lot for a period not to exceed twelve (12) months unless, for good cause shown, the time is extended in writing by the land use administrator.
- H. The facilities of sewer, water and other utilities required to serve the lots in the district.

I. Home occupations, but not more than two (2) per dwelling unit. [Ord. 01-05 § 8.]

Conditional Uses

The following uses and structures are permitted in the R district under the terms of a conditional use permit.

- A. Triplex and residential apartment buildings.
- B. Planned unit developments.
- C. Professional offices.
- D. Parks, playfields, and playgrounds.

5. 18.34 NEIGHBORHOOD COMMERCIAL (Not shown on Zoning Map)

The intent of the neighborhood commercial district is to establish and maintain places for limited retail sales and services that are accessible and convenient to nearby residents. The NC district is applied to areas serving only a limited, local market and is intended to permit only those uses which do not create adverse impacts that are incompatible with nearby residences. [Ord. 01-05 § 8.]

6. 18.35 DOWNTOWN COMMERCIAL (Not shown on Zoning Map)

The intent of the downtown commercial district is to create a concentrated area of retail, financial, and public institutional facilities in order to encourage the development of interrelated uses and functions, reduce pedestrian walking distance between activities, and ensure the development of compatible pedestrian-oriented uses in the downtown commercial district. [Ord. 01-05 § 8.]

7. 18.36 GENERAL USE DISTRICT

The general use district is intended to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district. [Ord. 01-05 § 8.]

Principle Uses

- A. Trails and boardwalks.
- B. Non-motorized public access areas to the Kuskokwim River or other areas that require public access.
- C. Single-family dwelling units.
- D. Duplex uses.
- E. Greenbelts and land reserves.
- F. Subsistence activities.
- G. Any accessory use or structure associated with the principal use or structure on the lot. The use of a freezer van as a residential unit is specifically prohibited, but its use as an accessory structure for storage is not prohibited.
- H. The facilities of sewer, water and other utilities.
- I. All uses listed as conditional uses in the PLI district.
- J. Triplexes and apartment buildings.

K. Commercial uses and structures, including:

- 1. Delicatessens, meat, seafood, and other food specialty shops.
- 2. Art and picture framing shops.
- 3. Shoe repair shops.
- 4. Bookstores, stationery, gift, novelty, souvenir, and card shops.
- 5. Drug stores.
- 6. Laundry and dry cleaning shops.

7. Beauty and barber shops.
8. Cafes, restaurants, drive-in and fast-food restaurants, and other places serving food and beverages.
9. Knit shops, yarn shops, dry goods, dressmaking and notions stores.
10. Small appliance repair shops.
11. Photography studios, art studios.
12. Sporting goods stores, bicycle sale shops.
13. Business, professional, and administrative offices.
14. Day care facilities.
15. Video stores.
16. Clothing, apparel, and shoe stores.
17. Hobby store.
18. Florist.
19. Tobacco store.
20. Wholesaling and distribution operations, including incidental assembly or processing of goods for sale at retail or wholesale on the premises, but not to include yards for storage or display of any scrap, junk, or salvaged materials or for any scrap or salvage operations.
21. Jewelry stores.
22. General merchandising store.
23. Wholesale and retail camera and photographic supply stores.
24. Funeral services, including crematoriums.
25. Motion picture theaters and live theaters.
26. Banking and financial institutions.
27. Medical and health services.
28. Business service establishments, including office supply and printing and publishing establishments.
29. Parking lots.
30. Taxicab and dispatching offices.
31. Hotels, motels, hostels, bed and breakfasts, bunk houses and boarding houses.
32. Radio and television studios.
33. Plumbing and heating service and equipment dealers.
34. Paint, glass and wallpaper stores.
35. Electrical or electronic appliances, parts and equipment.
36. Gasoline service stations.
37. Aircraft and marine parts and equipment stores, and outboard motor repair.
38. Antiques and secondhand stores, including auctions, pawnshops.
39. Automotive accessories, parts and equipment stores.
40. Automotive repair, services and garages.
41. Motor vehicle dealers, new and used.
42. Wholesale and retail fur repair, storage, and sales.
43. Automobile display lots, new and used.
44. Lumber yards and builders supply stores.
45. Nurseries and garden supply stores.
46. Automobile car washes.
47. Air passenger terminals.
48. Amusement arcades, billiard parlors, bowling alleys, roller and ice skating rinks.
49. Veterinary clinics and boarding kennels, with activities conducted in a completely enclosed building.
50. Vocational or trade schools.
51. Wholesale and retail furniture and home finishing stores.
52. Wholesale and retail radio and television stores.
53. Wholesale and retail household appliance stores.
54. Wholesale, industrial, and retail hardware stores.

- 55. Merchandise vending machines sales and service.
- 56. Frozen food lockers.
- 57. All-terrain vehicles remodeling or repair.
- 58. Boat building.
- 59. Sign shops.
- 60. Cabinet shops.
- 61. Cleaning, laundry or dyeing plants.
- 62. Other commercial uses of a character similar to those uses listed in this section. [Ord. 01-05 § 8.]

Conditional Uses.

- A. Industrial uses permitted in the I district.
- B. Radio and television towers and antennas, but not including amateur radio and citizen band radio antennas that are accessory to the principal use of the lot.
- C. Landing strips and air taxi services.
- D. Planned unit developments. [Ord. 01-05 § 8.]

8. 18.40 INDUSTRIAL DISTRICT

The industrial district is intended to apply to areas where industrial development is the predominant, or is expected to be the predominant use. [Ord. 01-05 § 8.]

Principle Uses

- A. Commercial uses permitted as principal uses in the GU district, except that all residential uses and structures are prohibited unless specifically authorized in this section.
- B. One dwelling unit occupied by the owner, the manager or a watchman of a principal use on the lot.
- C. Any accessory use or structure associated with the principal use or structure on the lot.

D. Industrial uses, including:

- 1. Airplane assembly, remodeling or repair.
- 2. Airports.
- 3. Machine shops.
- 4. Metal working or welding shops.
- 5. Sawmills.
- 6. Steel fabrication shops or yards.
- 7. Iretane foaming yards or plants.
- 8. Warehouses.
- 9. Shipping or receiving terminals.
- 10. Bulk fuel distribution and storage.
- 11. Cement manufacturing.
- 12. Distillation of wood, coal or bones.
- 13. Tannery.
- 14. Paper manufacturing.
- 15. Poison manufacturing.
- 16. Printing ink manufacturing.
- 17. Rock and stone crushing mill.
- 18. Natural resource extraction, such as a sandpit.
- 19. Cargo dock facility or freight transfer area.
- 20. Fish processing plants.
- 21. Fiberglass fabrication shops or yards.
- 22. Junk yards and salvage yards.
- 23. Land fills, solid waste processing facilities.
- 24. Sewage treatment facilities.
- 25. Other industrial uses of a character similar to those uses listed in this section.

26. Recreational uses, to include the Bethel shooting range. [Ord. 11-22 § 2; Ord. 01-05 § 8.]

Conditional Uses.

A. Planned unit developments. [Ord. 01-05 § 8.]

Overlay District **(Shown on Zoning Map, but not stated in the Code)**

Introduced by: Vice Mayor Maczynski
Date: March 22, 2016
Action:
Vote:

CITY OF BETHEL

Resolution # 16-13

SUPPORT FOR SEWAGE LAGOON REHABILITATION PROJECT, BETHEL'S NUMBER ONE COMMUNITY FUNDING PRIORITY

- WHEREAS,** the Bethel City Council is a seven-member body elected by resident voters of Bethel to act in the best interest of the community;
- WHEREAS,** the City of Bethel provides hauled sewage service to 1,318 buildings and piped sewage service to 424 buildings;
- WHEREAS,** all sewage for the 6,241 residents and 1,000 visitors is deposited into the City's sewage lagoon, which is divided into two cells that occupy 61.7 acres;
- WHEREAS,** the lagoon capacity has diminished to a dangerously low level, because the solids that settle on the bottom of the lagoon have never been removed;
- WHEREAS,** a letter to the City from the Compliance Manager at the Alaska Department of Environmental Conservation dated June 27, 2013, summarized the City's lagoon facility problem by saying, "Therefore, the risk to human health of waterborne disease as a result of exposure to partially treated sewage effluent will persist until a replacement wastewater treatment facility can be put into place;"
- WHEREAS,** In 1991, portions of City of Bethel was submerged in raw sewage due to a break in the walls of the lagoon that released 30 million gallons of raw sewage, creating public health emergency conditions in the community;
- WHEREAS,** the fact that a portion of the upper lagoon cell wall broke again in 2005 and caused the discharge of thousands of gallons of effluent onto open tundra underscores the need for lagoon rehabilitation;
- WHEREAS,** the City of Bethel has not received a National Pollutant Discharge Elimination System (NPDES) since 2003 and continues to receive only an administrative extension from the Alaska Department of Environmental Conservation each year to discharge 220 million gallons of effluent into the Kuskokwim River with the understanding that the City is actively pursuing lagoon remediation efforts;

Introduced by: Vice Mayor Maczynski
Date: March 22, 2016
Action:
Vote:

