

# Joint Task Force Meeting Agenda

Orutsararmuit Native Council and City of Bethel Council

7-14-2014, 6:30 p.m.

City of Bethel Council Chambers

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## Orutsararmuit Native Council

Gloria Simeon

Henry Hunter

Walter Jim

Thaddeus Tikiun

Glen Watson

Gregory Hoffman

Robert Lekander

## City Council

Joseph Klejka

Rick Robb

Mark Springer

Eric Whitney

Sharon Sigmon

Heather Pike

Leif Albertson

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

### **II. ROLL CALL**

### **III. PEOPLE TO BE HEARD**

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

### **V. UNFINISHED BUSINESS**

#### **a) ONC's Senior Center Building**

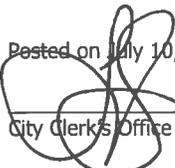
### **VI. NEW BUSINESS**

#### **a) Action Plan Options for Continued Operation of the Senior Center Programs**

### **VII. COMMENTS**

### **VIII. ADJOURNMENT**

Posted on July 10, 2014 at City Hall, AC Co., Post Office, and ONC Building.

  
City Clerk's Office



Order City of Bethel  
COB PDP

**Memorandum of Agreement**

**Between the City of Bethel and Orutsararmiut Native Council  
on the Transfer of the Senior Center and its Service Responsibility**

This Memorandum of Agreement (MOA) between the City of Bethel (City) and Orutsararmiut Native Council (ONC) is intended to facilitate the transfer of the Senior Center, senior service responsibilities, and pertinent assets related to the provision of services at and through the Center from the City of Bethel to the Orutsararmiut Native Council. All assets and lease arrangements mentioned in this Agreement pertain to the transfer of the Senior Center from the City to ONC for the express purpose of ONC providing services to low-income seniors and other qualified individuals beginning on September 1, 2005 and continuing indefinitely.

The City of Bethel has been awarded two grants from the State of Alaska, Department of Health and Social Services, that support the provision of senior services: (1) Nutrition, Transportation and Support Services grant, and (2) Home and Community Based Care grant. This MOA is contingent on the State of Alaska, Department of Health and Social Services, awarding the same or similar grants to ONC for the provision of senior services during Fiscal Year 2006.

Notwithstanding the exceptions mentioned herein, it is the intent of the City of Bethel to transfer ownership of the Senior Center Buildings and improvements, (e.g., walkways and fencing) to the Orutsararmiut Native Council. The Orutsararmiut Native Council will be responsible for the maintenance, repairs, and improvements to the Senior Center buildings, contents of the buildings, and other assets referenced in this agreement beginning on September 1, 2005. This duty of care includes all required inspections (e.g., sprinkler & fire panels, fire extinguishers, range hood, and elevator) and maintenance and repair necessary to meet all state and federal regulations pertaining to employee and public health and safety.

Aside from the cash subsidies and in-kind donations described in this agreement, the City of Bethel will not be responsible for costs or other financial obligations incurred by ONC relative to the operation of the Senior Center and the provision of Senior Services to the community.

**Parties to this Agreement**

City of Bethel  
P.O. Box 1388  
Bethel, AK 99559  
907-543-2297

Orutsararmiut Native Council  
P.O. Box 927  
Bethel, AK 99559  
907-543-2608

**Provision of Senior Services**

This Agreement transfers the responsibility of operating the Senior Center and providing services to eligible individuals from the City to ONC. The Orutsararmiut Native Council will continue to provide services to low-income seniors over 60 years of age, minorities, and those living in a rural area as specified for recipients of Nutrition, Transportation, and Support Services grants

# Joint Task Force Meeting Agenda

6-23-2014, 6:30 p.m.

City of Bethel City Clerk's Office

Orutsararmuit Native Council and City of Bethel Council

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administered by the State of Alaska, Department of Health and Social Services. The Chrissie Shantz Adult Day Care program will continue to operate in its present or improved form to serve eligible seniors, those at risk of institutionalization, individuals with disabilities, and others who qualify under the Home and Community Based Care grant program administered by the State of Alaska, Department of Health and Social Services.

