



City of Bethel

P.O. BOX 1388

Bethel, Alaska 99559

Phone: 907- 543-2047

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Regular City Council Meeting

Tuesday, July 28, 2015

6:30 P.M.

Council Chambers; Bethel, Alaska



**City Council Meeting Agenda
Regularly Scheduled Meeting
July 28, 2015 – 6:30 pm
City Hall 300 State Highway, Bethel, AK
City of Bethel Council Chambers**

Rick Robb
Mayor
Term Expires 2015
543-1879
rrobb@cityofbethel.net

Leif Albertson
Vice-Mayor
Term Expires 2015
543-2819
labertson@cityofbethel.net

Mark Springer
Council Member
Term Expires 2015
545-1450
mspringer@cityofbethel.net

Heather Pike
Council Member
Term Expires 2015
545-4802
hpike@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

Byron Maczynski
Council Member
Term Expires 2016
545-0970
bmaczynski@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) *7-14-2015 Regular Meeting Minutes
- VII. REPORTS OF STANDING COMMITTEE**
 - a) Public Safety and Transportation Commission
 - b) Port Commission
 - c) Planning Commission
 - d) Parks and Recreation Committee
 - e) Finance Committee
 - f) Energy Committee
 - g) Public Works Committee
 - h) Non Standing Committee Reports
- VIII. SPECIAL ORDER OF BUSINESS**
- IX. UNFINISHED BUSINESS**
- X. NEW BUSINESS**
 - a) **P15** *Introduction Of Ordinance 15-17: Submitting To The Voters, A Ballot Proposition Amending Bethel Municipal Code To Adopt A Marijuana Retail Sales Tax In The Amount of Twelve Percent (12%) (Council Member Springer)
 - b) **P17** *Introduction Of Ordinance 15-18: Establishing A Marijuana Advisory Committee (Council Member Springer)
 - c) **P20** *Introduction Of Ordinance 15-19: Amending Bethel Municipal Code 5.40.070, Chauffeurs, Carrying Alcoholic Beverages And Controlled Substances And Repealing Bethel Municipal Code 5.40.080, Chauffeurs, Carrying Alcoholic Beverages (Council Member Springer)
 - d) **P28** *Introduction Of Ordinance 15-20: Amending Bethel Municipal Code 5.20.120 F, Transportation Industry, General Provisions, Penalties And Remedies (Council Member Springer)
P45 *Introduction Of Ordinance 15-21: Amending Bethel Municipal Code 5.30, Taxicab, River Taxi, Limousine and Bus Permits, To Require Video Camera Surveillance System And Global Positioning System Capabilities (Council Member Springer)

Agenda posted on July 22, 2015, 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 August 11, 2015**)



**City Council Meeting Agenda
Regularly Scheduled Meeting
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City of Bethel Council Chambers**

- e) **P59** *Introduction Of Ordinance 15-22: Repealing Ordinance 14-16, Establishing Kuimarvik, A Place To Swim, As The Advisory Committee To The City Council For The Yukon Kuskokwim Regional Aquatic Health And Safety Center (Vice-Mayor Albertson)
- f) **P61** *Introduction Of Ordinance 15-23: Amending Bethel Municipal Code 2.52, Removing The Parks And Recreation Committee And Establishing A Fitness Center And Recreation Committee (Vice-Mayor Albertson)
- g) **P64** *Introduction Of Ordinance 15-24: Submitting To The Qualified Voters At The October 6, 2015, Regular Election, A Ballot Proposition To Adopt Local Options, Alaska Statutes 04.11.490 (a)(3)(C), Prohibiting The Sale Of Alcoholic Beverages Except For At A Package Store, License Operated By The City Of Bethel (Council Member Herman)
- h) **P67** *Introduction Of Ordinance 15-25: Approving The Disposal Of City Property Located At Plat 93-32, Lagoon Parcel To AVEC For Met Tower (Council Member Fansler)
- i) **P69** *Introduction Of Ordinance 15-26: Approving The Disposal Of City Property Located At Plat 93-32, Lagoon Parcel To AVEC For Wind Turbine (Council Member Fansler)
- j) **P71** *Action Memorandum 15-24: Approve Mayor's Appointment Of Alisha Welch To The Public Works Committee As An Alternate Member (Mayor Robb)
- k) *Personal Time Off Request For The City Clerk (Mayor Robb)
- l) *Administrative Leave Request For The City Manager To Attend ICMA Annual Conference And Personal Time Off Request For Six Days (City Manager Capela)

- XI. MAYOR'S REPORT**
- XII. MANAGER'S REPORTS**
- XIII. CLERK'S REPORT**
- XIV. COUNCIL MEMBER COMMENTS**
- XV. ADJOURNMENT**

Agenda posted on July 22, 2015, 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 August 11, 2015**)

Approval Of The Minutes

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on July 14, 2015 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 Leif Albertson	<input checked="" type="checkbox"/> Council Member Mark Springer
<input checked="" type="checkbox"/> Council Member Chuck Herman	<input checked="" type="checkbox"/> Council Member Heather Pike
<input checked="" type="checkbox"/> Council Member Byron Maczynski (arrive after roll call)	
Also in attendance were the following:	
<input checked="" type="checkbox"/> City Manager Ann Capela	<input checked="" type="checkbox"/> City Clerk Lori Strickler

IV. PEOPLE TO BE HEARD

David Trantham Jr. –

Spoke in favor of the Alcohol Beverage Control Board’s decision to not uphold the Council’s protest of the Bethel Spirits Package Store License application.
Spoke in favor of legal alcohol sales in Bethel.

Council Member Maczynski arrived at 6:34 p.m.

Heather Pike, Member of the Alaska Territorial Guard Park Board Member –

Read from a plaque that is dedicated to Muktuk Marston, an Alaska Territorial Guard member which will be placed at the Alaska Territorial Guard Park.

Mary Lanuwak –

Spoke about concerns related to drug and alcohol abuse. Stated that science indicates that when older people smoke marijuana, they are not affected by the drug; she announced, that statistic is not true.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Council Member Springer disconnected from the meeting at 6:48 p.m.

Main Motion: Approve the Consent and Regular Agenda.

Moved by: Fansler

Seconded by: Albertson

Action: Motion carries by a vote of 6-0

In favor: Robb Albertson Fansler Herman Pike Maczynski

Opposed: -0

Main Motion: Remove Resolution 15-12 and Ordinance 15-16 from the Consent Agenda.

Moved by: Fansler

Council Member Springer connected to the meeting at 6:50 p.m.

VI. APPROVAL OF THE MEETING MINUTES

Item A – 6-23-2015 Regular Meeting Minutes

Item B – 6-25-2015 Special Meeting Minutes

Passed on the consent agenda.

VII. REPORTS ON STANDING COMMITTEES

Public Safety and Transportation Commission

Council Representative, Chuck Herman –

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

Port Commission

Port Director, Pete Williams –

A meeting will be held on Monday to discuss the Young and Active parcels on the east addition. The City has been trespassing on the property at about 4/10 of an acre. Working on getting an appraisal done to correct the trespass issue.

Planning Commission

No one available to provide a report.

Parks and Recreation Committee

Council Representative, Richard Robb –

A quorum has not been established since the last City Council meeting.

Finance Committee

Council Representative Leif Albertson –

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

Public Works Committee –

Zef Lakhani, Public Work Director-

A meeting will be held tomorrow.

Energy Committee

Council Representative, Zach Fansler –

A meeting was not held due to a lack of a quorum.

The committee has vacancies.

VIII. Special Orders of Business

Item A –United Pool Update On The YK Regional Aquatic Training And Health Center.

Raunika Ray provided the June report to the Council.

IX. NEW BUSINESS

Item A – Resolution 15-12: Protesting Dimitri’s Liquor License Application.

Main Motion: Adopt Resolution 15-12.

Moved by: Albertson

Seconded by: Maczynski

Action: Motion carries by a vote of 7-0

In favor: Robb Albertson Springer Fansler Herman Pike Maczynski

Opposed: –0

Main Motion: Suspend the rules to hear from a member of the public.

Moved by: Fansler

Seconded by: Albertson

Action: Motion carries by a vote of 7-0

In favor: Robb Albertson Springer Fansler Herman Pike Maczynski

Opposed: –0

Paul P. Jenkins, community member provided opposition to the issuance of liquor licenses in Bethel.

Insert

Third whereas statement “because Dimitri’s restraint is located within 144 feet of a school ground, granting it an alcohol license

Primary Amendment: would violate the provisions of Bethel municipal Code 5.08.11 (B).

Fourth Whereas, "AS 04.11.100 (f) (1) (B) prohibits Dimitri's from even renewing their application, if initially approved, because of their proximity to the school;

Sixth Whereas, "at the April 6, 2015 town hall meeting, 50 people provided public testimony on potential sales of alcoholic beverages in the community and 40 of those people spoke in opposition;

Seventh Whereas, "in 2010 the City held an advisory vote asking the citizens of Bethel whether they supported a liquor license application for a restaurant or eating establishment;

Eighth Whereas, "public policy dictates the Bethel City Council represent the will, desires and opinions of the voters and citizens of Bethel;

Ninth Whereas, "the citizens of Bethel as demonstrated in the 2010 advisory vote, overwhelmingly oppose granting the liquor license application;

Replace the Now Therefore, Be it Resolved Statement to read "The Bethel City Council opposes the issuance of an eating place license for Dimitri's because of its proximity to a school and because of the public policy against alcohol sales in Bethel.

Moved by: Fansler
 Seconded by: Springer
 Action: Motion carries by a vote of 5-2
 In favor: Robb Albertson Fansler Herman Pike
 Opposed: Maczynski Springer

Secondary Amendment:

Strike the last whereas statement "the City protest stand based on the opposition of the people of Bethel, regardless of the presence or lack thereof of Bethel municipal Code or state statute violation"

Moved by: Herman
 Seconded by: Albertson
 Action: Motion carries by a vote of 6-1
 In favor: Robb Springer Fansler Herman Pike Maczynski
 Opposed: Albertson

Primary Amendment:

Strike everything in the resolution with the exception of the Bethel Municipal Code and Alaska Statutes regulations.

Moved by: Maczynski
 Seconded by: Springer
 Action: Motion does not carry by a vote of 3-4
 In favor: Robb Springer Maczynski

Opposed: | Albertson Fansler Herman Pike

Council took at ten minute break at 8:06 p.m.

Item B – Introduction of Ordinance 15-16: An Ordinance Approving The Language Of The October 2015 General Election Ballot Proposition Decreasing City Sales Tax From 6% To 5.75% Sales Tax.

Main Motion: Introduce Ordinance 15-16.

Moved by:	Springer
Seconded by:	Maczynski
Action:	Motion does not carry by a vote of 1-6
In favor:	<input checked="" type="checkbox"/> Robb
Opposed:	<input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Pike <input checked="" type="checkbox"/> Herman <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Fansler <input checked="" type="checkbox"/> Maczynski

Item C – AM 15-22: Authorize Administration To Enter Into A Contract With DOWL (Engineering Consultants) To Prepare The PER and ER For The Sewage Lagoon Truck Dump Site In The Amount Of \$57,000.00.

Main Motion: Approve AM 15-22.

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

Subsidiary Motion: Suspend the rules to hear from the Public Works Director Zef Lakhani.

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

Council Member Maczynski departed the meeting at 9:23 p.m.

- X. MAYOR'S REPORT**
- XI. MANAGER'S REPORT**
- XII. CLERK'S REPORT**
- XIII. COUNCIL MEMBER COMMENTS**

Council Member Zach Fansler –

Stated aggravation with the way the Alcohol Beverage Control Board handled the protest submitted by the Bethel City Council, regarding the Bethel Spirits LLC liquor license application.

This has been a good summer, there are a lot of people out on the river; be safe and where your floatation devices and use the safety gear on the river. Hope the fish are becoming more plentiful.

If anyone is interested in discussing City issues, are welcome to contact him.

Council Member Chuck Herman –

Stated frustration with the lack of understanding the Alcohol Beverage Control Board had on what their job was in the consideration of a municipal protest.

The City of Bethel was told, if the governing body submitted a protest the Alcohol Beverage Control Board would uphold the City's protest.

Council Member Mark Springer –

Provided favorable comments on the new fire engine.

Encouraged community members to contact him regarding marijuana regulations; suggested it is time for the City to begin reviewing municipal regulation options for our community.

Thanked the Council for discussing a very contentious issue very civilly and very civic minded.

Mayor Richard Robb –

Thanked the Bethel Fire Department, Council Member Albertson included for their assistance in distinguishing a fire at his home.

Provided frustration with the determination of the Alcohol Beverage Control Board to not uphold the City's protest of the Bethel Spirits, LLC liquor license application.

It is summer time now, wished everyone a happy fishing season.

Council Member Heather Pike –

Encouraged members of the community to stop by the Alaska Territorial Guard park to help in the development of the beautiful community park.

Spoke with disappointment in the determination the Alcohol Beverage Control Board had regarding the Bethel Spirits LLC liquor license application.

Vice-Mayor Albertson –

Stated concerns with the way the Alcohol Beverage Control Board handled the City's protest of the Bethel Spirits LLC.

Thanked all of the EMT and Fire Department volunteers for all of their hard work.

XIV. ADJOURNMENT

Main Motion: Adjourn

Moved by: Pike

Seconded by: Springer

Action: Motion carries by a vote of 6-0

In favor: Robb Albertson Springer Fansler Herman Pike

Opposed: -0

Council adjourned at 9:49 p.m.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Reports Of Standing Committees

City of Bethel, Alaska Planning Commission

July 9, 2015

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A regular meeting of the Planning Commission was held on at 6:30 in the City Hall conference room in Bethel, Alaska.

II. ROLL CALL

PRESENT: John Guinn and Cliff Linderoth. STAFF: Betsy Jumper

Due to a lack of a quorum, the meeting is adjourned.

The next regular meeting will be on August 13, 2015.

Joy Shantz, Chairman

Betsy Jumper, Recorder



**City Council Meeting Agenda
Special Meeting
July 22, 2015
12:00 pm
City Council Chambers, City Hall, Bethel, AK**

Rick Robb
Mayor
Term Expires 2015
543-1879
rrobb@cityofbethel.net

Leif Albertson
Vice Mayor
Term Expires 2015
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labertson@cityofbethel.net

Mark Springer
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Ann Capela
City Manager
543-2047
araneln@cityofbethel.net

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

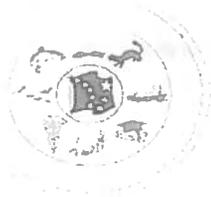
Patty Burley
City Attorney

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 AGENDA**
- VI. NEW BUSINESS**
 - a. Council's Consideration Of Boardbooks, An Electronic Packet Management Program (Mayor Robb)
- VII. ADJOURNMENT**

Agenda posted July 15, 2015 at City Hall, AC Co., Swanson's, and the Post Office.