- WHEREAS,** the sewage lagoon does not function properly at present for the following reasons: the lagoon has never been dredged since it was originally constructed from a tundra pond in 1980, the two baffles that direct the flow of wastewater for increased decomposition are broken, and the structural integrity of the truck dump site is failing and must be replaced;
- Whereas,** State officials at the Alaska Department of Environmental Conservation agree that the community of Bethel is best served by the current facultative sewage lagoon technology with possible aeration;
- WHEREAS,** a preliminary engineering report on the sewage lagoon completed in 2009 by Larsen Consulting Group estimated that at least 40,000 cubic yards of sludge must be removed from the lagoon;
- WHEREAS,** prospective funders in support of lagoon rehabilitation agree that the lagoon should be put back together the way it was originally designed and then monitored and tested over the course of a year to see how well it functions;
- WHEREAS,** the City is actively pursuing approximately \$7.7 million in grant/loan funding from the United States Department of Agriculture-Rural Development, the Environmental Protection Agency, and the Alaska Department of Environmental Conservation to cover the costs of lagoon rehabilitation;
- WHEREAS,** the City of Bethel will be expected to provide cash match or accept a loan in the approximate amount of \$1,275,000 to meet the federal funding requirements;
- WHEREAS,** federal funders of the sewage lagoon rehabilitation project verbally acknowledged that they would provide more funding to add a third cell and wetland treatment area if needed as described in the Preliminary Engineering Report completed in 2013 by Larsen Consulting Group, if needed;
- WHEREAS,** current plans for the expansion of the Yukon-Kuskokwim Health Corporation's clinical space will increase the need for sewage discharge capacity;
- WHEREAS,** the prospect of three new residential subdivisions coming online in Bethel make it imperative that the current lagoon conditions must be corrected in order to accommodate such institutional, commercial and housing developments;
- WHEREAS,** the City of Bethel considers the Sewage Lagoon Rehabilitation project its number one priority for State legislative funding and its number one project required to maintain the health, safety, and welfare of the community;

Introduced by: Vice Mayor Maczynski
Date: March 22, 2016
Action:
Vote:

NOW, THEREFORE, BE IT RESOLVED that the Bethel City Council unequivocally supports the Sewage Lagoon Rehabilitation Project and requests that any and all federal, State, and local funding resources be applied judiciously and expeditiously;

BE IT FURTHER RESOLVED, BETHEL City Council is requesting support for this project from all Village and Tribal governments as well as private and non-profit organizations in its efforts to rehabilitate the sewage lagoon to prevent future human or environmental disasters to the Kuskokwim River, which is the lifeblood of the culture and the subsistence in the Yukon-Kuskokwim region.

ENACTED THIS 22nd DAY OF MARCH 2016 BY A VOTE OF _____ IN FAVOR AND _____ OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk



MEMORANDUM

To: Muzaffar Lakhani, Public Works Director
City of Bethel

From: Chase A. Nelson, P.E. *CAN*
DOWL

Date: October 23, 2015

Subject: Bethel Sewage Lagoon Enhancement Project

Previous utility studies completed for the City of Bethel (the City) have identified a need for the City's utility to reduce the cost of maintenance and operations while developing projects to further meet the needs of the community. Wastewater treatment upgrades were specifically identified in the 2013 LCG Inc. Preliminary Engineering Report (PER). Completion of these upgrades is intended to:

- Maintain or improve individual hygiene;
- Maintain or improve community health;
- Control costs, both individually and for the community;
- Make costs and services more equitable among users; and
- Exceed Federal wastewater treatment standards necessary to protect the environment.

This memorandum has been prepared to provide an overview of the proposed Bethel sewage lagoon enhancement project in support of grant opportunities provided by the State of Alaska Village Safe Water Program and the Environmental Protection Agency. This memorandum is intended to provide these agencies with the necessary project information to evaluate the nomination. The construction scope and schedule, project budget, and permitting requirements are explained in this memo.

Existing Sewage Treatment

Treatment of the City's wastewater is accomplished in a facultative lagoon treatment system. According to the LCG Inc. 2013 Preliminary Engineering Report, the lagoon system consists of two non-aerated earthen ponds with a total surface area of approximately 61.7 acres. The first lagoon, a tundra pond, was upgraded in 1980 to a single 30 acre cell. A second 31.7 acre cell was completed in 1993. During the 1993 construction, baffle curtains were added to each cell to address short-circuiting concerns. These baffles rise and fall with the water level of the lagoon. During lagoon drawdown, the baffles sag and sometimes stick or freeze in the sagged position; when water levels rise above the top of the baffles, short-circuiting occurs and reduces flow detention time and levels of treatment.

A 2002 Solid Waste and Sewage Lagoon Facilities Design Study estimated 250 million gallons of wastewater was pumped from the lagoon in 2000, though only 93 million gallons (37 percent) came from the City's wastewater collection systems. Groundwater infiltration is estimated to have contributed approximately 129 million gallons (52 percent) to the volume, while annual precipitation is believed to have added 28 million gallons (11 percent). The existing two-cell sewage lagoon system is designed for a maximum influent flow of 455,000 gallons per day (GPD) with a nine month retention time, or approximately 124.5 million gallons of wastewater influent storage.

The lagoon is pumped twice a year to the Kuskokwim River downstream of Bethel; the first discharge occurs in late June (at approximately five million GPD for 14 to 15 days) and the second in the late fall for approximately 20 to 30 days. The fall pumping lowers the second cell level by six feet or more and the first cell by approximately four feet. These twice annual drawdowns reduce treatment (through the reduction of detention time) and ultimately reduce the biological effectiveness for removal of biochemical oxygen demand (BOD) and total suspended solids (TSS). Additionally, the drawdown changes the hydraulic gradient from the surrounding groundwater and may accelerate groundwater infiltration into the lagoon.

The drawdowns reduce the efficacy of the facultative ponds by removing microbial mass and upsetting the aerobic/anaerobic equilibrium required for proper treatment. As a result, the City of Bethel has been unable to acquire a general permit from the State of Alaska for the discharge of effluent to freshwater bodies. The City continues to operate on extensions of a previously issued discharge permit (#9725-DB2005) which must be administratively extended annually by the State of Alaska Department of Environmental Conservation (DEC).

Construction Scope

The proposed project will extend the operational life and capacity of the City's existing wastewater treatment lagoons through the removal of accumulated biosolids and the replacement of the existing lagoon baffle curtains. Additionally, these rehabilitative efforts are anticipated to reduce potential human health impacts by:

- Increasing retention time for effluent within the ponds (through increased detention pond volume due to removal of biosolids) and subsequently increasing the quality of the discharged effluent; and
- Reducing the risk of the curtain baffles "sticking" or freezing in place following drawdown which results in short-circuiting of the aerobic/anaerobic treatment process.

Construction Schedule

The construction schedule will be driven by the following major tasks:

- Contractor mobilization to Bethel for equipment not available in the community (e.g., dredging equipment, and dewatering equipment, etc.);
- Lagoon drawdown, typically occurring in late June;
- Dredging of solids and dewatering of dredged material;
- Disposal of dewatered dredged material; and
- Replacement of the curtain baffles.

If full project funding is available it is anticipated construction can begin in the summer of 2016 and will be completed by fall 2016 prior to winter freezing conditions. As discussed below, it may be necessary to phase the project based on funding availability.

The major steps of construction are described below.

Site Mobilization – The selected contractor will be responsible for ensuring all required equipment and materials are mobilized to Bethel and on-site in working order prior to the commencement of scheduled detention pond drawdown activities. Mobilization to the site will likely occur shortly

after spring break-up when barge service to Bethel is available. For initial planning purposes, the contractor shall anticipate having equipment and materials ready for shipping by June 1 and work crews ready for dispatch to Bethel by June 15.

Lagoon Drawdown – Pumping of the lagoon typically occurs in late June and at a rate of approximately five million GPD. Summer pumping activities typically last 14 to 15 days, reducing total wastewater volumes in the pond by approximately 70 to 75 million gallons.

Dredging and Dewatering – Dredging and the simultaneous efforts of dewatering will begin immediately following drawdown. Dredging will not occur during drawdown to reduce the amount of solids being discharged from the ponds. For the most efficient construction phasing, lagoon drawdown would take place before the construction contractor mobilized to Bethel.

Dewatering of dredged material will begin immediately with the removal of the biosolids. The methods for dewatering may include use of:

- Geotubes- a high strength permeable textile tube which allows water to permeate through.
- Belt Presses- or other mechanical press systems.

The bid documents would contain performance based specifications for minimum moisture content of dewatered solids and performance period. The Contractor would select methods to meet that performance specification.

In 2010, LCG performed an assessment of the lagoon to determine the volume of accumulated biosolids. Cell 1 contained approximately 40,000 cubic yards of accumulation (reducing overall storage capacity of the cell by 16 percent) and Cell 2 contained a nominal amount of biosolids accumulation (LCG, 2013). It is estimated approximately 50,000 cubic yards of accumulated material is currently present in the two cells. A desktop assessment of the volume of accumulated biosolids will be completed prior to the proposed project being made available to the public for bidding. 50,000 cubic yards of biosolids at 7% solids is equivalent to approximately 3,000 dry tons.

Solids Disposal – The contractor will likely dispose of dredged solids at the solid waste landfill adjacent to the site once the material has been sufficiently dewatered (15 – 18 percent water remaining). Dredged material (sludge) will be required to pass a paint-filter test (18 Alaska Administrative Code 60.365). During the assessment of the accumulated volume of biosolids, samples will be collected from each lagoon and tested for composition as required by Alaska and Federal regulations.

Curtain Baffle Replacement – Approximately 2,200 linear feet of the existing curtain baffles will be replaced upon completion of cell dredging. The curtain baffles could be replaced with a similar floating style baffle more resistant to the fluxes of drawdown. However, if the lagoon is dredged, there will be less need for baffle replacement, so the current baffle replacement is a secondary priority.

Assuming project funding is made available, and the project design services can proceed by January 1, 2016, the following table shows the expected project schedule.

Table 1: Expected Project Schedule

Project Task	Expected Time Frame
Engineering Services	January 1- March 1, 2016
Permitting Services	February 1- March 31, 2016
Bid Period	April 1- April 22, 2016
Select Contractor	May 5, 2016
Lagoon Pumping ahead of Construction (by City of Bethel)	May 1- 31, 2016
Contractor Mobilization	June 15, 2016
Dredging, Dewatering, Disposal of Sludge at City of Bethel landfill	June 15, 2016- September 25, 2016
Project Close-out and Final Inspection	September 25- 31, 2016

Project Budget

The City's Department of Public Works owns a variety of heavy equipment including earth moving equipment, but they are not in possession of specialty dredging equipment. Contractors would be responsible for mobilizing this type of equipment. The City is willing to make available one or more pieces of heavy equipment, with certified city operators, for up to 20 hours per week for at least three weeks during the summer construction season. (LCG, 2013)

Table 2 provides a planning estimate for the proposed project.