#### **Financial Support**

The City of Bethel will provide a cash subsidy to ONC in the following amounts and for the following years: \$200,000 in Fiscal Year 2006, ending June 30, 2006; \$150,000 in Fiscal Year 2007, ending June 30, 2007; and \$75,000 in Fiscal Year 2008, ending June 30, 2008. While these amounts represent a minimum cash distribution from the City, with proper justification and subsequent approval by the Bethel City Council, ONC may receive up to a maximum amount of \$200,000 in Fiscal Years 2007 and 2008. The City will not give any cash subsidies to ONC in any fiscal years after the conclusion of Fiscal Year 2008, ending June 30, 2008.

The amount of the cash subsidy over the minimum amounts for Fiscal Year 2007 and 2008, but less than the \$200,000 cap, is not automatically approved. The ONC Executive Director or his or her designee must show documentation that reasonable and relevant operating expenses will be incurred in excess of the ability of ONC to pay such expenses through its anticipated revenue streams and administration of funds passing through its organization. A request to the City Manager for an increase in the cash subsidy must be submitted in writing with supporting documentation attached. The City Manager will put the request on the agenda of the soonest regularly scheduled City Council meeting. Once the Bethel City Council approves a \$50,000 increase, ONC may spend up to that amount before another approval is required for an additional \$50,000 installment. Cash disbursements to ONC shall be made by the City Manager within 10 working days of Bethel City Council's approval. The City will fulfill its CDBG obligations for window siding and other weather related repairs

#### **Land**

The land on which the Senior Center sits will be leased by the City of Bethel to the Orutsararmiut Native Council at the rate of \$1.00 per year for the duration of the time that ONC operates the Center by providing services to low-income elders and other qualifying individuals. The details of the lease arrangement will be spelled out in a legal contract, signed and dated by both parties.

#### **Senior Center Buildings**

The Senior Center Buildings, located at 127 Atsaq Way in Bethel, Alaska, will be used by ONC for the express purpose of providing services to low-income seniors and other qualified individuals as delineated under the section: *Provision of Senior Services*. The buildings shall remain in use for the express purpose of providing senior services.

#### **Vehicles**

The title of the following vehicles will be given to the Orutsararmiut Native Council:

1. Ford Bronco (1993)
2. Thomas Build Freightliner mid-size bus (2001)

3. Narrow body cutaway van/bus with wheelchair lift (expected to be received by the City during summer 2006 through a Section 5310 grant award by the State of Alaska, Department of Transportation and Public Facilities (DOT&PF))

The transfer of ownership of the narrow body cutaway van/bus is contingent on City Council's formal acceptance through a resolution and a signed agreement with the State of Alaska, Department of Transportation and Public Facilities, acknowledging the transfer of ownership from the City to ONC. Per the grant agreement with DOT&PF, the van/bus must be used for the provision of senior services until such time as a public transit system becomes operational. Once a public transit system becomes operational, the van/bus must become a public transit vehicle, serving the general public as part of the transit system.

#### **Contents of the Senior Center Buildings**

The City-owned contents inside the Senior Center building will be transferred to ONC for the provision of senior services, including major kitchen appliances (e.g., refrigerators, freezers), furniture (e.g., couches, chairs, tables), electronic equipment (e.g., television, stereo, computers, printers), exercise equipment, and other material goods currently found in the Senior Center.

#### **In-kind Contributions**

To help ONC provide senior services through the Senior Center; the City shall contribute the following in-kind services to ONC:

1. Water, sewer, and trash pick-up services for the duration of the time ONC provides senior services through the Senior Center
2. Routine maintenance and major repairs to the Thomas Freightliner bus at an estimated cost of \$8,000 per year for a period of five years, ending on June 30, 2010.
3. Routine maintenance and major repairs to the narrow body cutaway van/bus with wheelchair lift (if received by the City during summer 2006 through a Section 5310 grant award by the State of Alaska, Department of Transportation and Public Facilities (DOT&PF)) for a period of seven years, ending on June 30, 2012.
4. The ONC will be responsible for the maintenance and major repairs of the Ford Bronco.
5. Routine maintenance and major repairs to the Senior Center boiler for a period of one year, ending on June 30, 2006. Maintenance and repairs to the boiler after June 30, 2006 will be the responsibility of ONC.

#### **Senior Advisory Board Membership**

The City of Bethel shall retain one seat on the Senior Advisory Board, as it currently stands, or other citizen body created to provide advice to program administrators. The person occupying that seat will be appointed by Bethel City Council.

**Signatures**

The signatures below of the highest elected official and highest ranking administrator from the City of Bethel and Orutsararmiut Native Council validate this Memorandum of Agreement and obligate both parties to the terms herein.