Adriane Welch, City Clerk's Office



**City Council Meeting Agenda
Special Meeting
July 23, 2015, 6:00 pm
City Council Chambers, City Hall, Bethel, AK**

Rick Robb
Mayor
Term Expires 2015
543-1879
rrobb@cityofbethel.net

Leif Albertson
Vice-Mayor
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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 AGENDA**
- VI. 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/Potential Litigation Regarding The Investigation Of Administrative And Personnel Matters As Authorized By The City Council, February 11, 2014 (Mayor Robb)
 - 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/Potential Litigation Regarding The Determination Of The Alcohol Beverage Control Board's Decision To Not Uphold The Protest By The Bethel City Council For The Package Store Liquor License Application From Bethel Spirits LLC (Mayor Robb)
 - c. 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 (Mayor Robb)
- VII. ADJOURNMENT**

Agenda posted July 16, 2015 at City Hall, AC Co., Swanson's, and the Post Office.

Adriane Welch, City Clerk's Office

New Business

Introduced by: Council Member, Mark Springer
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-17

AN ORDINANCE BY THE BETHEL CITY COUNCIL SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF BETHEL, A BALLOT PROPOSITION AMENDING THE BETHEL MUNICIPAL CODE TO ADOPT A MARIJUANA RETAIL SALES TAX IN THE AMOUNT OF 12% (TWELVE PERCENT)

SECTION 1. Amendment Section 4.13.030 of the Bethel Municipal Code is amended to read (new language is underlined old language is stricken):

4.16.010 E.

Marijuana means all parts of the plant (genus) Cannabis, whether growing or not, the seed thereof, the resin extracted from any part of the plant, and any compound, manufacture, derivative, mixture, or preparation of the plant, its seeds, or its resin, including marijuana concentrate. Marijuana does not include fiber products from the stalks, oil or cake made from the seeds of the plant, sterilized seed of the plant that is incapable of germination, or the weight of any other ingredient combined with marijuana to prepare topical or oral administrations, food, drink, or other products.

4.16.030 Imposition – Rate.

A. There is levied and shall be collected a sales tax on all sales transaction in the City unless specifically exempted under this chapter. The tax is six (6) percent of the selling price.

B. The tax to be added to the sale price, shall be twelve percent (12%) for:

1. Transient lodging.
2. Marijuana retail sales.

SECTION 2. ELECTION An election is to be held on October 6, 2015 in and for the City of Bethel for the purpose of submitting a ballot proposition to the qualified voters of the City of Bethel for approval or rejection. The proposition must receive a majority vote of the qualified voters in the City of Bethel voting on the question to be approved. The Proposition shall be substantially in the following form:

Shall the City of Bethel establish a 12% marijuana retail sales tax on the sales of marijuana in the City of Bethel? (Ordinance No. 15-17)

Introduced by: Council Member, Mark Springer
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

SECTION 3. The proposition, both for paper ballots and machine ballots, shall be printed on a ballot which may set forth other ballot propositions, and the following words shall be added as appropriate and next to a square provided for marking the ballot for voting by a machine.

PROPOSITION NO. _____ Yes No

Explanation: A "Yes" vote will establish a tax on marijuana sales at a rate of 12%.
A "No" vote will maintain a sales tax rate of 6% on marijuana sales.

SECTION 4. Effective Date. This Ordinance shall become effective December 1, 2015 after ratification by the qualified voters of the City of Bethel voting on the question at the October 6, 2015 City of Bethel Regular Election.

SECTION 5. Classification. This ordinance is of permanent nature and shall become a part of the Bethel Municipal Code if the voters in the October 6, 2015 Regular municipal election approve the proposition.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA, THIS
__ DAY OF AUGUST 2015, BY A VOTE OF __ IN FAVOR AND __ OPPOSED.**

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Council Member Springer
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15- 18

AN ORDINANCE BY THE BETHEL CITY COUNCIL ESTABLISHING A MARIJUANA ADVISORY COMMITTEE

WHEREAS, on November 4, 2014, the voters approved Ballot Measure 2, an Act to Tax and Regulate the Production, Sale and Use of Marijuana;

WHEREAS, Ballot Measure 2 provides for the legalization of the production and sale of marijuana and adopted a new chapter in the Alaska Statutes, which has been codified at Alaska Statute 17.38;

WHEREAS, Alaska Statutes 17.38.110, grants local control to municipalities. The statute permits municipalities to prohibit or govern the time, place, and manner and number of marijuana establishment operations, within their borders, to establish ordinances, penalties, procedures, fees and to create or designate a local regulatory authority;

WHEREAS, the State of Alaska recently seated a Marijuana Control Board tasked with developing regulations regarding marijuana production and sales;

WHEREAS, should the State fail to adopt regulations or a sufficient number of regulations by November 24, 2015, it will be up to the municipalities to have regulations in place;

WHEREAS, even if the State adopts regulations by the mandated deadline, the City of Bethel should be responsible and should be knowledgeable about these new regulations and their impact on the marijuana industry in Bethel;

WHEREAS, even when the State has regulations in place, those regulations do not focus on or address local concerns;

WHEREAS, the creation of an advisory body would assist the City in monitoring the actions of the State and the proposed regulations to ensure that any proposed new regulations are effective, meet the intent of the City Council, and are comprehensive in following the public process;

Introduced by: Council Member Springer
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

WHEREAS, a local Marijuana Advisory Committee would assist the City in ensuring the Bethel Municipal Code complies with all new regulations or can take over in place of the Board's failure to timely adopt regulations;

WHEREAS, responsibilities of the Marijuana Advisory Committee would include, but not be limited to:

- Monitoring the progress of any state, federal or municipal legislative and or regulatory action pertaining to Ballot Measure 2/AS 17.38;
- Reviewing the current Bethel Municipal Code (BMC) and identifying those sections of the code that may be affected by Ballot Measure 2/AS 17.38;
- Reporting and making recommendations to the City Council related to the implementation of Ballot Measure 2/AS 17.38 at the local municipal level including, but not limited to, recommendations pertaining to possible changes and/or additions to the BMC, zoning and regulation changes;

WHEREAS, Administration will designate an individual from city staff as an Ex Officio Member to the committee for the purposes of acting as secretary/recorder to the body;

WHEREAS, unless otherwise provided in this ordinance, the Marijuana Advisory Committee shall be governed by the requirements outlined in Bethel Municipal Code Chapter 2.52, Boards Committees and Commission;

WHEREAS, Council approved members should be familiar with the marijuana industry, the current and proposed marijuana regulations from the State;

WHEREAS, the Marijuana Advisory Committee, will be the committee charged with the initiation of marijuana regulations however, it is the Council's intent to establish a separate local regulatory authority, responsible for the processing of applications submitted for a registration to operate a marijuana establishment within the boundaries of the City;

NOW, THEREFORE BE IT ORDAINED, that the Bethel City Council establishes a Marijuana Advisory Committee.

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

SECTION 2. Effective Date. This Ordinance shall become effective September 1, 2015 following the passage by the Bethel City Council.

Introduced by: Council Member Springer
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

SECTION 3. Expiration Date. This Ordinance shall expire on January 1, 2017.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Council Member Springer
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:
-

CITY OF BETHEL, ALASKA

Ordinance #15-19

AN ORDINANCE AMENDING BETHEL MUNICIPAL CODE CHAPTER 5.40.070, CHAUFFEURS, ALCOHOLIC BEVERAGES AND CONTROLLED SUBSTANCES AND REPEALING 5.40.080, CHAUFFEURS, CARRYING ALCOHOLIC BEVERAGES

NOW, THEREFORE BE IT ORDAINED, that the City of Bethel authorizes a change to the Bethel Municipal Code as described herein.

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

SECTION 2. Amendment. The Bethel Municipal Code is to be amended as follows (new language is underlined and old language is stricken).

Chapter 5.40 CHAUFFEURS

Sections:

- 5.40.010 Chauffeur's license required.
- 5.40.020 Chauffeur application for license.
- 5.40.030 Issuance of chauffeur's license.
- 5.40.040 Posting of chauffeur's license.
- 5.40.050 Maximum number of hours per day.
- 5.40.060 Duty to serve public.
- 5.40.070 Alcoholic beverages and controlled substances.
- ~~5.40.080 Carrying alcoholic beverages.~~
- 5.40.090 Charter of taxicab.
- 5.40.100 Fares and receipts.
- 5.40.110 Two-way radio prohibited.
- 5.40.120 Handheld device use prohibited.
- 5.40.130 Requirement of check-in and check-out.

5.40.010 Chauffeur's license required.

Introduced by: Council Member Springer
Date: July 28, 2015
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No person may operate a river taxi, taxicab, limousine or bus within the city without having in their possession a valid chauffeur's license.

5.40.020 Chauffeur application for license.

- A. An application for a chauffeur's license shall be made to the transportation inspector.
- B. An application shall be submitted on a form approved by the transportation inspector and shall be accompanied by:
 - 1. The fee specified in BMC 5.20.160;
 - 2. Photographs to be taken by the transportation inspector;
 - 3. A complete set of fingerprints made by the Bethel police department or the transportation inspector on an FBI-approved form;
 - 4. A certificate from a physician licensed in the state to perform such testing, verifying the applicant's physical ability to drive, and proof of a negative drug test from a city-approved drug and alcohol testing facility;
 - 5. Proof that the applicant currently holds a valid state driver's license which entitles him or her to operate a vehicle by which persons are transported for compensation and has held a valid driver's license in Alaska or another state in the United States for at least one (1) year before the date of the application;
 - 6. Proof that the applicant is at least eighteen (18) years old; and
 - 7. Proof that the applicant has compiled with subsections C and D of this section.
- C. Except as provided in subsection D of this section, an application shall not be complete until the applicant has passed an examination administered by the transportation inspector or his or her designee that tests the applicant's knowledge of safe driving, safe vehicle maintenance, knowledge of the city streets and significant locations, driver personal safety, drug and alcohol testing requirements, and any other subjects the commission finds to be in the public interest of ensuring safe and responsible public transportation. The examination shall consist of two (2) portions. One (1) portion shall be written test and the other portion shall be driving test. An applicant shall first (1st) take the written portion of the examination. If the applicant fails the written portion of the

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examination, he or she may not take the driving portion of the test. If the applicant fails either portion of the examination in any combination three (3) times in any one (1) calendar year, the applicant may not reapply for a chauffeur's license for one (1) year from the date of the third (3rd) failure.

- D. Each licensed chauffeur shall provide the transportation inspector with a current driving record every six (6) months from the date of issue or renewal. Any licensed chauffeur accumulating six (6) or more points against their driver's license shall be required to successfully pass both the written and driving examination administered by the transportation inspector as outlined in subsection C of this section.
- E. Applicants for a chauffeur's license must show proof of a successful passage of the written and driving portions of the examination required in subsections C and D of the section and proof of payment of any fees required in Chapters 5.20 through 5.50 BMC.
- F. Any person who has been denied a license pursuant to this chapter may not apply again for such a license for a period of one (1) year.

5.40.030 Issuance of chauffeur's license.

The transportation inspector shall issue a chauffeur's license to an applicant only if:

- A. The applicant has submitted a complete application as prescribed in BMC 5.40.020, and is certified as required in BMC 5.20.150;
- B. The applicant has not had a conviction entered by a court of competent jurisdiction within twelve (12) months of the date of his or her application for:
 - 1. A moving traffic violation which subjected the applicant's driver's license to suspension or revocation pursuant to AS 28.15.221 through 28.15.261, or a similar law of another jurisdiction;
 - 2. Reckless driving;
 - 3. Driving while license suspended or revoked;
 - 4. Driving while under the influence of intoxicating liquor; depressant, hallucinogenic, stimulant or narcotic drugs, or any controlled substance as defined in AS 28.35.030 or any similar law of another jurisdiction;

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- C. The applicant has not had his or her driver's license suspended or revoked within one (1) year prior to the application date;
- D. The applicant has not had a felony or misdemeanor conviction entered by a court of competent jurisdiction within five (5) years of the date of application for:
1. Assignment, prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining a vehicle for the purpose of prostitution or accepting money from a prostitute for any of the aforementioned purposes;
 2. Sale, transportation, possession or use of any controlled substance as defined in AS 11.71 or any similar law of another jurisdiction; or a violation of AS 04 or a similar law of another jurisdiction, or engaging in an act prohibited under AS 04.11, 04.16 or 04.17;
 3. Any felony or misdemeanor which includes as an element the use or threat of force upon a person;
 4. Burglary, larceny, fraud, theft or embezzlement; or
 5. Any sexual abuse or sexual exploitation offense; and
- E. Each representation made in the application is correct. Any false or misleading statement or misrepresentation as to a material matter in an application shall be grounds for denial of the application or revocation of the license.

5.40.040 Posting of chauffeur's license.

The chauffeur's license for the operator of a taxicab, river taxi, limousine or bus shall be posted in the interior of the taxicab, river taxi, limousine or bus in the manner designated by the transportation inspector. No person may operate a taxicab, river taxi, limousine or bus for hire unless his chauffeur's license is so posted.

5.40.050 Maximum number of hours per day.

No chauffeur may operate a taxicab, river taxi, limousine or bus in excess of twelve (12) consecutive hours. No chauffeur may engage in total gainful employment, whether chauffeuring or otherwise, for more than sixteen (16) hours in any twenty-four- (24-) hour period if the chauffeur has actually performed any chauffeuring in that twenty-four- (24-) hour period.

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5.40.060 Duty to serve public.

A. Chauffeurs of limousines shall be exempt from subsections A and B of this section. A chauffeur subject to this chapter shall not refuse to transport any passenger unless:

1. The chauffeur has already been dispatched to another call;
2. The passenger is acting in a disorderly or threatening manner, or otherwise causes the chauffeur to reasonably believe that his or her health or safety, or that of others, may be endangered;
3. The passenger, upon request, does not show an ability to pay the estimated fare or any applicable flat or group rate; or
4. The passenger refuses to refrain from smoking.

B. The chauffeur shall immediately notify the dispatcher of any incident of service refusal.

C. A chauffeur shall inspect his or her regulated vehicle at the beginning and during his or her shift ensuring the vehicle is in a safe operating condition and clean inside and outside. Any mechanical or safety deficiencies noted shall be immediately reported to the vehicle owner. A record of this notification and deficiency will be noted on the applicable trip sheet. The vehicle owner shall take action to immediately correct safety deficiencies. Nonsafety deficiencies shall be corrected within seventy-two (72) hours of notification. Failure of the chauffeur to report a safety or mechanical deficiency may result in a citation.

D. It is unlawful for any chauffeur or passenger in a regulated vehicle to smoke any cigar, pipe, or cigarette or to burn tobacco or any other material in such vehicles at any time, regardless of whether or not passengers are riding in the vehicle.

5.40.070 Alcoholic beverages and controlled substances.

A. No chauffeur may drink alcoholic beverages or be under the influence of a depressant, hallucinogenic, stimulant or narcotic drug, or any controlled substance as defined by AS 28.35.030, while on duty or for eight (8) hours prior to operating a regulated vehicle.

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B. No chauffeur may operate a regulated vehicle when there is an open container of alcoholic beverage in the passenger compartment of the vehicle, except as provided in this section.