Table 2: Cost Estimate for Proposed Project at the Bethel Wastewater Lagoons

Item	Unit	Quantity	Unit Price	Amount
Mobilization and Demobilization	LS	1	10%	\$500,000
Public Relations and Coordination	LS	1	\$10,000	\$10,000
Biosolids dredging, dewatering, hauling, and disposal	Dry Ton	3,000	\$1,100	\$3,300,000
Furnish and Install New Baffles	LF	2,200	\$200	\$440,000
Engineering and Permitting	LS	1	\$100,000	\$100,000
Full-time on-site inspection	LS	1	\$200,000	\$200,000
Total	--	--	--	\$4,550,000

The State of Alaska- Village Safe Water in conjunction with the Environmental Protection Agency have approximately \$2.1M which may be available for project funding. This available funding is not projected to cover the entire cost of the project, so it will be necessary to phase the project. The Bid Documents would be prepared so that construction is executed on a unit price basis. A contractor would be selected on their ability to complete the most amount of work given a set budget. Assuming \$2.1M is available, the proposed phasing is shown below.

Phase 1:

- Engineering and Permitting for Phase 1 and 2
 - Desktop verification of biosolids volume
 - Development of performance based specifications
 - Development of Contractor bid documents
 - Alaska Department of Environmental Conservation approval to construct and permitting for disposal of dewatered solids at municipal landfill
- Contractor Mobilization
- Dredging and dewatering of approximately 25,000CY (1,500 Dry Tons) of biosolids

Phase 2:

- Dredging and dewatering of approximately 25,000CY (1,500 Dry Tons) of biosolids
- Installation of baffles
- Contractor Demobilization

Permitting

Permitted authorizations for the work will be limited to disposal of the dredged solids/sludge into a municipal landfill, as regulated by the State of Alaska and administered by DEC. Final project specifications and other necessary bid documents will be submitted to the DEC for review and issuance of an Approval to Construct before initiating construction.

Solids/Sludge Disposal – Disposal of dewatered dredged material will require a permit from DEC. A Notice of Intent will likely be submitted to DEC for review and approval of the disposal describing the volume, regulated metals concentrations, location of the disposal site, and how the disposal plan meets the requirements of 18 AAC 60.365 (Co-disposal of sewage solids).

Wastewater Discharge– The City’s wastewater discharge is currently authorized under an individual permit (DEC #9725-DB2005) which has been administratively extended on an annual basis by the State of Alaska. The proposed project is anticipated to have no effect on the reissuance of this permit or pursuit of a different discharge permit with DEC. It is likely that dredging and improvements to the curtain baffles will increase the effectiveness of the treatment process and will improve the likelihood of reissuance of the permit.

Potential Contractors

The following contractors provide the required services to complete the proposed project. The list is not exhaustive but does provide a sampling of contractors who may bid this type of work.

RSCI Group
333 West Rossi Street, Suite 200
Boise, ID 83706
(208) 887-1401

Merrell Bros. Inc.
8811 West 500 N
Kokomo, IN 46901
(800) 663-8830

Veris Environmental
53036 State Road 71
Limon, CO 80828
(719) 775-9870

Synagro Central, LLC
435 Williams Court, Suite 100
Baltimore, MD 21220
(800) 370-0035

Mr. Muzaffar Lakhani
City of Bethel
October 23, 2015
Page 6

References

LCG, Inc. 2013. Final Preliminary Engineering Report, City of Bethel.





Brown's Slough Bridge suffering severe structural damage, state may slap on load limits

The case will be heard April 16 in U.S. District Court before Judge H. Russell Holland in Anchorage. If the judge rules in favor of the villagers, chances are slim that enough snow will be left to track the herd by snowmachines.

Sky Starkey, AVCP Rights Protection Officer, said, "Rosier deserves credit for his involvement." He said Rosier's support will provide some "good ammunition" in court.

Starkey is optimistic that the cold weather will continue through April, which would allow for adequate trail conditions. But he and AVCP President Myron Naneng are less than optimistic about the Federal Game Board.

"They need to get off their duffs and stop playing bureaucrats," Naneng said.

Curt McVee, chairman of the Game Board, said more information is needed by the board before they can allow a hunt. He said the board has not seen a management plan on the herd and they are still investigating which villages have customary and traditional use of the herd.

See CARIBOU page 24

The report also requires that weight limits be posted until the bridge is repaired or replaced. The weight limits are 14,720 pounds per single-axle and 21,400 pounds per tandem-axle.

The report, however, gave no time-frame for replacement or repairing the bridge. And that has left Bethel City Manager Mark Earnest scrambling for some answers, because the weight limits would severely impact health and safety services to residents east of the bridge.

Earnest wrote a critical letter to the state commissioner of DOT saying that the city "strenuously objects to the failure of the department to notify the residents

million pounds of salmon are transported across the bridge annually from fish processing facilities that operate east of Brown's Slough.

DOT responded early this week by installing steel plates to cracked support stringers under the bridge's deck in an effort to delay the load limits, at least for a few days.

Earnest said state bridge engineers are scheduled to travel here sometime next week to check the repairs, and to set load limits, if necessary.

The city is currently preparing a resolution and a letter requesting \$1.2 million

See SLOUGH page 24

City submerged in sewage after lagoon leaks

waste water had breached the sewage dike.

While investigating the problem further on Monday, Martin said the waste water had dug its own channel under snow and ice, near the lagoon's overflow pipes.

See SEWAGE page 24

Earnest said the proposed weight limits would disrupt water and utility services and other essential public services such as fire protection, fuel oil delivery, road maintenance, school bus transportation and garbage collection since it was unlikely any vehicles providing those services could meet the weight limit requirements.

In his letter to DOT, Earnest said weight limits on the bridge could also have a significant economic impact on the community. He said more than three

lagoon, which has reduced the flow of sewage to a "trickle."

Martin said local residents began to notice the problem last Thursday, but initial investigations were unavailing. On Sunday night, Martin, along with Mayor Gary Vanasse and City Manager Mark Earnest found that the

tundra and has run off into Brown's Slough, which in turn flows into the Kuskokwim River.

Dave Martin, city public works director, said the source of the leak has been identified and is under control. He said workers have placed more than 100 sandbags on the west side of the

An estimated 30 million gallons of waste water escaped from Bethel's sewage lagoon early this week, causing serious health and environmental concerns for residents here.

City officials say a stream of waste water from the sewage lagoon has meandered more than a mile across the

4-11-91



Kilbuck School tends a batch of incubating eggs for "The Project, still in its infancy, will award prizes to students on the birthday of the first chick. And it may settle once and for all whether the chicken or the egg?

strong enough level to hunt but not at this time of year.

It is "highly unlikely" that the bulls could be singled out from the herd without "stressing the cows," he said.

"Any kind of activity this time of year would disturb them... They freak out whenever they see a snow machine. It would be like having a woman who is eight or nine months pregnant," he said.

Kacyon, with the help of assistance users, is currently developing a "Kilbuck Caribou Herd Management Plan."

The goals of the plan, as outlined in a draft document, are to increase the size of the herd; encourage communication between the users and agencies by exchanging ideas about the herd; protect and maintain the habitat upon which the caribou depend; and to provide for a limited harvest consistent with the conservation of the resource on the sustained yield principal.

The plan is slated to be

state. He added that the bridge will likely have a high priority rating due to the recent turn of events.

SEWAGE from page 1

Martin said investigators thought they had the problem pinpointed until an investigator fell through the ice into a large cavern filled with sewage, and discovered the main source of the seepage.

Much of Tuesday night's city council meeting was dedicated to the sewage problem.

City Manager Mark Earnest told the council that an active public awareness campaign is underway, urging residents to stay away from the sewage-impacted areas. He said signs will be posted in those areas which will

warn residents of the situation.

Earnest said the city has been in close contact with the State Department of Environmental Conservation and will contact the Department of Fish and Game in an effort to solve the problem.

Samples of the waste water have been taken at four sites in the city and have been sent to a chemical lab in Anchorage. Results are expected back early next week, according to Earnest. He said if the samples prove to have a high content of raw sewage, the impacted areas of the city would have to be treated with either chlorine pellets or lime.

Construction of a new

sewage lagoon has been the city's top priority for the last two years. Through the efforts of Senator Lyman Hoffman and former Senator John Binkley, an appropriation of more than \$1 million for the construction of the lagoon was added into the state's budget. The project, like many others in the state, was vetoed by former Gov. Steve Cowper.

Earnest said the funding request was submitted to the legislature again.

The city manager said the project is the top priority for the City of Bethel. He is urging local residents to write a letter of support for the project to their elected public officials.

Police follow joyriders' trail of abandoned sno-gos

Bethel police apprehended four juvenile joyriders who had been stealing snowmachines, racing them around the streets and sloughs and abandoning them with the motors running, according to Sgt. John Bilyeu of the Bethel Police.

During the early morning hours of April 3, patrol officers found a running snow machine abandoned on Schwabe St. Since no one was nearby, police confiscated the vehicle for safe keeping.

A short time later, police received a call complaining of snow machines racing in the slough by East Ave. While on the way to the scene, officers found another idling sno-go in the middle of Front St., police said.

The officers stopped to investigate and, hearing the sound of a speeding sno-go, looked up to see one heading straight toward them. The police moved their vehicle to avoid a collision and then

took off in pursuit.

Police said the suspect, whom they recognized as a male juvenile, reached speeds of 60 mph and got away over the tundra.

Police periodically sighted the joyriders during the next two hours and attempted to catch them, but a high-speed chase was considered too dangerous, according to police.

Meanwhile, in Alligator Acres, a resident was awakened by the sound of someone trying to steal his canoe, police said. The resident chased the suspects away and they fled over the slough on snow machines.

One of the suspects was apprehended on Alder St about 7:30 a.m.. According to police, he "made an admission and named the other suspects."

Four snow machines were recovered and two of them returned to their owners, according to police.