**City of Bethel**

**Orutsararmiut Native Council**

H. Dymert 8-16-05  
Highest Elected Official Date

Henry J Hunter Sr 8-16-05  
Highest Elected Official Date

Hugh Dymert Mayor  
Printed Name and Title

Henry J Hunter Sr Chair - ONC  
Printed Name and Title

Don W Baird 8-16-05  
Highest Ranking Administrator Date

Flora Olrun 8/16/05  
Highest Ranking Administrator Date

City Manager  
Don W. Baird 8-16-05  
Printed Name and Title Date

Executive Director  
FLORA OLRUN 8/16/05  
Printed Name and Title Date

2015 Estimated Budget

D R A F T

Operating Revenues:

<u>GRANTS</u>		<u>ONC Indirect</u>	<u>Available to Program</u>
SOA ADS Grant	\$113,264	\$ 28,189	\$ 85,075
SOA NTS Grant	\$ 96,225	\$ 23,991	\$ 72,264
Title VI Part A Grant	\$ 92,780	\$ 18,610	\$ 74,170
Title VI Part C Grant	\$ 28,700	\$ 5,740	\$ 22,960
Title VI NSIP	\$ 9,294		\$ 9,294
<b>Total Grants:</b>	<b>\$340,293</b>	<b>\$ 76,530</b>	<b>\$ 268,763</b>
<u>OTHER INCOME</u>			
City of Bethel Cash	\$ 50,000		
City of Bethel In-Kind	\$ 35,000		
Calista Corp	\$ 10,000		
BNC	\$ 3,000		
Medicaid Receipts	\$ 50,000		
<b>Total Other Income:</b>	<b>\$148,000</b>		<b>\$ 148,000</b>
<b>Total Revenues:</b>	<b>\$488,293</b>		<b>\$ 411,763</b>

Operating Expenses:

Salaries	\$178,978.80		
Fringe	\$ 75,171.10		
Fuel Oil	\$ 55,000		
Electric	\$ 35,000		
NTS Fuel	\$ 14,000		
Food	\$ 60,000		
Maintenance	\$ 6,000		
Dry Goods	\$ 5,000		
City Utilities	\$ 30,000		
Bus Maintenance	\$ 5,000		
<b>Total Expenses</b>	<b>\$462,149.90</b>		
<b>Difference</b>	<b>\$ 24,144.00</b>		<b>(\$ 47,386)</b>

MES

4/15/2014

**Budget Notes:**

**Medicaid Receipts based on estimates for 12 month service period**

**Salaries based on 5 f/t employees working 7 hours per day (this assumes attrition of one employee 7/1/14)**

**Electricity costs should reduce due to AVEC takeover and putting Senior Center on PCE. Expense show is based on current costs.**

**Additional community support:**

**A small monthly stipend from VFW (\$2-3k/month) would cover vehicle fuel costs.**

**An increase by Calista to \$20,000/\$30,000 plus funding from AVCP, Inc. and AVCP RHA would put the entire Senior Center in the black at no cost to ONC.**

**MES**

**4/15/2014**



**ORUTSARARMIUT NATIVE COUNCIL**  
**P.O. Box 927, Bethel, Alaska 99559 (907) 543-2608**

May 29, 2014

Peter Williams, Acting City Manager  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

RE: Transfer of Bethel Senior Center (127 Atsaq) from ONC to City of Bethel

Dear Mr. Williams:

Please be advised that the Orutsararmiut Native Council (ONC) Tribal Council has made a final decision to terminate the memorandum agreement dated August 16, 2005, between the City of Bethel (owner) and ONC (user), which pertains to the facilitation of services of the Senior Center. Unfortunately, ONC can no longer continue to operate the center without additional subsidies. The transfer of the said real property to ONC from the City of Bethel has never been finalized by the City of Bethel, as was indicated in the MOA.

As of June 30, 2014, ONC will vacate the property known as the City Senior Center, located at 127 Atsaq Street in Bethel, and will no longer be responsible for the said property's maintenance; repairs, improvements and bills. A notification to transfer the electrical bill to the City of Bethel is currently being sent to AVEC. Fuel services (both heating and propane) are being disconnected, effective immediately. All further fuel deliveries are the responsibility of the City of Bethel. All telephone services, (including land and cellular), and internet services, will be disconnected on June 30, 2014. Insurance for the buildings will be cancelled effective July 1, 2014.