1. A chauffeur may transport an open container of alcoholic beverage when the container is:

- a) In the trunk of the regulated vehicle;
- b) Behind the last upright seat in a trunkless regulated vehicle, if the open container is enclosed within another container;
- c) Behind a solid partition that separates the chauffeur from the area normally occupied by passengers.

2. If alcohol is transported in a regulated vehicle the transport shall be for a passenger riding with the alcoholic beverages and must accompany a receipt.

For purposes of this subsection:

- a) "Open" means that the seal around the lid, cap or cork of the container has been broken, or that the lid, cap or cork has been removed, but does not include, when repackaged or resealed in accordance with state law: (i) beer repackaged by a licensee under 3 AAC 304.365; or (ii) a resealed or recorked wine bottle.
- b) "Passenger compartment" means the area normally occupied by the chauffeur and passengers and includes a utility or glove compartment accessible to the chauffeur or a passenger while the vehicle is being operated.

C. No chauffeur may purchase, or solicit the purchase of an alcoholic beverage for another person in connection with performance of duties as a chauffeur.

D. Any Chauffeur convicted of a violation of BMC 5.40.070 shall have their chauffeur license and/or vehicle permit revoked permanently.

E. Any dispatch company having four or more chauffeurs convicted of a violation of BMC 5.40.070 shall have their dispatch permit revoked permanently.

5.40.080 Carrying alcoholic beverages.

~~A. No chauffeur may possess or knowingly allow another person to possess a container of alcoholic beverages in a taxicab except that a passenger may transport alcoholic beverages in the trunk or cargo area of a regulated vehicle.~~

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~~B. No passenger may possess any container of alcoholic beverages inside the passenger compartment of a regulated vehicle.~~

*****Renumbering of the following subsections will be taken care of by the City Clerk's Office.***

5.40.090 Charter of taxicab.

If a passenger requests direct service to his or her destination without picking up or dropping off other passengers, the chauffeur shall honor the passenger's request, and may charge the passenger no more than the applicable charter rate established by the commission for the trip.

5.40.100 Fares and receipts.

- A. No chauffeur may require payment of rates greater than those established by the commission pursuant to BMC 5.20.050.
- B. On request of any passenger paying a fare, a chauffeur shall provide a receipt indicating the fare received, the date, the permit number, the dispatch company, and the chauffeur's legibly printed name.

5.40.110 Two-way radio prohibited.

No chauffeur may possess in a taxicab or allow another to operate a scanner capable of monitoring a frequency used by a dispatch service other than that used by the taxicab's dispatch service.

5.40.120 Handheld device use prohibited.

- A. A chauffeur may not operate a regulated vehicle with a passenger for hire while using a handheld device, except licensed two- (2-) way radio for dispatch purposes, unless the chauffeur is using his or her handheld device to report illegal activity, summon medical or other emergency help, prevent injury to a person or property, or when parked.
- B. A chauffeur operating a permitted vehicle with a passenger for hire, while holding a handheld device, is guilty of violating this section, and is subject to the penalties under BMC 5.20.120.

5.40.130 Requirement of check-in and check-out.

Each chauffeur of a taxicab must check in with the dispatch service engaged by the permittee when the chauffeur begins a work shift and check out when the chauffeur departs a work shift.

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SECTION 4. Effective Date. This ordinance shall become effective upon passage by the City Council.

ENACTED THIS ___ DAY OF _____ 2015, BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Council Member Springer
Date: July 28, 2015
Public Hearing: August 11, 2015
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Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-20

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE CHAPTER 5.20.120 F, PENALTIES AND REMEDIES

NOW, THEREFORE BE IT ORDAINED, that the City of Bethel authorizes a change to the Bethel Municipal Code as described herein.

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

SECTION 2. Amendment. The Bethel Municipal Code is to be amended as follows (new language is underlined and old language is stricken):

Chapter 5.20

TRANSPORTATION INDUSTRY GENERAL PROVISIONS

Sections:

- 5.20.010 Definitions.
- 5.20.020 Bethel public safety and transportation commission.
- 5.20.030 Bethel public safety and transportation commission – Powers and duties.
- 5.20.040 Bethel public safety and transportation commission – Regulations.
- 5.20.050 Bethel public safety and transportation commission – Rates.
- 5.20.055 Bethel public safety and transportation commission – Complaints.
- 5.20.060 Hearing officer.
- 5.20.070 Powers and duties of transportation inspector.
- 5.20.080 Vehicle inspections.
- 5.20.085 Drug and alcohol testing.
- 5.20.090 Enforcement authority.
- 5.20.100 Hearings – Appeals.
- 5.20.110 Denial, suspension, or revocation of license or permit.
- 5.20.120 Penalties and remedies.
- 5.20.130 Renewal of license or permit.
- 5.20.140 Duty to maintain current application.

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- 5.20.150 Submission, review and certification of applications.
- 5.20.160 Fees.
- 5.20.170 Safety belts, child safety restraints, and vehicle air bags.

5.20.010 Definitions.

When used in Chapters 5.20 through 5.50 BMC, unless the context requires otherwise:

- A. "Bus" means a regulated vehicle designated by its manufacturer as a bus used to transport passengers for hire and having a capacity of eight (8) or more passengers, except that any vehicle engaged exclusively in the transport by motor vehicle of students to and from school is not a "bus" for purposes of Chapters 5.20 through 5.50 BMC.
- B. "Chauffeur" means a person authorized by the transportation inspector through the issuance of a chauffeur's license to operate a vehicle regulated in accordance with Chapters 5.20 through 5.50 BMC.
- C. "Commission" means the Bethel public safety and transportation commission.
- D. "Dispatch service" means a business authorized pursuant to Chapter 5.50 BMC to engage in the dispatch of taxicabs or river taxis to persons desiring to hire them.
- E. "Interest" means any share in or right to a permit issued in accordance with Chapters 5.20 through 5.50 BMC.
- F. "Lease operator" means a person who has entered into an agreement with a taxicab permittee which allows that person to provide taxicab services pursuant to the permittee's authority under this code, only if such an arrangement is approved in advance by the transportation inspector, and only if such an arrangement is operated in accordance with conditions placed upon it by the transportation inspector.
- G. "Licensee" means a person authorized by the transportation inspector to operate a regulated vehicle while it is in service.
- H. "Limousine" means a regulated vehicle designated by its manufacturer as a limousine used to transport passengers for hire with a chauffeur over unfixed or undefined routes at rates greater than those charged for taxicabs and buses. Curbside and flag stop service are prohibited for limousine chauffeurs; all service must be prearranged.
- I. "Operate" means to drive, pick up, transport or discharge passengers.

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- J. "Permit" means a written authorization issued by the transportation inspector allowing the operation of a vehicle regulated in accordance with Chapters 5.20 through 5.50 BMC. A permit to operate may be separate from ownership or lease of the vehicle or service operated. A permit to operate does not include a chauffeur's license. Such a permit is separate and distinct from a chauffeur's license.
- K. "Permittee" means a person authorized by the transportation inspector to put a regulated vehicle in service.
- L. "Rate" means every rate, toll, fare, rental charge or other form of compensation demanded, charged or collected by a permittee or chauffeur for its services.
- M. "Regulated vehicle" means any vehicle regulated by Chapters 5.20 through 5.50 BMC.
- N. "River taxi" means any motor vehicle used to transport passengers for hire on a river which operates within the city limits of the city of Bethel.
- O. "Taxicab" means a chauffeured motor vehicle used to transport passengers for hire having a manufacturer's rated seating capacity of nine (9) or fewer persons, which capacity includes the driver and which is not operated over fixed or defined routes.
- P. "Transfer" (with respect to an interest in a permit issued under Chapters 5.20 through 5.50 BMC) means to sell, lease, convey, give, exchange, or otherwise transfer an interest in a permit issued in accordance with Chapters 5.20 through 5.50 BMC to another person or entity, including but not limited to a transfer of interest through power of attorney.
- Q. "Transportation inspector" means the Bethel chief of police or his or her designee.

5.20.020 Bethel public safety and transportation commission.

The Bethel public safety and transportation commission is established in accordance with Chapter 2.25 BMC.

5.20.030 Bethel public safety and transportation commission – Powers and Duties.

- A. In addition to the powers and duties enumerated in BMC 2.25.020, the commission shall have the powers and duties further enumerated in this section.

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- B. The commission shall regulate all regulated vehicles, chauffeurs, and dispatch services in accordance with Chapters 5.20 through 5.50 BMC except for any regulated vehicles which the commission determines are subject to regulation in accordance with a taxicab regulation program established by Alaska or federal law. No motorized vehicle may be offered for hire to transport passengers in Bethel without being a regulated vehicle. The purpose of the provisions set forth in Chapters 5.20 through 5.50 BMC or regulations adopted by the commission shall be to protect the public's interest with respect to the price and quality of service provided by regulated vehicles.
- C. The commission shall hold at least two (2) public hearings annually to investigate the quality of services rendered by regulated vehicles, permittees, chauffeurs and dispatch services, and shall make such recommendations to the city council as it deems necessary for the improvement of such services.
- D. The commission or its designee may administer oaths, certify to all official acts, and issue subpoenas and other process to compel the attendance of witnesses and the production of testimony, records, papers, accounts and documents in an inquiry, investigation, hearing or proceeding before the commission. The commission may petition a court of this state to enforce its subpoenas or other process.

5.20.040 Bethel public safety and transportation commission – Regulations.

The commission may promulgate regulations setting rates and/or other charges for service and minimum standards for service as well as any other regulations necessary to carrying out the provisions of Chapters 5.20 through 5.50 BMC. Such regulations shall be approved or rejected by the city council at or before the third (3rd) city council meeting following adoption of the regulations by the commission. If such regulations are not considered by the city council by the third (3rd) city council meeting following their adoption by the commission, they shall be deemed approved by the city council.

5.20.050 Bethel public safety and transportation commission – Rates.

A. The commission:

1. Shall establish maximum rates to be charged for taxicab and river taxi service and may establish minimum rates for such services;
2. May establish dispatch service, limousine, or bus minimum and/or maximum rates;
3. May establish maximum lease rates between permittees and lease operators of taxicabs, including daily lease rates for taxicab chauffeurs.

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- B. All rates established by the commission shall be nondiscriminatory, just and reasonable.
- C. A statement of actual taxicab rates charged by a taxicab, other than flat or group rates established by contractual agreement between dispatch service companies and individuals or other businesses, shall be conspicuously posted on the interior and exterior of every taxicab in a manner prescribed by the transportation inspector.
- D. No person may require payment of rates other than those established by the commission pursuant to this section.
- E. No person may require payment of dispatch service rates other than those established by the commission pursuant to this section.

5.20.055 Bethel public safety and transportation commission – Complaints.

The commission, through the transportation inspector, shall:

- A. Establish a system for processing and adjudicating citizen complaints against chauffeurs of regulated vehicles or against the condition of a regulated vehicle and further establish a system to keep records of all such complaints. The record shall identify the chauffeur, permit number, and permittee of the vehicle involved in the complaint, as well as the name, address, and/or telephone number of the complainants if available. A complainant's identification may be held confidential by the commission upon request of the complainant(s). Absent additional evidence, an anonymous complaint does not constitute a sufficient basis for issuance of a civil or criminal citation or penalty.
- B. Require dispatch companies to establish a record of all complaints registered against chauffeurs of regulated vehicles, or against the condition of a regulated vehicle. The record shall identify the chauffeur, permit number and permittee of the vehicle involved in the complaint, as well as the name, address, and/or telephone number of the complainants if available. A complainant's identification may be withheld from the complaint log by the dispatch company and instead transmitted confidentially to the transportation inspector upon request of the complainant. Absent additional evidence, an anonymous complaint does not constitute a sufficient basis for issuance of a civil or criminal citation or penalty. The dispatch companies shall, on a monthly basis, provide the transportation inspector with a complete copy of logged complaints.
- C. Require that within all regulated vehicles a commission-approved notice of the telephone numbers required for the filing of complaints with the commission and

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the number of the vehicle utilizing the permit shall be prominently displayed in a manner, size, and location designated by the transportation inspector.

- D. Provide permittees with a monthly summary of all logged complaints, civil or criminal citations, and convictions entered against chauffeurs or vehicles operating under the permittee's permit.
- E. Utilize citation and conviction findings in the annual review process to determine whether the renewal of an individual permittee's permit to operate remains in the continued public interest and welfare.
- F. Provide current information in response to any public request, as to the number of citations issued or convictions entered against a chauffeur or permittee within the preceding twelve (12) months.

5.20.060 Hearing officer.

- A. Except as provided in subsection B of this section, in all appeals to it in accordance with BMC 5.20.100, the commission shall provide for a hearing officer to conduct the hearings, to make rulings regarding the admission of evidence and procedure, and to prepare a proposed decision, with findings of facts and conclusions of law. The commission may adopt the hearing officer's decision or decide the matter itself based upon the record created before the hearing officer. The record shall include tapes or transcripts of the hearing before the hearing officer. The hearing officer who presided at the hearing shall be present during the consideration of the case by the commission to assist and advise the commission.
- B. If, in the case of an emergency or an expedited matter, there is not enough time to appoint a hearing officer to hear appeals in accordance with subsection A of this section, the commission may conduct a hearing without providing for a hearing officer. The commission is solely responsible for determining whether or not there is sufficient time to appoint a hearing officer. All other provisions of this section apply to the conduct of a hearing held without a hearing officer.
- C. Hearings shall be conducted under this section in accordance with AS 44.62.430 through 44.62.540 (state administrative procedures for the conduct of administrative hearings by hearing officers).
- D. A hearing officer may be appointed to conduct appeals without complying with BMC 4.20.170.

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5.20.070 Powers and duties of transportation inspector.

In addition to the other duties and powers granted by Chapters 5.20 through 5.50 BMC, the transportation inspector shall:

- A. Keep records relating to permittees, regulated vehicles, chauffeurs, and dispatch services regulated under Chapters 5.20 through 5.50 BMC;
- B. Investigate, inspect and examine vehicles, drivers, records and any and all other things related to the operation of regulated vehicles to assure that the provisions of Chapters 5.20 through 5.50 BMC are enforced and obeyed;
- C. Receive and process all applications for permits and licenses;
- D. Require a regulated vehicle to be taken out of service for an inspection when the transportation inspector reasonably believes that it poses a threat to the safety or health of persons or property. The transportation inspector may order the owner of the regulated vehicle to obtain and pay for an inspection report from a designated inspection station. The transportation inspector may keep a vehicle out of service for a reasonable time in order to perform the inspection;
- E. Assess a fine against a designated inspection station or the regulated vehicle operator or both, upon submission of an inspection report under BMC 5.20.080 that contains false or misleading information, including any material omission. The fine shall not exceed three hundred dollars (\$300) for each violator for each false or misleading inspection report. This fine shall be in addition to any other remedy or penalty provided by this code, such as denial, revocation, or suspension of a license or permit. Any appeal of the fine shall be in accordance with BMC 5.20.100; and
- F. Perform those administrative duties of the commission which are delegated to him or her by the commission.