Redefining Ourselves

City of Bethel Action Memorandum

Action memorandum No.	16-22		
Date action introduced:	March 22, 2016	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

Approve the appointment of Daniel Maczynski to the Public Safety and Transportation Commission for a term of three years.

Route to:	Department/Individual:	Initials:	Remarks:

Attachment(s): None

Amount of fiscal impact:		Account information:
None	No fiscal impact	
	Funds are budgeted for.	
	Funds are not budgeted. Budget modification is required.	

Action memorandum 16-22 is sponsored by the Mayor at the request of the City Clerk.

Daniel Maczynski has requested appointment to the Public Safety and Transportation Committee. If appointed, he would be appointed to a term of three years with a term expiration of December 31, 2018.

City of Bethel Action Memorandum

Action memorandum No.	16-23		
Date action introduced:	March 22, 2016	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

Approve the appointment of Tom Mccallson to the Marijuana Advisory Committee.

Route to:	Department/Individual:	Initials:	Remarks:

Attachment(s): McCallson's answers to Marijuana Advisory Committee Applicant Questions

Amount of fiscal impact:		Account information:
None	No fiscal impact	
	Funds are budgeted for.	
	Funds are not budgeted. Budget modification is required.	

Action memorandum 16-23 is sponsored by the Mayor at the request of the City Clerk.

Tom McCallson has requested appointment to the Marijuana Advisory Committee. If appointed, he would be appointed to a term of ending December 31, 2017. The Committee has one full seat vacant and will be considering another vacancy at their next meeting.

Questions to Marijuana Advisory Committee Applicants

1. Do you support legalized marijuana? Why or why not?

Yes -
Need to stop the illegal trade - including
distribution to children.

2. As advising on policy and regulations, would you favor more restrictive regulations or more lenient regulations.

The state regulations seem
to cover most aspects. However our local
Needs should also be considered.

3. Should there be a legal market in Bethel?

Yes

City of Bethel Action Memorandum

Action memorandum No.			
Date action introduced:		Introduced by:	
Date action taken:		Approved	Denied
Confirmed by:			

Route to:	Department/Individual:	Initials:	Remarks:

Attachment(s):

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



HCC

HCC Life Insurance Company

Medical Stop Loss Proposal For City of Bethel

Presented by
Trusted Plans Service Corporation

Underwritten by
Matthew Heiberger

HCC Life Insurance Company
11100 Wayzata Blvd., Suite 350
Minnetonka, MN 55305
(763) 486-1000

Visit us online at www.hcc.com



Underwriter **Heiberger, Matthew**
 Group **City of Bethel**

Proposal **02/12/2016** Proposal No **2**
 Valid Thru Date **04/10/2016**
 Effective Date **04/01/2016** Expiration Date **03/31/2017**

INDIVIDUAL STOP LOSS COVERAGE

	Option 1	Option 2	Option 3	Option 4
Coverages	Medical, Rx Card	Medical, Rx Card	Medical, Rx Card	Medical, Rx Card
Contract Type	Paid	Paid	Paid	Paid
Annual Specific Deductible per Individual except for	60,000	70,000	80,000	60,000
	150,000	150,000	150,000	150,000
	100,000	100,000	100,000	100,000
Lifetime Reimbursement	Unlimited			
Maximum Contract Period Reimbursement	Unlimited	Unlimited	Unlimited	Unlimited
Inpatient Mental & Nervous	365 Days			
Quoted Rate Per Month	<u>Enrollment</u>			
Single	26	206.40	185.38	159.47
Family	58	543.01	491.10	436.97
Composite	84	438.82	396.47	351.08
Estimated Annual Premium		442,332	399,644	353,886
Quoted Rate(s) includes Commissions of		0.00%	0.00%	0.00%
Estimated Annual Liability		30,000	30,000	30,000
				0



Underwriter **Heiberger, Matthew**
 Group **City of Bethel**

Proposal **02/12/2016** Proposal No **2**
 Effective Date **04/01/2016** Valid Thru Date **04/10/2016**
 Expiration Date **03/31/2017**

AGGREGATE STOP LOSS COVERAGE

	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Option 4</u>
Coverages	Medical, Rx Card	Medical, Rx Card	Medical, Rx Card	Medical, Rx Card
Contract Type	Paid	Paid	Paid	Paid
Loss Limit per Individual	60,000	70,000	80,000	60,000
Maximum Contract Period Reimbursement	1,000,000	1,000,000	1,000,000	1,000,000
Rate Per Month	<u>Enrollment</u>			
Composite	84	12.00	12.04	12.08
Monthly Accommodation Rate per Employee (No Commissions Payable)	1.50	1.50	1.50	1.50
Estimated Annual Premium	13,608	13,648	13,689	13,608
Rate(s) includes Commissions of	0.00%	0.00%	0.00%	0.00%
Annual Aggregate Deductible	1,654,140	1,670,682	1,687,224	1,654,140
Minimum Aggregate Deductible	1,654,140	1,670,682	1,687,224	1,654,140
Run-in Limited To	0	0	0	0
Monthly Aggregate Claim Factors	<u>Enrollment</u>			
<u>Medical, Rx Card</u>				
Single	26	806.93	815.00	823.07
Family	58	2,014.91	2,035.06	2,055.21
Composite	84	1,641.01	1,657.42	1,673.83

OVERALL COST SUMMARY

	<u>Option 1</u>	<u>Option 2</u>	<u>Option 3</u>	<u>Option 4</u>
Total Annual Fixed Costs	455,940	413,292	367,575	485,941
Specific Variable	30,000	30,000	30,000	0
Aggregate Variable	1,654,140	1,670,682	1,687,224	1,654,140
Maximum Annual Liability	2,140,080	2,113,974	2,084,799	2,140,081



Underwriter **Heiberger, Matthew**
 Group **City of Bethel**

Proposal **02/12/2016**
 Effective Date **04/01/2016**

Proposal No **2**
 Valid Thru Date **04/10/2016**
 Expiration Date **03/31/2017**

INDIVIDUAL STOP LOSS COVERAGE

Coverages		Option 5	Option 6
		Medical, Rx Card	Medical, Rx Card
Contract Type		Paid	Paid
Annual Specific Deductible per Individual		70,000	80,000
except for			
		150,000	150,000
		100,000	100,000
Lifetime Reimbursement	Unlimited		
Maximum Contract Period Reimbursement		Unlimited	Unlimited
Inpatient Mental & Nervous	365 Days		
Quoted Rate Per Month	<u>Enrollment</u>		
Single	26	199.29	172.99
Family	58	527.96	474.01
Composite	84	426.23	380.84
Estimated Annual Premium		429,639	383,884
Quoted Rate(s) includes Commissions of		0.00%	0.00%
Estimated Annual Liability		0	0



Underwriter **Heiberger, Matthew**
 Group **City of Bethel**

Proposal **02/12/2016**
 Effective Date **04/01/2016**

Proposal No **2**
 Valid Thru Date **04/10/2016**
 Expiration Date **03/31/2017**

AGGREGATE STOP LOSS COVERAGE

Coverages		Option 5	Option 6
		Medical, Rx Card	Medical, Rx Card
Contract Type		Paid	Paid
Loss Limit per Individual		70,000	80,000
Maximum Contract Period Reimbursement		1,000,000	1,000,000
Rate Per Month	<u>Enrollment</u>		
Composite	84	12.04	12.08
Monthly Accommodation Rate per Employee (No Commissions Payable)		1.50	1.50
Estimated Annual Premium		13,648	13,689
Rate(s) includes Commissions of		0.00%	0.00%
Annual Aggregate Deductible		1,670,682	1,687,224
Minimum Aggregate Deductible		1,670,682	1,687,224
Run-in Limited To		0	0
Monthly Aggregate Claim Factors	<u>Enrollment</u>		
<u>Medical, Rx Card</u>			
Single	26	815.00	823.07
Family	58	2,035.06	2,055.21
Composite	84	1,657.42	1,673.83

OVERALL COST SUMMARY

	Option 5	Option 6
Total Annual Fixed Costs	443,287	397,573
Specific Variable	0	0
Aggregate Variable	1,670,682	1,687,224
Maximum Annual Liability	2,113,969	2,084,797

PROPOSAL QUALIFICATIONS AND CONTINGENCIES

Quoted terms and conditions are subject to possible revision based upon receipt and review of the following items:

- Paid claims experience to the effective date including monthly enrollment figures.
- Updated shock loss information to the date HCC Life Insurance Company has been notified that the proposal has been accepted by the group. Shock loss information should include injuries, illnesses, diseases, diagnoses, or other losses of the type, which are reasonably likely to result in a significant medical expense claim or disability, regardless of current claim dollar amount. In addition, shock loss information should include any claimant that has incurred claim dollars in excess of \$ 30,000, regardless of diagnosis. Information is also needed on any claims processed and unpaid, pending or denied for any reason. Please refer to our Trigger Diagnosis Disclosure List, which provides examples of some, but not all, types of shock losses.
- We will accept final shock loss disclosure no earlier than 30 days prior to the effective date.
- Please see the attached exhibit for plan document assumptions and requirements.
- Should a large claim(s), (non-reoccurring and/or ongoing) become known and the initial date of service is prior to the date of written acceptance by HCC Life Insurance Company , we reserve the right to re-underwrite the case.
- In the event there is a greater than 10% change in enrollment between the submitted initial enrollment data and the final enrollment data, rates and factors may be recalculated.
- Minimum participation level of 75% of all eligible employees is required.
- Rates and Factors are calculated with the plan anniversary date and the Policy effective date as the same date, should the plan anniversary date and the stop loss policy effective date be different we reserve the right to modify our rates, factors and terms of coverage to accommodate for additional liabilities incurred by the plan due to state and/or federal mandates during the stop loss contract period.
- **Quote rated with retirees not covered. Quote rated with no COBRAs being covered based on the census information provided.**
- **The Specific Contract Period Reimbursement Maximum for any individual with a Separate Individual Specific Deductible will be reduced by the difference between the Separate Individual Specific Deductible and the Policyholder's Specific Deductible.**
- **The maximum amount of Covered Expenses that are eligible to satisfy the Annual Aggregate deductible for an individual who has been assigned a higher Separate Individual Specific Deductible will be the amount as shown under Loss Limit on the Application.**
- **Fixed Split Funded Arrangement - The Split Funded Corridor Option quoted is the fixed set corridor which is NOT subject to year end recalculation for enrollment variances.**
- **Quote Rated with the following UR Vendors: American Health Holding, Inc., .**
- **Quote Rated with the following Cost Containment Programs(s): Multiplan.**
- **The maximum amount of Covered Expenses that are eligible to satisfy the Annual Aggregate deductible for an individual who has been assigned a higher Separate Individual Specific Deductible will be the amount as shown under Loss Limit on the Application.**
- **Endorsement #1-Split-Funded
Endorsement #2-MDAR**

PROPOSAL QUALIFICATIONS AND CONTINGENCIES

Initial the selected proposal option:

	Option 1	Option 2	Option 3	Option 4
Specific	_____	_____	_____	_____
Aggregate	_____	_____	_____	_____
	Option 5	Option 6		
Specific	_____	_____		
Aggregate	_____	_____		

The Premium and Aggregate Deductibles are based on the data submitted. Any inaccurate or incomplete data submitted may require changes at final underwriting. We will not be bound by any typographical errors or omissions contained herein.