Sincerely,  
Orutsararmiut Native Council

Zack Brink, Executive Director

Cc: Valcace Law Office  
Gloria Simeon



Tuesday, June 10, 2014 4:30:10 PM

Message

From:  **Zack Brink**  
Subject: senior center  
To:  Lori Strickler <lstrickler@cityofbethel.net>

Hi Lori, We may have to amend our notice to vacate the senior center at the end of June. I have a council meeting next week and recommend to stay open till end of September, we want to make sure senior services are provide in some form beyond September.

Thanks

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Zack Brink  
Executive Director  
Orutsarmiut Native Council  
Box 927  
Bethel, AK 99559

(907)543-2608

My eMail address is [zbrink@nativecouncil.org](mailto:zbrink@nativecouncil.org)



THE STATE  
of ALASKA  
GOVERNOR SEAN PARNELL

Department of  
Health and Social Services

FINANCE AND MANAGEMENT SERVICES  
Grants and Contracts Support Team  
Juneau Office

P.O. Box 110650  
Juneau, Alaska 99811-0650  
Main: 907.465.4703  
Fax: 907.465.8678

June 10, 2014

Zack Brink, Executive Director  
Orutsarmiut Native Council  
POB 927  
Bethel, AK 99559

Dear Mr. Brink;

On June 9, 2014, Marlyn Carrillo, Administrative Grant Manager for the Department of Health and Social Service (DHSS), Division of Finance & Management Services (DFMS), Grants & Contracts Support Team (G&CST), received your email with an attached letter announcing the termination of program activities and requesting withdrawal from the FY-15 Nutrition, Transportation, and Support (NTS) Services and Adult Day Services grant programs.

We acknowledge receipt of your notice and accept your requested termination from the NTS and Adult Day program grants, however, there are additional actions and conditions necessary with withdrawal of the Orutsarmiut Native Council from the NTS and Adult Day programs.

Please be aware of the provisions of 7 AAC 78.260(d): "If the grantee wishes to terminate a grant project, the grantee must notify the department as required by 7 AAC 78.255(b). The grantee shall work with the department to develop a transition plan to mitigate disruption of service to recipients of services provided under the grant."

Furthermore, 7 AAC 78.290 Suspension and Termination, states: "(d) A grantee may terminate a grant in whole or in part, before the end of the grant period upon written notification to the commissioner at least 30 days before the termination date. The written notification must state the reasons for the termination, the effective date, and the portion of the grant to be terminated if the termination is partial." The stated effective date of June 30, 2014, does not meet the grant requirement for a minimum 30 day prior notice.

Please be advised that non-compliance with grant regulations by early termination may seriously jeopardize any future funding requests from your organization to the Alaska Department of Health and Social Services. The Division of Senior and Disabilities Services is willing to work with you to develop the transition plan for continuity of services and shares your concern for the well-being of your most vulnerable elders who attend Adult Day Care and receive meals and transportation.

Zack Brink, Executive Director  
June 10, 2014  
Page 2

We respectfully request that you notify DHSS who they may contact to gain access to grant service records. We understand the records may be both hard copy paper files and/or electronic files and we will need access to both, as well as to any computers, copiers, fax machines or other electronic equipment on which confidential files may reside in memory. Please be aware per 7 AAC 78.250 and 78.255 and the terms of grant agreements, it is ONC's responsibility to ensure a safe and secure transfer of records. A copy of Appendix C to the grant agreements is enclosed with this letter. These are the DHSS Privacy and Security Procedures, which contain information and instructions necessary to confirm that all required actions to protect confidential information have been taken.

Accordingly, we anticipate that you will contact Joan Gone, Program Manager for NTS, DSDS at 465-4876, and Eric Wharton, Program Manager for Adult Day Care, DSDS at 465-5810 at your earliest opportunity to discuss the transition plan.

Please submit a letter acknowledging your understanding and agreement to comply with these terms by fax or email as soon as possible.

Thank you for your services to the Elders of Bethel.

Sincerely,



Myra Pugh,  
Grants Manager

cc: Duane Mayes, Director, Division Senior and Disabilities Services  
Darla Madden, Chief, Grants & Contract Support Team

Attachments: Appendix C - Privacy & Security Procedures for Grantees