5.20.080 Vehicle inspections.

- A. All regulated vehicles shall be inspected by a designated inspection station and the approved inspection form presented to the transportation inspector before a permit will be issued. At least twice a year thereafter, all regulated vehicles shall be inspected. No regulated vehicle may be operated until it has been inspected and found to be in compliance with Chapters 5.20 through 5.50 BMC and any other applicable law. The transportation inspector may also inspect a regulated vehicle at any time to determine if the vehicle is in compliance with all provisions of Chapters 5.20 through 5.50 BMC, and keep the vehicle out of service for a reasonable time in order to perform the inspection.

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- B. When a regulated vehicle has been operating under any permit for two (2) years or has accumulated a total of two hundred thousand (200,000) miles, whichever occurs first (1st), the transportation inspector may increase the required annual inspection frequency to four (4) inspections annually, after reasonable notice to the permittee.
- C. No person may operate a vehicle as a regulated vehicle unless such vehicle is in a safe, clean condition and in compliance with all applicable laws. If the transportation inspector determines that a regulated vehicle is mechanically unsound, unclean or otherwise out of compliance with all applicable laws, the permittee shall take the vehicle out of service immediately upon notification from the transportation inspector.
- D. Mechanical Equipment Standards.
1. The steering mechanism shall be in good working order and wheel play shall not exceed two (2) inches;
 2. All door hinges and latches shall be in good mechanical working order so that doors open easily and close securely. All door locks shall function as designed;
 3. All windows shall be fully operable and composed of approved safety glass. The windshield shall have no chips or stars larger than a twenty-five cent piece (\$0.25) and shall not be cracked above four (4) inches from the bottom or below four (4) inches from the top of the windshield. No cracks in a vertical position are permitted on either side of the windshield. At no time shall a driver's vision be obstructed by damage to the windshield, side windows or rear window. Interior and exterior mirrors shall be firmly attached to the vehicle;
 4. All brakes shall be in good mechanical working order. When pressed, the brake pedal shall not be less than one and three-fourths (1 3/4) inches from the floorboard. Brake linings shall not be less than one thirty-second (1/32) of an inch at any point. Brake drums shall not exceed forty-one thousandths (40/1,000) of an inch in excess of factory specifications;
 5. The exhaust system, gaskets, tailpipes and mufflers shall be in good condition. Exhaust fumes shall not permeate into the interior of the vehicle;
 6. The vehicle shall be equipped with four (4) tires, each of which shall have tread depth measurements at approximately every one hundred twenty (120) degrees of its circumference of not less than two thirty-seconds (2/32) of an inch. There shall be no sidewall damage to the tires;

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7. The speedometer shall be properly installed and maintained in good working order and exposed to view;
 8. The interior of the vehicle shall be maintained in a clean and sanitary condition, and be free from torn upholstery and from damaged or broken seats;
 9. All exterior and interior lights and turn signals shall be in good mechanical order. Headlights shall be properly aligned for both high and low beam use;
 10. The horn and two (2) windshield wipers shall be in good mechanical working order;
 11. All wire connections shall be permanent and located out of the way of the driver and passengers;
 12. The vehicle shall be structurally sound and not have cracked or dented fenders and shall be painted so as to provide reasonable protection against structural deterioration. Body and sheet metal should have all the manufactured parts securely mounted with no dangerous protuberances;
 13. Defrosting and heating systems shall be operational;
 14. There shall be no measurable leakage of fluids or oil from any part of the vehicle;
 15. The vehicle shall be equipped with a readily accessible fire extinguisher with a gauge that clearly indicates that the unit is fully charged, mounted and readily accessible within the driver's immediate reach in the vehicle;
 16. The vehicle shall be equipped with accessible and operable seat belts for all seats;
 17. The vehicle shall comply with the provisions of AS 28.05.095 regarding child safety restraints and seat belts;
 18. The vehicle's odometer shall be kept in good working order.
- E. All regulated vehicles shall be subject at all times to an inspection by the transportation inspector, or a police officer who has reason to believe that the vehicle does not comply with all federal, state and local equipment laws or regulations.

5.20.085 Drug and alcohol testing.

- A. The commission shall:

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1. Establish a commission-approved drug and alcohol testing program for chauffeurs of regulated vehicles. The program may include chauffeur applicant drug screening tests, random tests, reasonable cause tests, post-accident tests, and post-citation tests. The testing program shall be administered by the transportation inspector;
 2. Provide for the immediate denial or revocation of the chauffeur's license by the transportation inspector of any such chauffeur failing or failing to submit to a chauffeur application drug screening test, a random drug or alcohol test, a reasonable cause drug or alcohol test, a post-accident drug or alcohol test, or a post-citation drug or alcohol test, for a period of not less than six (6) months for a first (1st) offense. In the case of a revocation under this section, the revocation may continue beyond six (6) months until such time as the chauffeur shall submit evidence of successful completion of a drug or alcohol abuse treatment program;
 3. Provide for the immediate revocation by the transportation inspector of the chauffeur's license of any chauffeur failing or failing to submit to such a random, reasonable cause, post-accident, or post-citation test, for a period of not less than two (2) years for a second (2nd) or subsequent offense.
- B. Within ninety (90) days of the enactment of the ordinance codified in this chapter, a design, cost structure, and fee determination for the drug and alcohol testing program shall be developed by the commission and submitted to the city council for approval subject to the following conditions:
1. Direct operational costs for the random, post-accident, post-citation, and reasonable cause drug and alcohol testing program shall be borne by permittees. Direct operational costs for the chauffeur application drug screening test shall be borne by licensees.

5.20.090 Enforcement authority.

The transportation inspector shall have all powers required to enforce the provisions of Chapters 5.20 through 5.50 BMC.

5.20.100 Hearings – Appeals.

- A. If the transportation inspector determines that an application for a license or permit does not meet the requirements of Chapters 5.20 through 5.50 BMC, the transportation inspector shall deny the application. The transportation inspector shall issue a written decision to the applicant which shall state the specific reasons for that denial within fifteen (15) days of the denial of the application.

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- B. A person aggrieved by the denial of an application under subsection A of this section, or revocation or suspension of a permit or license by the transportation inspector pursuant to Chapters 5.20 through 5.50 BMC may, within fifteen (15) days of receipt of the denial, suspension or revocation decision, and upon payment of the filing fee required by BMC 5.20.160, appeal that decision to the commission. After a hearing conducted pursuant to BMC 5.20.060, the commission shall uphold the decision of the transportation inspector, or authorize the conditional or unconditional issuance or reinstatement of a denied, suspended or revoked license or permit only upon an affirmative showing at a hearing by the appellant that the transportation inspector exceeded his or her authority under Chapters 5.20 through 5.50 BMC in denying, suspending, or revoking the license or permit.
- C. An appeal from any final decision of the commission made in accordance with this section shall be filed in the Superior Court, Fourth Judicial District, Bethel, Alaska, no later than thirty (30) days following service of that decision upon the affected licensee or permittee at the last known address. Review by the court shall be limited to determining whether the decision appealed is supported by substantial evidence.
- D. A permittee or licensee who has been issued a citation for a violation of a provision of Chapters 5.20 through 5.50 BMC, or subjected to a penalty, may contest that citation or penalty by filing a notice of appeal with the commission no later than fifteen (15) days after the day the citation or penalty has been issued. Such an appeal shall be considered by the commission in accordance with the procedures established in BMC 5.20.060 and subsection B of this section.

5.20.110 Denial, suspension, or revocation of license or permit.

- A. The transportation inspector shall have the power to suspend or revoke a chauffeur's license.
 - 1. The transportation inspector shall immediately suspend or revoke a chauffeur's license if a chauffeur is convicted by a court of competent jurisdiction of an offense set forth in BMC 5.40.030;
 - 2. The transportation inspector shall suspend or revoke a chauffeur's license upon receipt of evidence sufficient to cause the transportation inspector to conclude that it is more likely than not that a chauffeur is incapable of controlling a motor vehicle safely;

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3. The transportation inspector shall deny, suspend, or revoke the chauffeur's license of any chauffeur failing or refusing to take a drug and/or alcohol test in accordance with BMC 5.20.085.

B. Upon a request by the transportation inspector or on its own initiative, the commission shall have the power to suspend or revoke a taxicab, river taxi, and limousine or bus permit.

1. The commission shall suspend or revoke a taxicab, river taxi, limousine or bus permit upon finding after a hearing that:

- a) A permittee has not operated pursuant to the permit for forty-five (45) consecutive days or for ninety (90) days in any twelve- (12-) month period; provided, that such failure to operate is not caused by strike, public catastrophe, or other act beyond the control of the permittee but not including insolvency;
- b) A permittee has sold or otherwise lost the use of the vehicle which was being operated pursuant to the permit and has failed to replace it within sixty (60) days after the date of such sale or loss;
- c) A permittee has failed to make any payments required under Chapters 5.20 through 5.50 BMC or to make any payments (including but not limited to business license fees and sales taxes) or remit any fees required by any other provisions of this code;
- d) A permittee has submitted a false or misleading inspection report from a designated inspection station.

2. The commission may suspend or revoke a taxicab, river taxi, limousine or bus permit upon finding after a hearing that a permittee has violated any provision of Chapters 5.20 through 5.50 BMC. The commission may suspend or revoke a chauffeur's license upon finding after a hearing that a licensee has violated any provision of Chapters 5.20 through 5.50 BMC;

3. The transportation inspector shall immediately suspend or revoke a taxicab, river taxi, limousine or bus permit upon being provided with appropriate notice that a permittee has been convicted by a court of competent jurisdiction of an offense set forth in BMC 5.30.040;

4. The transportation inspector may immediately revoke a permit under this subsection if the transportation inspector determines that continued operation of the permit will result in substantial risk to the public health or welfare. If the transportation inspector revokes a permit based upon such determination, the

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revocation action shall expire in ten (10) days, unless within this time the commission holds a hearing and determines that a continued emergency revocation is warranted until such time as the commission makes a decision on an appeal to the revocation, should such an appeal be filed by the permittee.

- C. The commission may suspend or revoke a dispatch service permit upon a finding after a hearing that:
1. Such dispatch service has not commenced operation within ninety (90) days after issuance of the permit;
 2. Such dispatch service has failed to provide dispatch services for a period of ninety (90) consecutive days; provided, that such failure to operate is not caused by strike, public catastrophe or other act beyond the control of the dispatch service other than insolvency; or
 3. Such dispatch service does not have a valid radio station license issued by the Federal Communications Commission ("FCC") or such dispatch service is not in compliance with any terms and conditions imposed on it by the FCC.
- D. Violation of any of the terms and conditions of a suspension or revocation imposed by this section is a separate violation.
- E. Upon suspension or revocation of a chauffeur's state driver's license, his or her chauffeur's license shall simultaneously and automatically become void. A chauffeur shall surrender his or her chauffeur's license to the transportation inspector and cease operating a regulated vehicle immediately upon suspension or revocation of the chauffeur's state driver's license. Such a chauffeur shall not thereafter operate a vehicle for which a chauffeur's license is required unless he or she is first (1st) issued a new chauffeur's license in accordance with BMC 5.40.030.
- F. A permittee or licensee must surrender his or her permit or license to the transportation inspector immediately upon suspension or revocation.
- G. A permittee or licensee may appeal a suspension or revocation by the transportation inspector to the commission in accordance with BMC 5.20.100. A permittee or licensee may appeal a suspension or revocation by the commission to the Superior Court in accordance with BMC 5.20.100.
- H. Unless provided otherwise in Chapters 5.20 through 5.50 BMC, a permit or license that is revoked shall become void and revert to the commission.

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5.20.120 Penalties and remedies.

- A. A person who violates a provision of Chapters 5.20 through 5.50 BMC or a regulation promulgated thereunder is guilty of an infraction and may be issued a citation. The penalty for these infractions is:
1. One hundred fifty dollars (\$150) for the first (1st) violation;
 2. Two hundred dollars (\$200) for the second (2nd) violation;
 3. Two hundred fifty dollars (\$250) for the third (3rd) violation;
 4. Three hundred dollars (\$300) for the fourth (4th) and each subsequent violation.
- B. Each day during which a violation described in this section occurs shall constitute a separate offense.
- C. In accordance with AS 29.25.070(a), citations for these offenses may be disposed of as provided in AS 12.25.195 through 12.25.230 without a court appearance upon payment of the fine amounts plus the state surcharge required by AS 12.55.039 and 29.25.074. If a person charged with one (1) of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed above.
- D. In addition to the penalties provided for in subsection A of this section, a person who violates a provision of Chapters 5.20 through 5.50 BMC or any regulation promulgated thereunder may also be subject to the following:
1. Second (2nd) violation: suspension of the violator's license or permit for fifteen (15) days or less;
 2. Third (3rd) violation: suspension of the violator's license or permit for no more than thirty (30) days or no less than fifteen (15) days;
 3. Fourth (4th) or subsequent violation: revocation of license or permit.
- E. The city may seek injunctive relief to enforce compliance with this chapter.
- F. A violation of BMC 5.40.070 is an exception to this section. Violations of BMC 5.40.070 shall be those provided under that section.

5.20.130 Renewal of license or permit.

- A. A permit or license issued in accordance with Chapters 5.20 through 5.50 BMC shall be valid for two (2) calendar years and shall expire automatically on the date of original issue.

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- B. An application to renew a permit or license shall be made to the transportation inspector, at the time set for submitting the application, and shall be treated in the same manner as an original application. A decision to grant a license or permit in two (2) years does not preclude the transportation inspector from denying a license or permit upon application for renewal.
- C. If a permittee or licensee is not qualified to hold his or her permit or license at the time of renewal, the transportation inspector shall not renew the permit or license and it shall become void and revert to the commission.
- D. Any person whose application for an original license or permit or for a renewal of license or permit has been denied and any person whose license or permit has been revoked may not apply for a new license or permit for one (1) year from the initial date of the denial or revocation unless the revocation is due to a violation of BMC 5.40.070 Alcoholic beverage and controlled substances of which requires a permanent revocation. New taxicab permits shall only be issued in accordance with the provisions of BMC 5.30.050.

5.20.140 Duty to maintain current application.

- A. A permittee or licensee is under a continuing obligation to keep the information on his or her application current. Failure to do so shall be a violation of Chapters 5.20 through 5.50 BMC. A permittee or licensee shall give written notice to the transportation inspector of any change to be made on his or her application within ten (10) days, and the transportation inspector shall amend the application accordingly. Failure to comply with this subsection is grounds for denial, suspension or revocation of a permit or license.
- B. No person may knowingly make a false or misleading statement on his or her application for a permit or license under Chapters 5.20 through 5.50 BMC. Failure to comply with this subsection is grounds for denial, suspension or revocation of a permit or license and constitutes a violation of Chapters 5.20 through 5.50 BMC.

5.20.150 Submission, review and certification of applications.

- A. An application for an original or renewal permit or license required by Chapters 5.20 through 5.50 BMC shall be submitted to the transportation inspector.
- B. The transportation inspector shall review the application to assure it complies with the requirements of Chapters 5.20 through 5.50 BMC.