Date: _____ By: _____
Agent of Record or Administrator

This proposal expires if applications are not requested before the valid through date.

Plan Document Assumptions

This proposal for stop loss coverage assumes the Plan Sponsor's plan document includes certain standard clauses, exclusions and limitations. These exclusions and limitations include, but are not limited to the following:

1. **Eligibility, Effective Date, and Enrollment Date** provisions, which include definitions of eligible employees (including definitions of full-time and part-time), dependents, and retirees, if applicable.
2. **Termination Provisions** which clearly define when eligibility and benefits cease. The Termination Provisions should include specific wording regarding extension of coverage (also known as "extension of active service") during a period of inactive service due to disability, layoff or leave of absence. The plan should include COBRA wording consistent with federal requirements.
3. **Transplant** benefit wording that identifies any benefits applicable to the donor (particularly the non-participating donor), the recipient, organ procurement, and any covered transportation, lodging and companion charges.
4. The Plan is expected to contain provisions that preserve its ability to seek a right of recovery, to recover funds via subrogation, to enforce coordination of benefit clauses with other plans and where able, to be secondary to Medicare and other public programs (subject to the Plan's compliance with Medicare Secondary Payer rules).
5. Exclude expenses resulting from losses which are due to any act of war, whether declared or not.
6. Exclude expenses for any injury or illness arising out of or in the course of any occupation or employment for wage or profit.
7. Exclude expenses related to Alternative Treatment, except when deemed both medically necessary and cost effective when compared to a normal course of treatment.
8. All HCC Life policies contain an Experimental and Investigative definition and exclusion along with coverage requirements for clinical trials that complies with the Affordable Care Act (ACA).

Mayor's Report

City Manager's Report



MEMORANDUM

From: Ann K. Capela, City Manager

To: Mayor, Vice Mayor and Council
Cc: City Attorney, City Clerk

Date: March 15, 2016

Re: City Manager's Report

1. Donlin Gold Project – Telephone conference with CORPS Project Manager, Keith Gordon and met with Mr. Gordon in Bethel March 15, 2016. Discussed how to proceed in determining the local and State staff interaction on the emergency readiness for the proposed gold mine development. Given City Council approved creation of a Bethel Regional Task Force, I had discussion on who would be a fit from various agency and industry representation. In my telephone conference with both Donlin Gold and Lynden Cargo – both of the private sectors will be invited to have input on the emergency preparedness for Bethel as well as the my recommendation to the CORPS as well as State Homeland Security to enlist the assistance of AVCP of Village governments. According to Mr. Gordon, the comment deadline set for public comment on the Draft ER of April 30, 2016 does not apply to the City of Bethel as it relates to emergency preparedness. The COPRS is also looking at the governance capacity in villages as related to emergency preparedness. I have also been in conversations with State Emergency agency, Claude Denver in Anchorage to determine their role in assisting the City with this task.
2. Institutional Corridor Project – There appears to be somewhat of a financial “red flag” for this project. As Council may recall that the start of this project came from the State and YKCH to construct water and sewer pipeline along what has been termed as the “institutional corridor”. The City of Bethel was awarded \$7 million in 2012 to begin this project with the understanding the State would fund the additional \$7 million after the first phase was completed. The City's expenditure records show that the City started to spend down the funds (this is a reimbursable grant) in December 2013. Thus far the City spent \$1,483,235.43 on engineering studies, drilling for a water well and the purchase of piping. Just rough estimates indicate that there is about \$5.5 Million left in the grant. The 90% of engineering estimate is coming in at \$5.9 million. While these are estimates, there is some concern on the Administration's part of not having sufficient funding from the State on this project in advance of the bidding for the construction of the project. DOWL, the City's engineering firm, is sharpening its pencil but we need to be vigilant on what the next steps need to be from the State in authorizing additional funds for the completion of the Institutional Corridor project.
3. Lagoon Jetty (truck dump site) – Meeting is set up with USDA and Alaska DEC to discuss the long term plans for this project. Currently the plans are to dredge the lagoon, strengthen and line the walls

on the current lagoon and reconstruct the jetty. This will be accomplished with Alaska DEC and USDA grant/loan funding. The City is currently awaiting the “letter of conditions” from the USDA that will be required on the City’s part to meet the loan requirements. In reviewing this type of a “letter” from USDA in 2009, City has a lot of work to do on the administrative side. It is very similar to obtaining a loan from the bank. Be prepared to set aside at least 1 hour just to sign the papers for the loan.

4. State Pension Obligation (PERS) – I will write a separate report on PERS following my attendance at the PERS Summit organized by AML. This is a crucial time for local governments as the State is preparing for a “devolution” mode to unload its unfunded liability from its books to hold on to the State’s bond rating.
6. The annual audit – is still hung up in minor production of material. The City Finance Director has been faced with shortage of staff and to complete other work, the City will be bringing the Carmen Jackson, CPA firm in for additional work last week in March and first week in April.

Finance Department has accepted the resignation of the Assistant Finance Director. With accumulated staff PTO, illness and other absences – there is no question that the City’s ability to conduct the basics of cost allocation has reached a critical mass.

The City’s sales tax and other revenue sources are on target for the first eight months are is on target. The City is doing better than expected in its efforts for deficit reduction in the employee health care fund (the fund was estimated to be in \$1.6 million deficit). Estimating all assumptions to be as planned, this deficit should be eliminated by the end of FY 2016/17. If at all possible, the Administration’s goal is to develop a small “rate stabilization fund” for the employee’s health care fund.

7. Fleet Tracking System – IT Director has been in discussion with GCI and the City’s VE Department and in its first evaluation, GCI has not been able to determine if this service is available in the rural Alaska regions. All indication at this time is that the City of Bethel was the first inquiry into this service in Bethel. IT Director continues to prepare a staff report on this Council direction.
8. Bethel Courthouse space – At the last Council meeting, Councilman Albertson inquired as to the status of the empty space at the Courthouse. I spoke to the Department of Law just before the year end to seek a lease renewal commitment from the existing tenant, and was informed that the Department was being offered viable space in Bethel. To date the Department of Law continues to pay their existing monthly rent but it not possible for the Department to sustain rent increase given the State is cutting back on all its leases and rentals (with the exceptions to the legislators). The City of Bethel continues to own several properties and buildings without leasing or rental prospective customers.

The Log Cabin is sparsely used, with the Parks & Rec staff that could be moved to the PW Department on Ridgecrest Dr. and Planning Department is slated to move to the vacated space at the Courthouse. While there has been some expression of concern of Planning customers having to remove metal metal objects when entering the Courthouse, this is not as cumbersome as the liability to the City of not being in compliance of ADA for the City's Planning Department.

Prior to the Killbuck School fire – there was a great deal of interest by the School District in the Senior Center building but since then, there has been no prospects to rent or lease the Senior Center.

It is my perspective prior to realization of the YKHC, many of the buildings that the City owns will remain empty at least for the time being. The State is retracting its operations and I have been giving some thought to retain a marketing firm (real estate) to market some of the City's available properties. The City does not have qualified staff to manage properties at this time, thus this task has fallen to me. I will need to take a look at the disposition/leasing of City's properties to ensure that this type of a process would be in compliance with BMC.

The City of Bethel owns numerous vacant lots, structures with land and without land as well as buildings that are expected to be vacated soon are part of the rental/lease agreements with other governmental agencies. The largest and the more notable of these properties are:

1. Old Killbuck School area/National Guard (currently leased by LKSD)
2. Treatment Center (currently leased by YKHC)
3. Senior Center (vacant)
4. Annex (old police)
5. Old laundry (next to the water plant)
6. Various buildings located next to the Bus Barn (some empty some leased)
7. Teen Center
8. Several Cemeteries
9. Substantial acreage across the Public Works operation on Ridgecrest Drive.
10. Lot 15 – next to the Public Health building
11. Sandpit(s)
12. Gun Range
13. Storage yard – monthly rental by Faulkner/Walsh
14. Old Bus Barn (used as a storage area)
15. Port storage barn;

as well as many others that need to be compiled as part of the City's asset management list. There is no doubt that the City will have to review the City's assets both land and structure. There is opportunity to improve in the area of managing City's properties but traditionally the City has not been aggressive in marketing its properties.

YKFC
United Pools Activity Report for the Month of
February 2016

This report is submitted in conjunction with the Budget Report of the same date. Of the \$1,043,893.71 of the authorized operating budget, \$592,644.56 has been spent to date. Of the \$609,200.00 projected revenues, \$345,328.42 has been generated.

Operations:

This month we had a total of 6,144 visits. The last week of February we tested opening up at 5am. We had a group of consistent people who came from YUUTE AIR and LKSD. I think this is something to consider for the future. One morning we had a group of 8 that came before 6am.