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- C. The transportation inspector shall transmit applications meeting the requirements stated in subsection B of this section to the city manager to determine whether the applicant owes any taxes, fees, assessments, or other payments to the city, and whether the applicant has a current city business license.
- D. If the applicant has no outstanding obligations and has a business license, the city manager or his or her designee shall certify the application, and return it to the transportation inspector. The transportation inspector shall not issue or renew an application for a permit or license unless the city manager or his or her designee certifies the application in accordance with this section.

5.20.160 Fees.

The following fees shall be payable to the city:

- A. One hundred eighty-five dollars (\$185) monthly shall be paid to the transportation inspector for the issuance or renewal of a bus, limousine, river taxi, dispatch service, or taxicab permit no later than the tenth (10th) of each month.
- B. Two hundred fifty dollars (\$250) shall be paid to the transportation inspector for the initial issuances and each two- (2-) year renewal of a chauffeur's license no more than three (3) months prior to expiration date, not after one (1) month prior to expiration date.
- C. Two hundred fifty dollars (\$250) shall be paid to the transportation inspector for the initial issuances and each two- (2-) year renewal of a vehicle permit no more than three (3) months prior to expiration date, not after one (1) month prior to expiration date.
- D. One hundred dollars (\$100) shall be paid to the city finance department for each appeal from a decision of the transportation inspector to the commission under Chapters 5.20 through 5.50 BMC. Such fee shall be refunded if the decision is subsequently reversed. The ex officio member of the public safety and transportation commission must notify all commission members when an appeal is filed. The fee shall be forfeited if the party making the appeal fails to show for the appeal hearing.
- E. Eighty-five dollars (\$85) shall be paid to the transportation inspector each time that a taxicab permittee applies to substitute a vehicle that operates under a permit.

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- F. One hundred twenty-five dollars (\$125) shall be paid to the transportation inspector for an application to transfer an interest in a taxicab permit or a dispatch service permit in accordance with the provisions of Chapters 5.20 through 5.50 BMC.
- G. There shall be a one hundred dollar (\$100) surcharge for late payment of fees provided for in subsections A, B, and C of this section.
- H. Twenty-five dollars (\$25) shall be paid to the transportation inspector for administration of the examination required in BMC 5.40.020(C), except that this payment shall not be required the first (1st) time that an applicant for a chauffeur's license takes the examination.
- I. Fifteen dollars (\$15) shall be charged for chauffeur and vehicle renewal applications which are mailed in.
- J. Thirty-five dollars (\$35) shall be charged for chauffeur drug testing.

5.20.170 Safety belts, child safety restraints, and vehicle air bags.

Every regulated vehicle shall comply with the provisions of AS 28.05.095 regarding safety belts and child safety restraints. Additionally, no operator of a regulated vehicle shall allow a child under twelve (12) years of age to ride in the front seat of the vehicle if it has a passenger air bag.

SECTION 4. Effective Date. This section shall become effective upon passage by the City Council.

ENACTED THIS ___ DAY OF JULY 2015, BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

Richard Robb, Mayor

ATTEST

Lori Strickler, City Clerk

Introduced by: Council Member Springer
Date: July 28, 2015
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CITY OF BETHEL, ALASKA

Ordinance #15-21

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE, CHAPTER 5.30, TAXICAB, RIVER TAXI, LIMOUSINE AND BUS PERMITS, TO REQUIRE VIDEO CAMERA SURVEILLANCE SYSTEM AND GLOBAL POSITIONING SYSTEM CAPABILITIES

NOW, THEREFORE BE IT ORDAINED, that the City of Bethel authorizes a change to the Bethel Municipal Code as described herein.

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

SECTION 2. Amendment. The Bethel Municipal Code is to be amended as follows (new language is underlined and old language is stricken)

Chapter 5.30 TAXICAB, RIVER TAXI, LIMOUSINE AND BUS PERMITS

Sections:

- 5.30.010 Taxicab permit required.
- 5.30.020 River taxi permit required.
- 5.30.030 Bus permit required.
- 5.30.035 Limousine permit required.
- 5.30.040 Application for permits.
- 5.30.050 Issuance of new nontransferable taxicab permits.
- 5.30.055 Taxicabs – Renewal of existing permits.
- 5.30.060 Taxicabs – Transfer of existing permit.
- 5.30.065 Posting of taxicab permit.
- 5.30.070 Taxicabs – Number of vehicles operated per permit.
- 5.30.080 Taxicabs – Subscription to dispatch service.
- 5.30.090 Taxicabs – Vehicle markings.
- 5.30.100 Required equipment.
- 5.30.120 Insurance required.
- 5.30.130 Posting of insurance notice.
- 5.30.140 Records.

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- 5.30.160 Single use of vehicle.
- 5.30.170 Vehicle horn honking.
- 5.30.180 Safety equipment tampering prohibited.

5.30.010 Taxicab permit required.

- A. No person may provide taxicab service in the city unless that person:
 - 1. Is a permittee in possession of a valid taxicab permit issued to him or her, and is in compliance with Chapters 5.20 through 5.50 BMC; or
 - 2. Has entered into an agreement with a permittee as a lease operator which allows that person to provide taxicab services pursuant to the permittees authority only for as long as the permittee is lawfully in possession of the permit and complies with all terms and conditions of issuance of the permit, and only if such an arrangement is approved in advance by the transportation inspector. In order to obtain such approval from the transportation inspector, the transportation inspector must approve the language of a written lease agreement and determine that the lease operator meets all requirements imposed on chauffeurs and taxicab permittees by Chapters 5.20 through 5.50 BMC. A decision of the transportation inspector denying a lease operator arrangement can be appealed to the commission in accordance with BMC 5.20.100.
- B. No permittee shall allow another person to provide taxicab service under the authority of his or her permit except as allowed in subsection A of this section. Violation of this section is grounds for immediate revocation of a taxicab permit.
- C. No person may operate or dispatch a vehicle as a taxicab unless that vehicle is described on a taxicab permit as provided in subsection A of this section. Violation of this section is grounds for immediate revocation of a license or permit.
- D. No person may provide taxicab service pursuant to a taxicab permit except in accordance with Chapters 5.20 through 5.50 BMC. Violation of this section is grounds for immediate revocation of a permit.
- E. The permittee shall utilize as chauffeurs only currently licensed chauffeurs who have satisfactorily completed a commission-approved driver training and testing program and who are otherwise in compliance with all of the requirements of Chapters 5.20 through 5.50 BMC.

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5.30.020 River taxi permit required.

- A. No person may provide river taxi service within the city without a river taxi permit. A river taxi permit, or any interest in a river taxi permit issued pursuant to this section, shall not be transferable through sale, lease, rental, power of attorney, or any other manner of conveyance, and shall become void and revert to the commission if it is revoked or not renewed in accordance with the provisions of Chapters 5.20 through 5.50 BMC.
- B. A person may apply for an original or renewal river taxi permit by complying with the requirements of BMC 5.30.040. If the applicant is in compliance with all of the terms and conditions of Chapters 5.20 through 5.50 BMC that apply to river taxis, he or she shall be issued a permit.

5.30.030 Bus permit required.

- A. A person may provide bus service within the city with a bus permit. A permit, or any interest in a permit issued pursuant to this section, shall not be transferable through sale, lease, rental, power of attorney, or any other manner of conveyance, and shall become void and revert to the commission if it is revoked or not renewed in accordance with the provisions of Chapters 5.20 through 5.50 BMC.
- B. A person may apply for an original or renewal bus permit by complying with the requirements of BMC 5.30.040. If the applicant is in compliance with all of the terms and conditions of Chapters 5.20 through 5.50 BMC that apply to buses, he or she shall be issued a permit.
- C. A bus must operate on a defined route. The route must be submitted to the transportation inspector. Any changes in the route must be submitted to the transportation inspector. Bus operators may deviate from the defined route up to three-fourths (3/4) of a mile to accommodate handicapped passengers.

5.30.035 Limousine permit required.

- A. A person may provide limousine service in the city if that person:
 - 1. Is a permittee in possession of a valid limousine permit issued to him or her, and is in compliance with Chapters 5.20 through 5.50 BMC;
 - 2. Operates a limousine;

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3. Utilizes currently licensed chauffeurs who have satisfactorily completed a commission-approved driver training and testing program and who are otherwise in compliance with all of the requirements of Chapters 5.20 through 5.50 BMC.
- B. A limousine will provide service by reservation or prearranged call for service. It is unlawful for a limousine chauffeur to provide flag stop service to passengers by curbside hail or the use of fixed routes.
- C. The current rates to be charged by a limousine permittee shall be provided to the transportation inspector in the form of a rate sheet. The permittee is responsible for providing the inspector with a new rate sheet as prices change. The prices on the rate sheet must be greater than the maximum rates allowed for the provision of a similar ride by taxicab.

The following rates are established as minimum rates for limousine operators:

One-half (1/2) hour or less arranged ride: fifty dollars (\$50.00);

One (1) hour arranged ride: eighty dollars (\$80.00).

5.30.040 Application for permits.

- A. An application for an original or renewal taxicab, bus, limousine or river taxi permit shall be made to the transportation inspector.
- B. An application for a permit shall be submitted on a form approved by the transportation inspector and shall be accompanied by:
 1. The fee specified in BMC 5.20.160;
 2. Proof of insurance for the vehicle as required by Chapters 5.20 through 5.50 BMC;
 3. Proof that the applicant is at least eighteen (18) years of age; and
 4. Proof that the applicant is in compliance with the drug and alcohol testing requirements of BMC 5.20.085.
- C. An applicant shall not be granted an original or renewal permit unless the applicant meets the requirements imposed on chauffeurs in BMC 5.40.030.

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D. If the commission determines that the public convenience and necessity requires issuance of additional taxicab permits in accordance with BMC 5.30.050, the following persons may apply for such a permit:

1. Currently active chauffeurs licensed under Chapters 5.20 through 5.50 BMC with no fewer than two (2) years of continuous experience as a taxicab chauffeur in good standing in Bethel;
2. Applicants who have not had a felony or misdemeanor conviction entered by a court of competent jurisdiction within five (5) years of the date of application for:
 - a) Assignment, prostitution, solicitation for the purpose of prostitution, offering to secure another for the purpose of prostitution, maintaining vehicle for the purpose of prostitution or accepting money from a prostitute; or
 - b) Sale, transportation, possession or use of any controlled substance as defined by AS 11.71 or a similar law of another jurisdiction, or engaging in an act prohibited under AS 04.11, 04.16 or 04.17.

E. If the commission decides to issue an additional permit or permits in accordance with this chapter, a taxicab permit may be issued by the commission only if the applicant complies with subsections B through D of this section, and is certified as required by BMC 5.20.150.

F. Each representation made in an application for an original or renewal permit shall be correct. Any false or misleading statement or misrepresentation as to a material matter in an application shall be grounds for denial of the application for a permit or revocation of a permit.

5.30.050 Issuance of new nontransferable taxicab permits.

A. The total number of outstanding taxicab permits shall be determined by the public convenience and necessity. Any person or any member of the commission may initiate commission inquiry into the public convenience and necessity for issuance of additional permits. Hearings regarding public convenience and necessity shall be held to determine if the public convenience and necessity warrants issuance of one (1) or more additional nontransferable permits. The commission shall hold an inquiry into the public convenience and necessity at least once in a twenty-four (24-) month period.

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- B. At the hearing conducted pursuant to subsection A of this section, the commission may consider, among other things, evidence of:
1. The public demand for additional taxi service;
 2. The unfulfilled requests for service;
 3. The reasonableness of waiting time for service; and
 4. The economic impact of additional permits on the viability of the existing taxicab industry.
- C. If the commission finds that it is more likely than not, based on the evidence presented at hearing, that the public convenience and necessity would be best served by the issuance of one (1) or more new taxicab permits, such permit or permits shall be issued in the manner provided in subsection D of this section.
- D. No later than ninety (90) days after the commission determines that a new taxicab permit should be issued, the transportation inspector shall conduct a public auction as follows:
1. The auction shall be conducted by sealed bid, and the permit shall be issued to the highest qualified bidder;
 2. To be responsive, a bid must equal or exceed the taxicab permit issuance fees provided for in BMC 5.20.160;
 3. The term "qualified bidder" means a person who meets the requirements of BMC 5.30.040, and tenders the successful full bid price in cash within five (5) days after notice that he or she is the highest bidder;
 4. If the highest bidder is not a qualified bidder, the permit shall be issued to the next highest bidder who is also a qualified bidder. If none of the bidders are also qualified bidders, the transportation inspector shall again offer the permit at auction as provided by this section within one hundred eighty (180) days after the previous auction.
- E. No person may apply for a hearing pursuant to subsection A of this section within one hundred twenty (120) days after one (1) or more new permits authorized for issuance pursuant to this section have been actually issued. The commission may consolidate multiple hearing requests if it deems it appropriate to do so.

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- F. A permit, or any interest in a permit, issued pursuant to this section shall not be transferable through sale, lease, rental, power of attorney, or any other manner of conveyance, and shall become void and revert to the commission if the permit is revoked or not renewed in accordance with the provisions of Chapters 5.20 through 5.50 BMC.
- G. Permittees issued nontransferable permits in accordance with this section are subject to all revocation, suspension, and penalty provisions of Chapters 5.20 through 5.50 BMC, as well as all other requirements of Chapters 5.20 through 5.50 BMC.

5.30.055 Taxicabs – Renewal of existing permits.

An application for renewal of an existing taxicab permit made in accordance with BMC 5.30.040 shall be renewed only if the applicant is in compliance with all of the requirements of Chapters 5.20 through 5.50 BMC that apply to taxicabs and taxicab permittees. A permit that is not renewed shall become void and revert to the commission.

5.30.060 Taxicabs – Transfer of existing permit.

- A. A person may transfer an interest (whether financial or proprietary in nature, a security interest, or some other form of interest) in a taxicab permit originally issued prior to December 31, 2000, or any interest in the corporation, joint venture, association, partnership, or other group or entity which owns an interest in a taxicab permit originally issued prior to December 31, 2000, only if the person obtains the prior approval of the transportation inspector.
- B. An application for transfer of a taxicab permit in accordance with subsection A of this section shall be made to the transportation inspector on forms approved by the transportation inspector and shall be accompanied by the proposed contract for sale or other interest transfer which states the specific consideration to be paid by the transferee, as well as all other material conditions of the sale or other transfer of interest. The application for transfer shall also identify all parties who have or are proposed to have a financial, proprietary, security or other interest in the permit. The application may request other information necessary to determine if the transfer is in the best interests of the public, including but not limited to evidence of the financial ability to meet the consideration requirements of the contract for sale or other interest transfer. If the transferee meets the requirements of this section and all other requirements for obtaining a taxicab permit contained in Chapters 5.20 through 5.50 BMC, and the transportation

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inspector approves the language of the contract for sale or other interest transfer, the transportation inspector may approve the transfer.

- C. A decision of the transportation inspector with respect to transfer of an interest under this section may be appealed to the commission in accordance with BMC 5.20.100.
- D. If transfer of a permit is not approved in accordance with this section and the permittee no longer wishes to operate under the permit or the permittee is no longer in compliance with the provisions of Chapters 5.20 through 5.50 BMC, the permit shall become void and revert to the commission.
- E. New permits issued in accordance with BMC 5.30.050 shall not be transferable, and shall become void and revert to the commission if the permit is revoked or not renewed in accordance with the provisions of Chapters 5.20 through 5.50 BMC.

5.30.065 Posting of taxicab permit.

The permit for each taxicab, river taxi, limousine or bus shall be posted in the interior of the taxicab, river taxi, limousine or bus in the manner designated by the transportation inspector. No person may operate a taxicab, river taxi, limousine or bus unless the permit is so posted.

5.30.070 Taxicabs – Number of vehicles operated per permit.

- A. Except as otherwise provided in this section, only one (1) vehicle, which shall be designated on the taxicab permit application, may be operated pursuant to that permit.
- B. Upon application to the transportation inspector, payment of the appropriate fee, and a demonstration of need, the transportation inspector may authorize operation of a substitute vehicle for a period of time not to exceed thirty (30) consecutive days. The transportation inspector shall be notified prior to substitution of the date, time, and substitution vehicle being placed in service, the permit number utilizing the substitute vehicle, the reason for the use of the substitute vehicle and the signature of the person authorizing the use of the substitute vehicle. If substitution is authorized, the transportation inspector shall subsequently be immediately notified of the date and time the substitute vehicle is removed from service and the original permitted vehicle is placed back in service. The transportation inspector shall require an inspection of the original

Introduced by: Council Member Springer
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vehicle before it is returned into service. No person may operate a substitute vehicle under this section unless the substitution has been authorized by the transportation inspector in accordance with this section, and a copy of the authorization is carried in the substitute vehicle at all times.

- C. If the use of the substitute vehicle was occasioned by a mechanical problem or vehicle accident affecting the safe operation of the original vehicle, the transportation inspector may allow a permanent vehicle transfer.
- D. The transportation inspector may permit a permanent vehicle transfer not more than four (4) times before the expiration of the original permit for reasons other than mechanical problems.

5.30.080 Taxicabs – Subscription to dispatch service.

Every taxicab permittee shall subscribe to a dispatch service permitted pursuant to Chapter 5.50 BMC for the taxicab operated under his or her permit. No taxicab may be dispatched by more than one (1) dispatch service. Failure to comply with this section shall be grounds for immediate revocation of a permit or license.

5.30.090 Taxicabs – Vehicle markings.

- A. Every taxicab shall display the trade name under which it operates and the vehicle number assigned to it by the transportation inspector in the area between the back bumper and the top of the trunk of the taxicab on the rear end of the taxicab with permanent contrasting letters and numbers no less than four (4) inches high.
- B. Every taxicab shall bear its vehicle number, as assigned to it by the transportation inspector, on all sides of the taxicab with permanent letters no less than four (4) inches high. Every taxicab shall display its vehicle number assigned by the transportation inspector on the front fender adjacent to the front door jam on both the driver and passenger side of the vehicle in numbers no less than four (4) inches high. The number shall be placed in the middle of the fender, but in no event less than two (2) inches above the bottom of the fender, or more than four (4) inches below the top of the fender.
- C. The transportation inspector will provide every taxicab permit holder with reflective decals bearing the assigned vehicle number required to meet the requirements of this section. Taxicab permit holders shall display trade names on vehicles with reflective decals that meet the requirements of this section.

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- D. Except as otherwise provided by law, no taxicab may be used or sold for any purpose other than for use as a taxicab until all signs, insignia, license plates, lights or other markings have been removed or an "out of service" sign is posted on the taxicab in the form and manner designated by the transportation inspector.

5.30.100 Required equipment.

In addition to the mechanical equipment required in BMC 5.20.080(D), every taxicab shall have the following equipment:

- A. Every taxicab shall be equipped with an operable two-way radio that receives and transmits a signal only on the frequency used by that taxicab's dispatch service. At no time may a taxicab be equipped with an apparatus capable of monitoring a frequency used by a dispatch service other than that used by that taxicab's dispatch service. The radio of each taxicab shall be identifiable through the dispatch company through which the taxicab is dispatched.
- B. Every taxicab shall be equipped at all times with an interior light of not less than two (2) candlepower arranged so as to illuminate the entire passenger compartment. The light shall be illuminated whenever passengers are being loaded or unloaded from the taxicab between one-half (1/2) hour after sunset of one (1) day and one-half (1/2) hour before sunrise the next day. No shades or blinds shall be drawn over any windows of the taxicab while occupied by a passenger.
- C. Every taxicab shall be equipped with a nonflashing light on the exterior of the roof of a type approved by the transportation inspector. The light shall be illuminated only when the taxicab is in service.
- D. All taxicabs, limousines and buses must have factory seat belts for the maximum number of passengers that may be transported in a particular vehicle.
- E. River taxis shall have the following:
 - 1. Four-wheel drive vehicle with at least twelve- (12-) inch clearance;
 - 2. VHF radio;
 - 3. Dual battery system;

Introduced by: Council Member Springer
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4. All equipment listed in subsections A through C of this section in addition to the following: a come-a-long or winch and shovel; ground and air flares; carbon monoxide detector; first aid kit; safe alternate form of heat, i.e., candles, canned heat, etc., one (1) wool blanket, one (1) survival or space blanket for each potential passenger, spare tire, and tools required to change a tire, i.e., jack lug wrench, etc.;
5. A river taxi driver shall carry clothes appropriate for the weather conditions and the number of passengers for a particular trip, to include but not be limited to, winter hats, boots, gloves, pants and coats.

F. Every regulated vehicle shall be equipped at all times with a video camera surveillance system and have global positioning system capability. The surveillance and GPS systems shall be capable of recording and storing the data of at least 72 hours of in-service operations. The recorded data shall be stored on board the taxicab or transmitted for storage. The stored data for the immediately preceding 72 hours of recording shall not be altered or manipulated by any person, and shall be made available for review and inspection by the transportation inspector for purposes of enforcement of chapters 5.20, 5.30 and 5.40 or by a peace officer as defined in AS 1.10.060 upon request. For good cause, the Transportation Inspector may order retention of recorded data of specific dates, trips, or incidents for up to two years.

1. The video camera surveillance system shall have the capability to operate 24 hours a day, record video only, and be compatible with surveillance during both daytime and nighttime. The surveillance system shall either have continuous operation or be activated by the opening of a door, or some other self-initiating device which does not require the specific decision or action by the chauffeur to activate the surveillance system. The system shall be capable of producing high-quality pictures for law enforcement use. The system shall have cameras facing the front and rear and positioned in a manner that provides views of the regulated vehicle interior that are visible to passerby and does not violate privacy rights. A limousine shall not have video surveillance of the passenger area designed and intended to provide privacy from the chauffeur and public view, but may have a view into that area when a privacy partition or device is open.

2. The global positioning system capability of any regulated vehicle shall either have continuous operation or be activated by a self-initiating device which does not require the specific decision or action by the chauffeur to activate

Introduced by: Council Member Springer
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the global positioning system. The global positioning system in taxicabs must be capable of alerting the monitoring station of emergencies. The dispatch company or a company within the municipality approved by the transportation inspector will be the monitoring station for a taxicab's global positioning system.

5.30.120 Insurance required.

- A. Before any permit is issued for any taxicab, river taxi, limousine or bus, the applicant shall furnish to the transportation inspector the insurance policies required by this section, issued by an insurance company that is authorized to do business within the state.
- B. The insurance required by this section for vehicles with a manufacturer's rated seating capacity of six (6) persons or less, or, if a mini-van, six (6) persons or less seating capacity after seat removal to accommodate baggage, shall provide coverage as follows:
 1. Combined single limit for all bodily injury or property damage arising from one (1) accident: three hundred thousand dollars (\$300,000); and
 2. For all persons injured or dead in any one (1) accident caused by an uninsured motorist: One hundred thousand dollars (\$100,000).
- C. The insurance required by this section for vehicles with a manufacturer's rated seating capacity of seven (7) persons or more, or if a mini-van, seven (7) persons or more seating capacity after seat removal to accommodate baggage, shall provide coverage as follows:
 1. Combined single limit for all bodily injury or property damage arising from one (1) accident: Seven hundred thousand dollars (\$700,000); and
 2. For all persons injured or dead in any one (1) accident caused by an uninsured motorist: One hundred thousand dollars (\$100,000).
- D. Every insurance policy or certificate shall contain a clause obligating the insurer or surety to give the transportation inspector written notice no less than thirty (30) days before the cancellation, expiration, nonrenewal, lapse, or other termination of such insurance, unless the specified policy is for a vehicle which will no longer be used as a taxicab. A lapse, cancellation, expiration, nonrenewal, or termination of insurance coverage shall work an automatic suspension of any

Introduced by: Council Member Springer
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permit for so long as the permittee is without insurance as required by this section, and it shall be a violation of this chapter to provide taxicab service with a vehicle not insured as required by this section. The insurance policy shall list the city as a certificate holder.

5.30.130 Posting of insurance notice.

Proof of insurance as required by Chapters 5.20 through 5.50 BMC shall be carried in the passenger compartment of all taxicabs at all times.

5.30.140 Records.

A. Every taxicab, river taxi, and limousine permittee shall maintain a current and accurate daily list of the regulated vehicles operated pursuant to the permit. The daily list shall contain the following information:

1. The name, address, telephone number, chauffeur's license number and expiration of each chauffeur operating such regulated vehicles;
2. The daily hours worked by each chauffeur operating such regulated vehicles;
3. The number of days each such regulated vehicle is operated during each calendar month;
4. The records maintained pursuant to subsection A of this section as well as many other records related to the operation of the permit shall be retained by the permittee for at least six (6) months and shall be made available upon the request of the transportation commission or the transportation inspector. The transportation inspector may request that the permittee forward the record to him or her on a monthly basis.

B. The records maintained pursuant to subsection A of this section as well as any other records related to the operation of the permit shall be retained by the permittee for at least six (6) months and shall be made available upon request of the transportation commission or the transportation inspector. The transportation inspector may request that the permittee forward the record to him or her on a monthly basis.

5.30.160 Single use of vehicle.

It is unlawful to use a regulated vehicle for any other transportation service regulated by Chapters 5.20 through 5.50 BMC other than that service which is authorized on the permit.

Introduced by: Council Member Springer
Date: July 28, 2015
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5.30.170 Vehicle horn honking.

It is unlawful to honk the horn of a taxicab from 10:00 p.m. to 7:00 a.m., Sunday through Thursday, and from 12:00 a.m. to 7:00 a.m., Friday and Saturday.

5.30.180 Safety equipment tampering prohibited.

A. Except for maintenance or repair, no person shall disconnect, cover, misdirect or cause to be non-functional the radio identifier, silent electronic alarm, surveillance or security camera, or global positioning system in a regulated vehicle. Tampering with the safety equipment as described herein is a violation subject to civil penalty of:

1. First violation. \$250.00.
2. Second violation. \$500.00
3. Third violation. \$750.00.
4. Fourth violation. \$1,000.

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

ENACTED THIS ___ DAY OF _____ 2015, BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Vice-Mayor Albertson
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-22

AN ORDINANCE REPEALING ORDINANCE 14-16, AN ORDINANCE ESTABLISHING KUIMARVIK-A PLACE TO SWIM, AS THE ADVISORY COMMITTEE TO THE CITY COUNCIL FOR THE YUKON KUSKOKWIM REGIONAL AQUATIC HEALTH AND SAFETY CENTER

WHEREAS, the Bethel City Council, through Ordinance 15-16, created a Fitness Center & Recreation Committee, which will be comprised of community volunteers with an interest in long term stability of the pool facility and will act as an advisory committee to the City Council;

WHEREAS, with the Council's establishment of a City body specifically tasked with the advisement to the Council on the Yukon Kuskokwim (YK) Fitness Center, the continued efforts of Kuimarvik to carry out that function has concluded;

WHEREAS, the City of Bethel recognizes the importance of ensuring the functions of the YK Fitness Center are efficient, citizen-centered and sustainable, it is in the City's interest and goal to maintain an active role in the operations of the facility;

WHEREAS, with sustainability in mind, the City Council will task the City's Fitness Center & Recreation Committee with the ongoing review and monitoring of the data recorded for entry to the facility, program occupancy, budgetary and operation recommendations, marketing and many more, the Committee will provide the Council with updates monthly so the Council is fully apprised on the operations of this facility;

WHEREAS, in taking on the responsibility of advisement on the pool through community volunteers, the City as the owners of the facility will carry the full responsibility of ensuring the pools long term stability is accomplished;

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

SECTION 2. Repealing. This ordinance repeals Ordinance 14-16, An Ordinance establishing Kuimarvik – A Place to Swim as the Advisory Committee to the City Council for the Yukon Kuskokwim Regional Aquatic Health and Safety Center.

Introduced by: Vice-Mayor Albertson
Date: July 28, 2015
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SECTION 3. Effective Date. This ordinance, repealing Ordinance 14.16, shall become effective September 1, 2015 after the passage by the City Council.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Vice-Mayor Albertson
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-23

AN ORDINANCE AMENDING BETHEL MUNICIPAL CODE CHAPTER 2.52, BOARDS, COMMITTEES AND COMMISSIONS, DELETING PARKS AND RECREATION COMMITTEE AND ESTABLISHING FITNESS CENTER & RECREATION COMMITTEE

WHEREAS, as of July 1, 2015 the City of Bethel will be transitioning the parks maintenance employees to operate under the public works department, with the intent to focus on the maintenance of current parks and boardwalks and planning/development of new parks, boardwalks and safety paths;

WHEREAS, concurrent with this transition, the City has transferred funding of the Recreation and 4-H functions to the University of Alaska, who will assume the responsibilities of the 4-H activities therefore alleviating the need of the Parks and Recreation Committee;

WHEREAS, on September 1, 2015, the Parks and Recreation Committee will dissolve however, the Council recognizes the need to continue the promotion of recreational activities within the community and wishes to focus on the Fitness Center as a significant source of recreation;

WHEREAS, Ordinance 15-22 repeals Ordinance 14-16 which established Kuimarvik, A Place to Swim as the advisory committee to the City Council for the Yukon Kuskokwim Regional Aquatic Health and Safety Center, otherwise known as the YK Fitness Center, with the intent to organize the Fitness Center & Recreation Committee as a City organized body;

WHEREAS, some of the responsibilities of the Fitness Center & Recreation Committee are:

- Developing annual goals in conjunction with the pool operators to be reviewed and approved by the City Council;
- Advise in planning, and making of recommendations concerning aquatics facilities, programs, outreach, policies and other recreational programming for the residents of the city;
- Upon referral of the City Council, review and make recommendations on capital improvement projects for the facility;

Introduced by: Vice-Mayor Albertson
Date: July 28, 2015
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- Review and make recommendations to the Council on community services and the coordination of recreational services at the facility and special events with other governmental and private agencies and voluntary organizations;
- Upon referral from the City Council, conduct studies and make recommendations which promote and encourage high standards and increased opportunities in aquatics offerings, recreational activities and fitness-based programs that are in the best interest of the City;
- Encourage broad citizen participation in aquatics, fitness, and healthy recreational activities;
- Act as a sounding board for individuals and organizations having an interest in aquatics and fitness center programming and provide feedback for improvement;
- Advise and engage the city council on issues that will enhance the quality of life of Bethel residents through engagement in healthy leisure activity both within , and outside, the YK fitness center.
- Perform such other duties and functions as the City Council may from time to time request, or otherwise appoint the committee to administer or coordinate on behalf of the City;

WHEREAS, Administration will designate an individual from city staff as an Ex officio member to the committee for the purposes of acting as secretary/recorder to the body, the ex officio member will not be a voting member but may take part in discussions of the body and must ensure the compliance with the Bethel Municipal Code and other applicable laws related to municipal boards;

WHEREAS, the established Committee shall be governed by the requirements outlined in Bethel Municipal Code Chapter 2.52, Boards Committees and Commission;

WHEREAS, Administration will designate an individual from city staff as an ex officio member as well as a substitute ex officio member in the case of an absence of the designated ex officio member, to the committee for the purposes of acting as secretary/recorder to the body, the ex officio member will not be a voting member but may take part in discussions of the body and must ensure compliance with the Bethel Municipal Code and other applicable laws related to municipal boards;

WHEREAS, Council approved members should be familiar with the facility and the programs offered in the facility; proactive in the goal of establishing a sustainable facility through programs and budget; willing to listen and act on community feedback related to facility improvements and able to commit the time necessary to attend meetings, conduct independent research on ways the facility can be improved and with

Introduced by: Vice-Mayor Albertson
Date: July 28, 2015
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the collaboration of the committee, provide reports to the Council on the Committee's findings and recommendations;

NOW, THEREFORE BE IT ORDAINED, that the City of Bethel authorizes a change to the Bethel Municipal Code as described herein.