Maintenance:

This month we did not have any issues with the temperature in the building or with the water. We have been keeping a close track of the temperature by the hour. After the visit from Long Building, we did notice that some of the settings on the building we restored back to manufacture settings caused an issue. When the auto control for the pool lights come on in the morning, all the lights on the pool deck come on. This wastes a lot of electricity. After the commissioning of the building, they set them so we used minimum lighting. I think the commissioner needs to come back out to make sure all the settings match what the building calls for. It has come to our attention that the automatic toilet flushers are being destroyed and recommend switching to manual toilet flushers in the future. We are ordering all new ones because guests have destroyed the one in the family restroom as well as ones in the men's restrooms. We will be scheduling a visit with Simplex to test our fire extinguishers next month as well as testing the security system. This will be another item to add to the budget for 2017. We currently have a contract with MSI and Alaska Fitness. We will need to add Long Building and Simplex. I believe Long Building and Simplex only need to visit once a year.

Programming:

In the month of February, Parent Night was a big success. One evening we had 12 kids that participated. The Water Zumba class has had as many as 9 in attendance. The Judo class has 7 students and is still growing. We will be hosting a Spring Break Camp and can't wait to see how many kids will attend. With the purchase of new heavy bags and speed bags we expect to see the boxing class to increase.

Outreach:

This month we focused on reaching out to the kids. We also hosted Healthy Heart Day along with the Diabetes Foundation on February 20th. This event was a huge success. A lot of new faces visited the facility for a day of free classes and free admissions. In March we will be working on a contract with Wells Fargo and Alaska USA.

Certified by:



Bobbi Fortner

Controller

Title

3/14/16

Date

YKFC Revenue and Expense - Budget Report for February 2016

Operating Budget July 1, 2015 - June 30, 2016

Estimate, 12 months		July	August	September	October	November	December	January	February	March	April	May	June	Totals	Budget Variance
Revenues,															
Entry Fees	\$ 336,000.00	\$ 19,834.00	\$ 13,295.13	\$ 17,096.13	\$ 60,768.00	\$ 71,405.78	\$ 22,457.19	\$ 22,166.99	\$ 10,270.35					\$ 237,293.57	\$ 98,706.43
Facility Rental	\$ 15,000.00	\$ 582.50	\$ 352.50	\$ 1,047.00	\$ 437.50	\$ 75.00	\$ 622.50	\$ 462.50	\$ 2,141.00					\$ 5,720.50	\$ 9,279.50
Program Fees	\$ 141,200.00	\$ 6,205.00	\$ 5,153.00	\$ 4,608.40	\$ 7,216.60	\$ 736.69	\$ 2,372.91	\$ 15,507.43	\$ 5,385.22					\$ 47,185.25	\$ 94,014.75
Concessions Revenue	\$ 69,000.00	\$ 5,394.34	\$ 3,150.95	\$ 3,016.10	\$ 3,977.42	\$ 3,277.00	\$ 3,210.76	\$ 5,747.43	\$ 3,899.72					\$ 31,673.72	\$ 37,326.28
Pro-shop Revenue	\$ 48,000.00	\$ 4,479.25	\$ 2,270.34	\$ 2,403.41	\$ 4,056.25	\$ 4,513.03	\$ 2,593.45	\$ 3,139.65	\$ 3,763.81					\$ 23,455.38	\$ 24,544.62
Total Revenues (Collected by United Pools, expense offset)	\$ 609,200.00	\$ 36,495.09	\$ 24,221.92	\$ 28,171.04	\$ 76,455.77	\$ 80,007.50	\$ 31,256.81	\$ 47,024.00	\$ 25,460.10	\$ -	\$ -	\$ -	\$ -	\$ 345,328.42	\$ 263,871.58
Expenses															
Fixed Fee	\$ 140,200.08	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34					\$ 93,466.72	\$ 46,733.36
Facility & Program Director	\$ 135,000.00	\$ 7,312.50	\$ 14,625.00		\$ 22,437.50	\$ 17,198.75	\$ 4,733.73	\$ 13,826.19	\$ 8,816.16					\$ 88,949.83	\$ 46,050.17
Lifeguard Labor	\$ 187,258.50	\$ 5,928.56	\$ 12,821.84		\$ 15,975.92	\$ 17,081.24	\$ 2,494.04	\$ 18,479.54	\$ 16,657.74					\$ 89,438.88	\$ 97,819.62
Customer Service Representative Labor	\$ 84,481.50	\$ 5,390.59	\$ 10,265.32		\$ 10,022.89	\$ 10,889.89	\$ 1,551.11	\$ 11,394.37	\$ 8,709.33					\$ 58,223.50	\$ 26,258.00
Cleaners Labor	\$ 68,440.00	\$ 1,565.74	\$ 3,439.06		\$ 3,176.76	\$ 6,290.76	\$ 1,218.26	\$ 5,883.72	\$ 6,998.10					\$ 28,572.40	\$ 39,867.60
Pre-Post Cleaning of YKFC	\$ 14,053.00													\$ -	\$ 14,053.00
Staff Meetings	\$ 2,200.00													\$ -	\$ 2,200.00
Aquatics Programs Labor	\$ 19,250.00		\$ 462.00		\$ 1,314.00	\$ 1,221.00	\$ 865.37		\$ 1,119.00					\$ 4,981.37	\$ 14,268.63
Fitness Programs Labor	\$ 8,250.00							\$ 1,587.00						\$ 1,587.00	\$ 6,663.00
Payroll Taxes	\$ 57,082.63	\$ 2,079.26	\$ 4,163.05			\$ 10,477.42		\$ 6,358.34	\$ 3,709.45					\$ 26,787.52	\$ 30,295.11
Insurance - Workman's Compensation	\$ 32,000.00					\$ 15,548.00								\$ 15,548.00	\$ 16,452.00
Cost of Living Adjustment	\$ 36,000.00	\$ 3,000.00	\$ 3,000.00		\$ 6,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00					\$ 24,000.00	\$ 12,000.00
Benefits	\$ 7,800.00	\$ 650.00	\$ 650.00		\$ 1,400.00	\$ 550.00	\$ 650.00	\$ 650.00	\$ 650.00					\$ 5,200.00	\$ 2,600.00
Bank Fees	\$ 13,000.00	\$ 915.21	\$ 758.57		\$ 626.51	\$ 2,285.10		\$ 1,106.86	\$ 1,135.84					\$ 6,828.09	\$ 6,171.91
Advertising/Marketing Exp	\$ 10,000.00	\$ 728.24	\$ 2,186.27			\$ 35.00		\$ 832.02	\$ 73.88					\$ 3,855.41	\$ 6,144.59
Sub-Contractor Cost, Maint	\$ 35,790.00		\$ 5,985.00				\$ 5,985.00	\$ 16,559.02	\$ 6,394.06					\$ 34,923.08	\$ 866.92
Building Maintenance Contingency Reserve	\$ 3,300.00													\$ -	\$ 3,300.00
Exercise Preventive Equipment Maintenance	\$ 5,600.00		\$ 920.10						\$ 1,990.00					\$ 2,910.10	\$ 2,689.90
Pool/Building Supplies Cost	\$ 5,000.00	\$ 4,308.25	\$ 267.83			\$ 970.01	\$ 1,819.43		\$ 102.47					\$ 7,467.99	\$ (2,467.99)
Chemical Supplies Cost	\$ 26,500.00	\$ 15,435.65	\$ 4,921.31											\$ 20,356.96	\$ 6,143.04
Paper and Cleaning Products	\$ 22,000.00	\$ 13,272.45	\$ 47.58			\$ 38.90		\$ 226.85	\$ 127.81					\$ 13,713.59	\$ 8,286.41
Point of Sale Use Fee	\$ 5,780.00	\$ 388.40	\$ 349.45		\$ 599.76	\$ 635.65	\$ 133.72	\$ 233.63	\$ 454.97					\$ 2,795.58	\$ 2,984.42
Office Supplies Expense	\$ 9,000.00	\$ 806.04					\$ 69.03	\$ 1,339.04	\$ 1,207.55					\$ 3,421.66	\$ 5,578.34
Postage Expense	\$ 1,000.00				\$ 615.09	\$ 75.26	\$ 16.46	\$ 235.23	\$ 25.85					\$ 967.89	\$ 32.11
Unforeseen Expense	\$ 1,500.00				\$ 588.69									\$ 588.69	\$ 911.31
Fitness Items	\$ 1,500.00								\$ 1,177.41					\$ 1,177.41	\$ 322.59
Aquatics Program Items	\$ 2,500.00	\$ 595.00	\$ 3,040.25					\$ 513.28						\$ 4,148.53	\$ (1,648.53)
Concession Items	\$ 42,000.00	\$ 3,107.80	\$ 2,921.64			\$ 5,785.57	\$ 221.92	\$ 1,618.63	\$ 609.35					\$ 14,264.91	\$ 27,735.09