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

SECTION 2. Amendment. The Bethel Municipal Code Chapter 2.52 is to be amended as follows (new language is underlined and old language is stricken):

**Chapter 2.52
BOARDS, COMMITTEES AND COMMISSIONS**

2.52.025 Committees.

A. There shall be a finance committee, a public works committee, ~~a parks and recreation committee,~~ a Fitness Center and Recreation Committee and an energy committee for the purposes of gathering information, conducting research, advising the city council regarding matters within their purview, and performing any other such duties as the city council may refer to them from time to time.

SECTION 3. Effective Date. This Ordinance shall become effective September 1, 2015 following the passage by the Bethel City Council.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Council Member Herman
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-24

AN ORDINANCE BY THE BETHEL CITY COUNCIL SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF BETHEL, A BALLOT PROPOSITION TO ADOPT LOCAL OPTION, ALASKA STATUTES 04.11.491 (a)(3)(C), PROHIBITING THE SALE OF ALCOHOLIC BEVERAGES EXCEPT FOR A PACKAGE STORE LICENSE OPERATED BY THE MUNICIPALITY AND OPT TO NOT APPLY A CLASS C FELONY TO VIOLATIONS OF ALASKA STATUTES 04.16.051, FURNISHING OR DELIVERY OF ALCOHOLIC BEVERAGES TO PERSONS UNDER THE AGE OF 21 (AS 04.11.491 (g)(3))

WHEREAS, a majority of the voters, voting in the City of Bethel, Regular Municipal Election, October 6, 2009, voted to opt out of Local Option;

WHEREAS, the effect of that election was that Bethel went from being a damp community to being a wet community;

WHEREAS, the City of Bethel then held a Special Election, January 19, 2010, and presented the voters with five advisory questions regarding the issuance of liquor licenses in Bethel;

WHEREAS, out of the five advisory questions, Proposition #5, "Should the City of Bethel support the City to apply for a liquor license and the operation of a city owned liquor store?" received the highest number of favorable votes at 43%;

WHEREAS, as long as the City of Bethel remains wet, alcohol will continue to flow into the City in unlimited and unregulated quantities;

WHEREAS, the community would have significant control over alcohol sales if the City operated a liquor store;

WHEREAS, privately operated liquor stores are not required to impose restrictions on the sale of alcohol and have no financial reason to do so;

WHEREAS, by only allowing sales through the City, regulations could be imposed which place significant restrictions on who can purchase alcohol in Bethel:

Introduced by: Council Member Herman
Date: July 28, 2015
Public Hearing: August 11, 2015
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limits such as only legal residents of Bethel who are 21+ years of age, etc., restrictions which are not mandated or required of private package stores;

WHEREAS, in order to have a City operated liquor store, the citizens of Bethel would have to return to one of the several versions of local option: AS 04.11.491(a)(3)(C);

WHEREAS, Local Option 4.11.491 (a)(3)(C) would allow for the City of Bethel to own and operate a liquor store while prohibiting the sales of alcohol by any other agency within the City limits;

WHEREAS, if the City of Bethel returns to local option status, the citizens of Bethel can be provided a choice whether to make the sale and furnishing of alcohol to minors a felony or misdemeanor;

Now, Therefore Be It Enacted by the City Council of Bethel Alaska as follows:

SECTION 1. Classification. This ordinance is permanent in nature and shall not be incorporated into the Bethel Municipal Code.

SECTION 2. Election.

An election is to be held October 6, 2015 in and for the people of Bethel for the purpose of submitting ballot propositions to the qualified voters of the City of Bethel for approval or rejection. The propositions must receive a majority of votes from the qualified voters to be approved. The proposition must be substantially in this form:

Shall the City of Bethel adopt a local option (4.11.491 (a) (3) (C)), to prohibit the sale of alcoholic beverages except through a package store license, commonly known as a liquor store, operated by the municipality which authorizes the sale of alcoholic beverages to a person present on the licensed premises or to a person known to the licensee who makes a written solicitation to that licensee for shipment;

SECTION 3. Ballot Form. The proposition, both for paper ballots and machine ballots, shall be printed on a ballot which may set forth other propositions, and the following words shall be added as appropriate and set next to a square for marking the ballot for voting by a machine.

PROPOSITION NO. _____ Yes No

Introduced by: Council Member Herman
Date: July 28, 2015
Public Hearing: August 11, 2015
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Vote:

Explanation: A "Yes" vote will prohibit the sales of alcohol in Bethel unless by the City of Bethel.

A "No" vote will mean, no change in status, Bethel remains out of local option.

SECTION 4. Election.

An election is to be held October 6, 2015 in and for the people of Bethel for the purpose of submitting ballot propositions to the qualified voters of the City of Bethel for approval or rejection. The propositions must receive a majority of votes from the qualified voters to be approved. The proposition must be substantially in this form:

Shall the City of Bethel opt to not apply a class C felony to violations of Alaska Statutes 04.16.051, Furnishing or Delivery of Alcoholic Beverages to Persons Under the Age of 21 (AS 04.11.491(g)(3))?

SECTION 5. Ballot Form The proposition, both for paper ballots and machine ballots, shall be printed on a ballot which may set forth other propositions, and the following words shall be added as appropriate and set next to a square for marking the ballot for voting by a machine.

PROPOSITION NO. _____ Yes No

Explanation: If in local option status:

A "Yes" vote will make the crime of Furnishing or Delivery of Alcoholic Beverages to Persons Under the Age of 21 a misdemeanor.

A "No" vote would keep the crime of Furnishing or Delivery of Alcoholic Beverages to Persons Under the Age of 21 a Class C Felony.

Section 4. Effective Date.

This Ordinance shall become effective after ratification by the qualified voters of the City of Bethel voting on the question at the October 6, 2015, City of Bethel Regular Election and certification of the Election by the Bethel City Council.

Introduced by: Council Member Fansler
Date: July 28, 2015
Public Hearing:
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-25

AN ORDINANCE BY THE BETHEL CITY COUNCIL APPROVING THE DISPOSAL OF CITY PROPERTY IDENTIFIED AS 1.43 ACRES LOCATED AT PLAT 93-32, LAGOON PARCEL BETHEL NATIVE CORPORATION ANCSA 14(c) SURVEY, SECTION 5, TOWNSHIP 8 NORTH, RANGE 71 WEST, SEWARD MERIDIAN, IN ACCORDANCE WITH 4.08.030, DISPOSAL OF PROPERTY

WHEREAS, in accordance with BMC 4.08.030 the City Council may dispose any interest in real property to an entity providing a necessary public service at a rate that is below fair market value;

WHEREAS, AVEC desires to lease 1.43 acres of undeveloped City land in order to install and operate a temporary met tower;

WHEREAS, the met tower will be temporary in nature (3 years) and will give AVEC an opportunity to assess the effectiveness of the wind tower erected nearby;

WHEREAS, having a properly functioning and properly calibrated wind tower will provide lower energy costs to the citizens of Bethel;

NOW, THEREFORE BE IT ORDAINED, the City Council hereby authorizes the disposal of property, 1.43 acres of undeveloped land, located at Plat 93-32, Lagoon Parcel Bethel Native Corporation ANCSA 14(c) Survey, situated within a portion of Section 5, Township 8 North, Range 71 West, Seward Meridian, located in the Bethel Recording District, Fourth Judicial District at Bethel, Alaska

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 04.08.030 Disposal of Real Property.

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

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA, THIS ___ DAY OF AUGUST 2015, BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

Introduced by: Council Member Fansler

Date: July 28, 2015

Public Hearing:

Action:

Vote:

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Council Member Fansler
Date: July 28, 2015
Public Hearing: August 11, 2015
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #15-26

AN ORDINANCE BY THE BETHEL CITY COUNCIL APPROVING THE DISPOSAL OF CITY PROPERTY, IDENTIFIED AS 1.12 ACRES LOCATED AT PLAT 93-32, LAGOON PARCEL BETHEL NATIVE CORPORATION ANCSA 14 © SURVEY, SITUATED WITHIN A PORTION OF SECTION 5, TOWNSHIP 8 NORTH, RANGE 71 WEST, SEWARD MERIDIAN, IN ACCORDANCE WITH 4.08.030, DISPOSAL OF PROPERTY

WHEREAS, in accordance with BMC 4.08.030 the City Council may dispose any interest in real property to an entity providing a necessary public service at a rate that is below fair market value;

WHEREAS, AVEC desires to lease 1.12 acres of undeveloped City land in order to install and operate a wind tower;

WHEREAS, the Lease would be for fifty (50) years and would necessitate the building of a road and an easement to be completed separately from this ordinance;

WHEREAS, the wind tower will result in the generation of wind power energy which will result in reduced costs for energy for all of the citizens of Bethel;

WHEREAS, reduced energy costs will benefit everyone in Bethel, residential and commercial;

NOW, THEREFORE BE IT ORDAINED, the City Council hereby authorizes the disposal of property, 1.12 acres of undeveloped land, located at Plat 93-32, Lagoon Parcel Bethel Native Corporation ANCSA 14(c) Survey, situated within a portion of Section 5, Township 8 North, Range 71 West, Seward Meridian, located in the Bethel Recording District, Fourth Judicial District at Bethel, Alaska

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

Introduced by: Council Member Fansler
Date: July 28, 2015
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SECTION 2. Authorization. Pursuant to Bethel Municipal Code 04.08.030 Disposal of Real Property.

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

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA, THIS ___ DAY OF AUGUST 2015, BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

City of Bethel Action Memorandum

Action Memorandum No.	15-24		
Date Action Introduced:	July 28, 2015	Introduced by:	Mayor Robb
Date Action Taken:	July 28, 2015	Approved	<input checked="" type="checkbox"/> Denied
Confirmed By:			

SUBJECT/ACTION:

Approve Mayor's appointment of Alisha Welch to the Public Works Committee as an Alternate Member.

Route to Department/Individual	Initials	Remarks
Muzaffar Lakhani/Public Works		

Attachment(s):
Application

Fiscal Impact Amount	Description	Account information
X	No fiscal impact	

Summary Statement

Action Memorandum 15-24 is sponsored by the Mayor at the request of the City Clerk.

Alisha Welch has requested appointment to the Public Works Committee. If appointed, she would be appointed to a term of three years with a term expiration of December 31, 2018 as an alternate member.

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



APPLICATION FOR APPOINTMENT TO A COMMITTEE OR COMMISSION

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

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

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

NAME: Alisha Welch

MAILING ADDRESS: PO Box Bethel, Ak 99559

RESIDENCE ADDRESS: Bethel, AK 99559

HOME PHONE: 907-545- WORK PHONE: 907-543-

CELL PHONE: 907-545- E-MAIL:

OCCUPATION: Judicial Assistant EMPLOYER: State of Alaska Court System

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

Yes. My father Lenny Welch manages AVEC

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

No.

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

No.

4. Are you a resident of the City of Bethel? Yes ___ No If so, for how long? 25 years

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

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

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

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

Signature of Applicant: *Alice Udeha* Date: 7/17/15

FOR OFFICE USE ONLY

Date Received: July 17, 2015

Date of Council Approval: Action Memorandum Number: 15-24

Date Applicant Notified:

Term Expiration: Dec, 2018

Registered voter of the City Yes ___ No

Mayor's Report

Bethel City Council

Office of the City Manager

Manager's Report



MEMORANDUM

From: Ann K. Capela, City Manager
To: Mayor, Vice Mayor and Council
Cc: City Attorney, City Clerk
Date: July 21, 2015
Re: City Manager's Report

1. RFP opportunities: The City currently closed an RFP for (a) City Audit Services – there were **no** proposals on the closing date. The RFP has been re-posted and is due on 08.17.2015. This is of concern to administration. It is unlikely the City will be able to meet its own deadline for completing the FY 2014/15 financial audit.
2. Other RFP's pending (a) Electrician's Services due 07.21.2015 (b) Employee Health Benefits due 08.21.2015; and (d) Calcium & Sodium Chloride due 08.03.2015.
3. Thank you to all the City's 4th of July Event Sponsors:
 - (a) Gold Sponsor \$2,000 – Donlin Gold
 - (b) Silver Sponsors \$1,000 each – YKHC
 - (c) Silver Sponsor - Bethel VFW Post 10041
 - (d) Bronze \$500 – AVEC (Alaska Village Electric Cooperative)
4. "If you see something, say something" City administration initiative – while all the agencies that were contacted made commitment to the cause, there are some difficulty in assembling all the agencies into one meeting. I continue to pursue the on-site meeting of all those who committed in the initial phase of this endeavor. Article from AND included.
5. Ridgecrest Drive – While Council did not fund this project in the FY 2015/16 Budget – I continue to dialogue with Alaska DOT officials to find a compromise but also to bring back to the table the LKSD who is an essential participant to the traffic and safety issues in the Ridgecrest Drive project. Federal DOT, the State DOT, the City of Bethel and LKSD should work together to find a solution in the interest of saving lives and protection of property. The State DOT has pledged to keep working on a 3-party resolution to this challenge.
6. AVEC – I anticipate an excellent meeting with Alaska Village Electric Cooperative (AVEC) CEO, Meera Kohler. The major discussion of our meeting was the outstanding issues and opportunities between AVEC and the City of Bethel. We have identified at least 5 major issues that need to be resolved with mutual interest between the City and AVEC: (a) light pole agreement (b) wind power grant (c) recovered heat (d) utility permits for ROW's and (e) boardwalk over the recovered heat transmission line.