Pro-shop Items	\$ 32,000.00	\$ 17,575.76	\$ 374.50				\$ 745.54							\$ 18,695.80	\$ 13,304.20
Auto Fuel Expense	\$ 3,000.00	\$ 472.61	\$ 339.18		\$ 462.10	\$ 206.38	\$ 578.54	\$ 537.56						\$ 2,596.37	\$ 403.63
Auto Maintenance Expense	\$ 1,000.00								\$ 207.69					\$ 207.69	\$ 792.31
Auto Insurance Expense	\$ 2,500.00					\$ 2,500.00								\$ 2,500.00	\$ -
Insurance Fidelity Bond/Umbrella Policy	\$ 7,000.00													\$ -	\$ 7,000.00
Cable TV	\$ 1,908.00	\$ 143.88	\$ 143.88		\$ 287.76	\$ 143.88	\$ 143.88	\$ 143.88	\$ 143.88					\$ 1,151.04	\$ 756.96
Shipping	\$ 20,000.00	\$ 1,228.12	\$ 9,797.38			\$ 776.19	\$ 790.34	\$ 75.76	\$ 650.76					\$ 13,318.55	\$ 6,681.45
Holding Money	\$ 50,000.00	\$ 50,000.00												\$ 50,000.00	\$ -
Total Expenses, Operating Budget	\$ 1,043,893.71	\$ 96,587.40	\$ 93,162.55	\$ 11,683.34	\$ 75,190.32	\$ 107,392.34	\$ 36,699.71	\$ 96,284.26	\$ 75,644.64	\$ -	\$ -	\$ -	\$ -	\$ 592,644.56	\$ 451,249.15

date printed 3/14/16

YK Fitness Center Attendance Report for February 2016

Room	Time	2-Feb	3-Feb	4-Feb	5-Feb	6-Feb	7-Feb	9-Feb	10-Feb	11-Feb	12-Feb	13-Feb	14-Feb	16-Feb	17-Feb	18-Feb	19-Feb	20-Feb	21-Feb	23-Feb	24-Feb	25-Feb	26-Feb	27-Feb	28-Feb	Hourly Total
Pool	5:00am																									
Weight	5:00am																			2	4	3	6			
Pool	5:30am																									
Weight	5:30am																			3	5	5	7			
Pool	6:00am	17	1	0	0			16	1	1	3			16	1	4	4			1	1	1				
Weight	6:00am	2	3	1	3			3		1	1			5	3	3	1			3	6	7	4			
Pool	6:30am	16	2	1	2			18	1	3	4			14	2	5	4			2	2	4				
Weight	6:30am	5	5	3	5			9	6	2	6			6	3	5	2			2	3	4	1			
Pool	7:00am	21	1	5	1			12	1	3	2			13	1	4	0			1	3	6				
Weight	7:00am	1	2	3	2			4	1	3	3			4	2	3	4			0	2	7	1			
Pool	8:00am	1	0	3	2			1	3	3	2			2	3	2	1			6	3	2	2			
Weight	8:00am	2	2	2	1			1	1	1	2			4	1	2	3			1	1	2	2			
Pool	9:00am	1	1	3	4	7		1	1	1	1	5		3	4	1	1	3		5	5	1	1			
Weight	9:00am	1	1	1	1	3		4	3	3	4	5		3	3	2	4	3		2	2	1	3			
Pool	10:00am	1	6	2	2	10	11	2	0	20	3	5	3	1	4	4	2	4	3	2	5	1	7	4	2	
Weight	10:00am	11	3	11	4	1	15	13	1	4	17	5	0	10	2	14	4	4	0	12	1	6	2	1	8	
Pool	11:00am	7	5	3	14	9	19	2	6	19	13	3	5	3	6	2	5	6	7	21	7	1	7	20	1	
Weight	11:00am	1	6	2	6	4	18	13	7	4	22	9	5	11	4	12	2	5	5	11	2	7	3	7	5	
Pool	12:00pm	2	2	3	13	5	17	3	2	3	9	2	1	2	3	3	14	6	6	19	1	2	9	30	10	
Weight	12:00pm	0	1	0	1	3	4	6	3	1	28	6	3	3	5	15	4	2	5	2	2	2	2	5	5	
Pool	1:00pm	13	5	15	9	5	13	16	17	28	9	15	0	24	26	12	10	15	32	3	23	20	8	38	10	
Weight	1:00pm	1	1	1	4	2	3	4	4	1	10	2	1	1	2	2	4	7	3	1	2	1	6	4	8	
Pool	2:00pm	16	2	17	8	33	12	16	17	21	11	35	25	30	26	5	12	15	32	18	12	13	8	45	17	
Weight	2:00pm	7	5	5	10	4	5	3	2	3	6	2	5	0	1	2	2	15	3	1	3	7	3	3	10	
Pool	3:00pm	0	3	6	2	21	13	0	2	9	7	45	0	0	1	10	3	25	40	6	0	4	1	43	28	
Weight	3:00pm	7	5	5	10	9	11	6	4	2	3	6	4	2	3	4	4	14	4	2	1	3	4	2	6	
Pool	4:00pm	1	0	5	3	12	24	1	3	2	5	30	12	0	20	10	3	50	30	3	0	13	2	64	36	
Weight	4:00pm	8	9	5	5	10	6	0	2	3	6	1	6	7	3	4	5	10	14	3	0	11	3	5	4	
Pool	5:00pm	26	3	18	4	26	22	20	5	15	6	18	22	18	18	20	24	50	40	0	6	0	5	68	19	
Weight	5:00pm	6	15	6	4	7	4	8	6	7	7	4	5	13	9	13	2	6	4	7	8	8	7	5	2	
Pool	6:00pm	24	1	21	3	40	30	26	15	18	15	21	27	17	19	13	24	27	43	17	14	32	7	53	21	
Weight	6:00pm	7	10	7	6	5	4	12	15	10	10	7	8	11	7	8	3	7	7	9	11	18	9	6	8	
Pool	7:00pm	10	17	8	2	25	33	26	0	23	15	19	40	19	13	18	26	18	25	10	19	17	7	28	17	
Weight	7:00pm	9	14	9	5	3	4	13	13	5	5	6	10	14	11	17	7	6	9	14	14	12	8	8	10	
Pool	8:00pm	3	9	9	4	12	1	14	13	19	4	12	44	7	10	10	17	10	29	13	10	6	4	7	9	
Weight	8:00pm	15	3	11	1	4	3	10	17	11	19	9	4	14	14	6	13	5	6	9	12	18	13	13	11	
Pool	8:30pm	4	3	3	3	4	2	5	13	14	0	2	24	4	6	3	10	8	3	4	3	3	4		3	
Weight	8:30pm	5	2	5	2	2	2	8	6	6	11	2	1	15	3	2	3	4	3	6	9	5	10	9	3	
Pool	9:00pm			0	0				0										0	0					0	
Weight	9:00pm	5	3	4	3	2	0	5	0	4	8	0		10	2	0	0	3	3	4	0	4	2	4	0	
Daily Total		256	151	203	149	268	276	301	191	273	277	276	255	306	241	240	227	328	356	225	202	257	168	472	253	6151

City Clerk's Report



City of Bethel, Alaska

City Clerk's Office

Council Meetings and Events

April 12, 2016 Regular City Council Meeting

The City Clerk's Office is working with ONC to schedule the next Joint Task Force Meeting in April.

Electronic Cemetery Records

After a full year of data entry, the electronic cemetery module is complete and up to date with all of the Bethel Memorial Cemetery Information. We will begin to scan the records in as support to the electronic files and update the fields with payment information.

Research/Document Preparation

- The Office is researching by mail elections.
- When time permits, the Office is working through the City owned property transfers/leases with the hope to get a comprehensive outline of City owned land.
- Prepared an Ordinance amending Public Request for Information section of the BMC. In addition the office is working on modifying the Police Department's forms for Public Requests for Information.

Passports

Passport processing continues to take up a lot of the time in the office processing up to twelve per week. With the City Clerk being the only passport agent for the Region, the City may want to consider identifying someone else within the organization to act as backup in the case the City Clerk is out of the Office; the City had two agents up until two-three years ago.

Budget

The Office will be meeting with Administration on March 21st to go over the City Clerk's proposed budget.

Other

The City Clerk will be out of the office April 4-8, on approved administrative leave.

Executive Session

ANNUAL PERFORMANCE EVALUATION**NAME: LORI STRICKLER****DATE: MARCH 22, 2016****PART 1 — Evaluate the ability to accomplish the duties set forth by State statutes, the Municipal Code, and other duties as assigned by Council.**

Attend City Council meetings as required, act as parliamentary advisor to Council, record and keep official journal of Council meetings	5	4	3	2	1
Assure notice and other requirements for public meetings are complied with	5	4	3	2	1
Assure public records are available for public inspection as required by law	5	4	3	2	1
Manage City records and develop retention schedules and procedures for inventory, storage, and destruction of records	5	4	3	2	1
Maintain an indexed file of all permanent municipal records, provide for codification of ordinances	5	4	3	2	1
Authenticate or certify City records as necessary	5	4	3	2	1
Prepare Council agendas and Council meeting packets as required by City Council	5	4	3	2	1
Conduct research and prepare information for Council as requested	5	4	3	2	1
Administer all municipal elections and assure that the municipality complies with the Voting Rights Act of 1965, as amended	5	4	3	2	1
Develop, prepare and defend the City Clerk's office annual budget and budget modifications	5	4	3	2	1
Take oaths and affirmations as necessary	5	4	3	2	1
Provide support and training to City boards, committees and commissions	5	4	3	2	1
Manage cemetery procedures and records	5	4	3	2	1
Ability to interface harmoniously and effectively with the public and all levels of management and government	5	4	3	2	1
Other duties as assigned by City Council	5	4	3	2	1

Total	
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Rating Scale:

5=Outstanding; 4=Very Good; 3=Good; 2=Satisfactory; 1=Needs Improvement

ANNUAL PERFORMANCE EVALUATION**NAME: LORI STRICKLER****DATE: MARCH 22, 2016****PART 2 — Evaluate the work ethics and work habits.**

Work ethic	5	4	3	2	1
Dependability; can be depended upon without supervision	5	4	3	2	1
Self-motivated; self-reliant; displays energy	5	4	3	2	1
Displays good judgment	5	4	3	2	1
Able to handle difficult or stressful situations	5	4	3	2	1
Adaptability; adjusts to various circumstances, new processes or changes	5	4	3	2	1
Manages time efficiently	5	4	3	2	1
Attitude and enthusiasm	5	4	3	2	1
Willingness and capability to carry out new assignments or projects	5	4	3	2	1
Availability to Council and public	5	4	3	2	1
Follows through with requests	5	4	3	2	1
Attendance record	5	4	3	2	1

Total	
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PART 3 — Evaluate the quality of work produced and the degree of knowledge of work procedures and operations.

Accuracy, Completeness and Conformity	5	4	3	2	1
Knowledge of job	5	4	3	2	1
Ability to research and understand City ordinances	5	4	3	2	1
Ability to prepare resolutions, ordinances and reports to City Council	5	4	3	2	1
Quality of work	5	4	3	2	1
Takes pride in work	5	4	3	2	1
Ability and desire to research ways to improve operations	5	4	3	2	1
Exceeds expectation	5	4	3	2	1
Productive with time	5	4	3	2	1
Ability and desire to learn basic job functions	5	4	3	2	1
Ability and desire to learn beyond basic job functions	5	4	3	2	1
Presents completed work in an orderly fashion	5	4	3	2	1
Attention to details	5	4	3	2	1

Total	
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Rating Scale:

5=Outstanding; 4=Very Good; 3=Good; 2=Satisfactory; 1=Needs Improvement

ANNUAL PERFORMANCE EVALUATION

NAME: LORI STRICKLER

DATE: MARCH 22, 2016

PART 4 — Evaluate personal relations/interactions with City Council members, City staff members and the public

Friendly, courteous and flexible	5	4	3	2	1
Maintains a helpful attitude; willing to help	5	4	3	2	1
Steps outside of job duties to help other city staff when needed (team player)	5	4	3	2	1
Working relationship with City Manager and City Department Heads	5	4	3	2	1
Effectively communicates with City staff, Council and the public	5	4	3	2	1
Writes clearly and concisely	5	4	3	2	1
Expresses ideas and opinions in a forthright, logical manner	5	4	3	2	1
Ability to work in stressful situations	5	4	3	2	1
Provides answers when not readily available; Follows through with requests for information	5	4	3	2	1
Acts as a liaison between the City Council and the general public	5	4	3	2	1

Total	
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Part 1:	
Part 2:	
Part 3:	
Part 4:	
<i>Overall Evaluation Total:</i>	

Overall Evaluation

Outstanding	Very Good	Good	Satisfactory	Needs Improvement
250	204	153	102	51

Suggested Development/Training Goals:

Rating Scale:

5=Outstanding; 4=Very Good; 3=Good; 2=Satisfactory; 1=Needs Improvement

ANNUAL PERFORMANCE EVALUATION

NAME: LORI STRICKLER

DATE: MARCH 22, 2016

Council Member Comments:

City Clerk Comments:

Council Member's Signature _____

Date: _____

City Clerk's Signature: _____

Date: _____

Rating Scale:

5=Outstanding; 4=Very Good; 3=Good; 2=Satisfactory; 1=Needs Improvement

NEGOTIATED AGREEMENT

**Between
CITY OF BETHEL
and
LORI STRICKLER**

THIS AGREEMENT, by and between the City of Bethel, Alaska ("City"), a municipal corporation, hereinafter called "Employer," and Lori Strickler, hereinafter called "Employee," both of whom understand as follows:

WITNESSETH

WHEREAS, Employer desires to employ the services of said Employee as City Clerk of the City, as provided by section AS 29.20.380 of the Alaska Statutes and BMC 2.12.010; and

WHEREAS, it is the desire of the City Council ("Council") 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 Clerk 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 Lori Strickler as City Clerk of the City of Bethel, Alaska to perform the function, powers and duties specified in AS 29.20.380, Bethel ordinances, and other legal 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.
- B. 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. The City shall comply with the City's insurance policy endorsement regarding any termination.
- C. 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 Clerk.

Section 3. Duration

- A This Agreement which expressly supersedes the provisions of any other previous agreement, is the sole and complete agreement between the Employer and Employee. This agreement shall become effective when signed by employer and employee and shall continue in full force and effect for a period of ten (10) years.
- B. In the event the parties agree in writing, this Agreement may be extended on the same terms and conditions as herein provided, for additional periods of one (1) year.

Section 4. Salary

Employee shall be paid an annual salary at a gross rate of \$86,392.53 payable in installments at the same time as other employees of the Employer. Employee's base salary shall be increased between zero and 3% at the discretion of the council upon a satisfactory performance evaluation annually on March 3.

Section 5. Termination and Severance Pay

In the event Employee voluntarily resigns the position with Employer before the duration of this Agreement has expired, the Employee shall give Employer ninety (90) days notice in advance, unless both parties agree in writing to a lesser time span.

Section 6. Employee Evaluation.

- A. Evaluation of the performance of the Employee shall be directed toward improving the performance of the Employee. However, evaluations shall also serve as a method for gathering information relevant to employee's performance and continued employment.
- B. Employee shall be evaluated in writing by Council annually on or about March 3. Council shall determine the content of the document used to evaluate Employee, and shall make the document available to Employee for review.

Section 7. Hours/Days of Work

Employee's position requires the exercise of independent judgment on the part of the Employee and requiring periods of extended work to 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 acknowledges she is an exempt employee and not entitled to 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. Transportation

Within available City resources, employee may have access to a City vehicle to complete tasks required of employee.

Section 9. Outside Employment

Outside employment and business pursuits are prohibited unless first authorized by Council. Any outside employment or business pursuits must occur while Employee is on leave or must occur outside the regular business hours of the City. Notwithstanding the foregoing or any authorization by Council, the Employee is required to perform the duties of the City Clerk when the interests of the City require, without regard to regular work hours or days or the competing needs of the Employee's authorized outside employment or business pursuits.

Section 10. Compensated Leaves

A. Personal Time Off (PTO)

PTO shall accrue at the rate of 20 hours per month of service. PTO can be accumulated up to a maximum accrual of 400 hours. PTO shall be utilized for the illness of the Employee, or illness in the Employee's immediate family, or vacation purposes. Should the employee be absent for more than five consecutive working days, she shall be required to provide a physicians certificate to the Mayor. The Employer agrees to compensate the Employee for all remaining PTO hours at the termination of this agreement, payable at the same value as cashed in annual leave.

B. Emergency Leave

The Employer agrees to grant the Employee a maximum of forty (40) hours emergency leave for death or serious illness in the immediate family. For purposes of this type leave, one's immediate family includes the Employee's spouse, child, parent, father-in-law, mother-in-law, brother and sister.

C. Family Medical Leave

The Employer is required under federal law to grant the Employee up to 12 workweeks of unpaid Family Medical Leave within a 12 month period for any of the following reasons:

- Birth or adoption of a child, placement of a child for adoption, foster care for children under age 18, or adoption of a child 18 or older if the child is incapable of self care due to disability.
- Caring for a child, spouse or parent with a serious medical condition.
- The employees own serious health condition.

To be eligible for leave the Employee must have worked a total of at least 12 consecutive months for at least 1,250 hours. The Employee must use any accrued vacation and sick leave concurrently with FMLA leave.

D. Injury Leave

Should the Employee become injured on the job, she will be entitled to the compensation benefits as provided by the Worker's Compensation Act.

E. Court Leave

The Employee shall be granted administrative leave for jury duty. Appearances in court by the Employee on behalf of the City are part of the Employee's normal job responsibilities, and she will be paid accordingly.

F. 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 clerk's professional conference.

G. Holidays

Employee is entitled to all City recognized paid holidays, but it is understood that from time to time Employee's duties may require her to work on such holidays.

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 deductible 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 employees.
- C. 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.

City shall defend and indemnify employee in accordance with BMC 2.48.010 – BMC 2.48.030.

Section 13 Bonding

Employer shall bear full costs of any fidelity or other bonds required for the Employee under any law or ordinance.

Section 14 Notices

(1) EMPLOYER: City of Bethel
 c/o Mayor, Joseph A. Klejka
 P.O. Box 1388
 Bethel, Alaska 99559

(2) Employee: Lori R. Strickler
 c/o City of Bethel
 P.O. Box 1388
 Bethel, Alaska 99559

Section 15 General Provisions

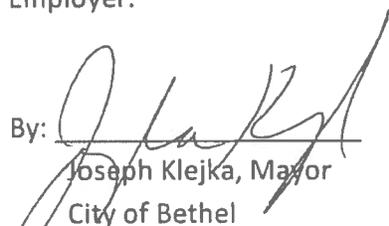
- A. This Agreement constitutes the entire agreement between both parties. Any modification or amendment shall be enforceable only if approved by a majority vote of the Council in a duly convened public Session, and if transcribed to a written document executed by both parties.
- B. This agreement shall be binding upon and inure to the benefit of the heirs at law and executors of the Employee.
- C. In 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.
- D. Any civil action arising from this Agreement shall be brought in the superior court for the Fourth Judicial District of the State of Alaska at Bethel, Alaska. The laws of the State of Alaska and the City of Bethel shall govern the rights and obligations of the parties.
- E. The failure of the City at any time to enforce a provision of this Agreement shall in no way constitute a waiver of the provisions, nor in any way affect the validity of this Agreement or any part thereof, or the right of the City thereafter to enforce each and every protection hereof.

- F. This instrument and all appendices and amendments hereto embody the entire agreement of the parties. There are no promises, terms, conditions or obligations other than those contained herein; and this Agreement shall supersede all previous communications, representations or agreements, either oral or written, between the parties.
- G. This Agreement is being executed by the parties following negotiations between them. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The titles of sections in this Agreement are not to be construed as limitations or definitions but are for identification purposes only.
- H. If any section or clause of this Agreement is held invalid by a court of competent jurisdiction, or is otherwise invalid under the law, the remainder of this Agreement shall remain in full force and effect.
- I. The Consultant acknowledges that the Employee has read and understands the terms of this Agreement, has had the opportunity to review the same with counsel of their choice, and is executing this Agreement of their own free will.
- J. This Agreement may be executed by the parties hereto individually or in separate counterparts, each of which shall be an original and all of which taken together shall constitute one and the same document.

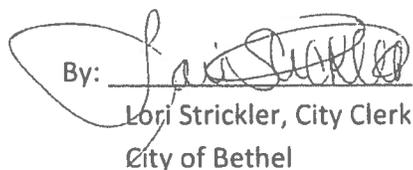
IN WITNESS WHEREOF, the City of Bethel has caused this agreement to be signed and executed in its behalf by its Mayor and the Employee has signed and executed this agreement both in duplicate.

Dated this 17th day of March, 2014.

Employer:

By: 
 Joseph Klejka, Mayor
 City of Bethel

Employee:

By: 
 Lori Strickler, City Clerk
 City of Bethel

Lori Strickler
 Contract with City of Bethel
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Additional Information