7. Institutional Corridor Project – This project has encountered some delays due to unexpected issues arising from acquisition of easements and the approved engineering study routing. It appears at this time that the City may be seeking to acquire over 45 easements. The pipe ordered for this project is in transit and the delivery of the product is scheduled on time. The City's engineering consultant is also working closely with YKCH to ensure that any future expansion of the institutional corridor meets the needs for the expansion of the YKCH facility.
8. Waste Water – Lagoon cement pad: These two separate projects are linked in that the City will be using the funds from the \$700K **capital** grant for a PER and an ER study for the larger USDA grant. It has taken quite a while to receive permission from the State to allow the City to use "funds designated for "capital project" for a "study" which is not considered "capital" expenditure. The City does not have funds to perform PER and ER in order to apply for USDA funds. The most pressing issue at this time is to conclude the ER and the PER – reports that will also serve as the required documents to apply for the USDA "lagoon" grant. This PR and PER will need to identify one solution to the truck dump site and provide at least two alternative solution to transmission of the wastewater to the lagoon. Both the PER and ER have a 30 day public comment period (scoping) thus the timing for the ER and PER was of the essence. The PER and ER must be submitted to USDA no later than first week of August 2015 in order for the USDA staff to evaluate the grant application and make a final determination for the Federal Fiscal Year end which is September 30, 2015. Administration is working closely with USDA, EPA and the state DEC to work on the immediate work but also on the long term success for the solutions that need to be implemented for the health and safety of the residents of Bethel and the environment.
9. City Hall – Main project will be to refurbish the walls in the City Hall public hall and the vestibule to Council Chambers. The plan is to change the floor in the hallway and the front of the Finance Office where customers pay their bills.
10. City Planner – Thus far there is no success in hiring a City Planner but the City has a prospective applicant who is relocating to Bethel and looking for suitable employment. The City has reached out to various educational institutions, and Planning Associations. Both U.S. and Canada is experiencing a shortage of planning professionals and the completion for newly graduated Planners is healthy. There has been no decision made to as to where to relocate the current Planning office although staff has discussed about the possibility of a Planning Office in the proposed Port Authority building. The one alternative with least cost impact is to move the Planning office to the Court Complex. The most expensive alternative is to move Planning to the Log Cabin (which may not have enough space as currently outfitted). Staying the current location is not an option. The current Planning Admin Assistant has agreed to upgrade skills to a possible Planner I., which will assist in processing the service to the public Currently the Commercial Site Plan permits are signed off by the City Manager and applications for subdivisions or other more complex work is reviewed by the City Attorney.

11. United Pools Report: Attached is the June 2015 narrative and the FY financial report. While this is not an audited financial report it does provide a financial map as to the cost of the operation of the pool facility in the first 8 months.
12. Follow- Up on the Joint Task Force for with ONC: **(a)** To date ONC has *not submitted* a subdivision application to the City Planning Department. An email memo has been sent to Zack Brink, Executive Director of ONC, to make him aware of the process under the City's BMC Chapter 17. The preceding component of the subdivision application is the issue of access to the subdivision. Prior to having an access road – the proposed subdivision is landlocked and not developable; **(b)** Water-Sewer rates; for FY 2015/16 there is still an approximate \$50K transferred from the GF to Water fund. A great need exists to develop an "infrastructure replacement fund" for replacement of existing water pipes. **(c)** Tobacco Taxes – currently the City has a set aside of \$73K towards the park development fund; **(d)** Pinky's Park boardwalk – PW Department has the "parks" portion oversight and is performing maintenance on boardwalks including Pinky's Park. There is a plan to develop some stealth detection methods of activities on the boardwalks; **(e)** Kids Don't Float – program is a State of Alaska program. According to the Port Director the City is working on the improvements of the pick-up area for the life jackets but the main problem is that the individual borrows of these lifesaving devices do NOT return what has been borrowed; **(f)** Joint Proclamation – completed; **(g)** Lease Agreement for the "multi-purpose" building. The City will wait for alternative proposals from ONC.

Alaska Dispatch News

Published on *Alaska Dispatch News* (<http://www.adn.com>)

[Home](#) > Public health officials find steep rise in Alaska heroin deaths, overdoses

Michelle Theriault Boots ^[1]

July 14, 2015

Main Image:

heroinchart ^[2]

Heroin is taking a unprecedented toll on Alaska, with deaths, overdoses and medical costs sharply rising, according to a new report ^[3] by the state Division of Public Health.

The 18-page report, released Tuesday, details the dimensions of the problem. It comes a week after the federal Centers for Disease Control and Prevention ^[4] announced the similarly staggering results of their own survey of heroin and opiate use nationwide.

Among the findings in the Alaska report:

- The number of Alaskans who said they had used heroin in the past year quadrupled between 2002 and 2013.
- The number of heroin-related deaths in Alaska more than tripled between 2008 and 2013. In 2012, the rate of such deaths, at 2.7 per 100,000 people, was 42 percent higher than the national rate.
- The rate of hospitalizations for heroin poisoning nearly doubled between 2008 and 2012. Total medical costs exceeded \$2 million.
- Between 2004 and 2013, the number of Medicaid payment requests for heroin poisoning increased almost tenfold.
- Between 2009 and 2013, heroin-related admissions to publicly funded substance abuse treatment centers nearly doubled.

The report's data also offers a glimpse at the people being hospitalized for heroin overdoses in Alaska.

Some 68 percent of those hospitalized were white and 59 percent were female, according to Medicaid patient data of people treated for heroin poisoning between 2003 and 2014. They were most likely to be between 20 and 39 years old.

None of this comes as a surprise to people who work in emergency medicine or addiction treatment.

"It's getting to be almost surreal," said Mike Crotty, the EMS battalion chief for the Anchorage Fire Department. He oversees emergency medical response in the city.

It isn't uncommon for Crotty to be called to one or two heroin overdoses in a shift, he said. His record is six.

His medics treat overdose victims who've shot up in cars, in houses littered with needles, or outside. The increase first became noticeable a few years ago, Crotty said.

"It's frightening how much we're seeing it," he said.

While the newly released study focuses exclusively on heroin, the problem is "tightly linked to an epidemic of opioid pain reliever abuse," according to Jay Butler, chief medical officer of the state Division of Public Health.

The resurgence of the drug is due to a few factors, Butler says. Heroin is both more available and cheaper than it was in the past. Combined with a tandem epidemic of prescription painkiller addiction, "it's a perfect storm," he said.

A recent federal study found that people with a history of abusing prescription opiate pain relievers were 19 times more likely to use heroin than those with no history of nonmedical use.

To counter the deaths and hospitalizations, the study's authors recommend better screening for people who may have a heroin problem, tighter control of prescription painkillers -- often a pathway to addiction -- and wider access to Narcan, a lifesaving drug that can stop the effects of a heroin overdose.

In 2014, emergency medics in Alaska used 490 doses of Narcan on patients. Several states have allowed even wider access to Narcan, providing it to police departments and even addicts and their families and friends.

Sen. Johnny Ellis, D-Anchorage, [introduced a bill](#) ^[5] during this year's legislative session that would remove civil liability for doctors who preventatively prescribe Narcan to addicts and friends and family who administer it during an overdose. Senate Bill 23 passed the Senate but was stalled in the House when the session ended.

Substance abuse treatment can't be left out of the discussion, Butler said.

The report identifies four methadone clinics in Alaska and about 50 certified prescribers of Suboxone, another opioid treatment. Treatment works best when therapy is combined with medication, the study's authors say. In 2014, a total of 798 people got some kind of state-funded substance abuse help, the report says.

But people are still falling through the cracks.

"Access to care is certainly an issue," Butler said. "The number of sites and providers who are well-trained and comfortable managing addiction is fairly limited. While there are treatment options available, getting the right people to the right provider has not always been successful."

Butler says he is heartened by at least one sliver of light in a dark topic: People are talking more openly [6] about addiction and its impacts, perhaps a step toward shedding a persistent stigma.

“This used to be the kind of thing people didn’t talk about,” he said. “The silence is breaking.”

Source URL: <http://www.adn.com/article/20150714/public-health-officials-find-steep-rise-alaska-heroin-deaths-overdoses>

Links:

[1] <http://www.adn.com/author/michelle-theriault-boots>

[2] <http://www.adn.com/image/heroinchart>

[3] http://www.epi.alaska.gov/bulletins/docs/rr2015_01.pdf

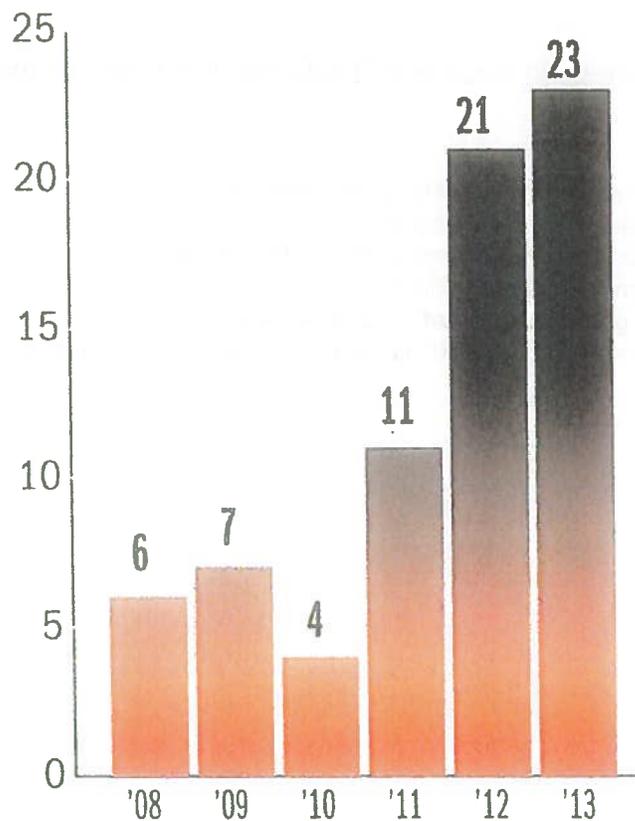
[4] <http://www.cdc.gov/vitalsigns/heroin/>

[5] <http://www.akleg.gov/basis/Bill/detail/29?Root=SB23>

[6] <http://www.adn.com/article/20150712/obituaries-shed-euphemisms-chronicle-toll-heroin>

Heroin deaths* in Alaska

2008-2013



*Deaths where heroin was either the underlying cause of death or contributed to it.

Source: Alaska Division of Public Health

YKFC Revenue and Expense - Budget Report for June 2015
Operating Budget November 1, 2014 - June 30, 2015

	Estimate, 8 months												Totals	Budget Variance	
	October	November	December	January	February	March	April	May	June						
Revenues,															
Entry Fees	\$ 43,851.04	\$ 25,855.65	\$ 30,674.14	\$ 23,766.66	\$ 29,180.50	\$ 18,161.25	\$ 42,016.25	\$ 14,291.00	\$ 21,460.00	\$ 249,256.49	\$ (107,904.62)				
Facility Rental	\$ 44,397.67	\$ 175.00	\$ 5,567.50	\$ 1,605.00	\$ 545.00	\$ 75.00	\$ 1,860.50	\$ 745.00	\$ 1,685.00	\$ 12,258.00	\$ 32,139.67				
Program Fees	\$ 88,099.20	\$ 5,203.00	\$ 5,208.09	\$ 3,979.00	\$ 4,579.50	\$ 6,796.90	\$ 1,548.20	\$ 3,416.00	\$ 13,619.00	\$ 39,141.60	\$ 48,957.60				
Concessions Revenue	\$ 57,530.67	\$ 3,656.43	\$ 6,208.09	\$ 4,376.84	\$ 5,209.20	\$ 6,911.75	\$ 5,939.30	\$ 3,830.00	\$ 4,523.25	\$ 41,642.12	\$ 15,888.55				
Pro-shop Revenue	\$ 20,000.00	\$ 3,963.47	\$ 8,199.34	\$ 4,826.66	\$ 4,924.75	\$ 4,991.50	\$ 3,855.50	\$ 2,229.00	\$ 2,613.75	\$ 31,848.95	\$ (11,848.95)				
Total Revenues (Collected by USAPools, expense offset)	\$ 45,926.03	\$ 33,650.55	\$ 55,852.07	\$ 38,554.16	\$ 44,438.95	\$ 36,936.40	\$ 55,219.75	\$ 24,511.00		\$ 374,147.16	\$ (22,767.76)				
Expenses															
Fixed Fee	\$ 93,466.72										\$ -				
Facility & Program Director-AK	\$ 90,000.00	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,683.34	\$ 11,638.34	\$ 11,728.34	\$ 93,466.72	\$ -				
Lifeguard Labor - AK (include Manager labor)	157,437.00	\$ 6,020.83	\$ 15,062.49	\$ 6,775.39	\$ 9,552.27	\$ 9,375.00	\$ 9,375.00	\$ 10,568.18	\$ 22,187.50	\$ 88,916.66	\$ 1,083.34				
Customer Service		\$ 10,536.00	\$ 10,716.76	\$ 7,924.24	\$ 8,596.68	\$ 10,182.88	\$ 12,356.60	\$ 12,137.28	\$ 20,831.30	\$ 93,281.74	\$ 64,155.26				
Representative Labor	70,500.00	\$ 4,670.00	\$ 9,487.04	\$ 2,465.39	\$ 7,813.24	\$ 5,039.24	\$ 5,907.62	\$ 6,522.70	\$ 11,419.02	\$ 53,324.25	\$ 17,175.75				
Cleaners Labor	42,210.00	\$ 3,470.00	\$ 3,781.30	\$ 1,115.20	\$ 1,442.50	\$ 692.00	\$ 1,358.58	\$ 2,066.68	\$ 4,931.84	\$ 18,858.10	\$ 23,351.90				
Bank Fees	21,120.00	\$ (162.00)	\$ 1,651.72	\$ 498.69	\$ 418.25	\$ 831.91		\$ 521.12		\$ 4,402.57	\$ 16,717.43				
Aquatics Programs Labor	31,500.00			\$ 384.00	\$ 24.00	\$ 984.00	\$ 912.00		\$ 1,128.00	\$ 3,432.00	\$ 28,068.00				
Fitness Programs Labor	26,250.00			\$ 210.00	\$ 495.00	\$ 570.00	\$ 270.00		\$ 690.00	\$ 2,235.00	\$ 24,015.00				
Payroll Taxes	46,415.92	\$ 687.43	\$ 4,287.81		\$ 5,258.72	\$ 3,006.09	\$ 3,169.74	\$ 3,408.69	\$ 6,402.64	\$ 26,221.12	\$ 20,194.80				
Insurance - Workman's				\$ 4,990.00						\$ 4,990.00	\$ 23,431.00				
Compensation	28,421.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00	\$ 6,000.00		\$ 3,000.00	\$ 3,000.00	\$ 24,000.00	\$ -				
Cost of Living Adjustment	24,000.00	\$ 3,000.00	\$ 1,400.00	\$ 650.00	\$ 650.00	\$ 1,300.00		\$ 650.00	\$ 550.00	\$ 5,200.00	\$ -				
Benefits	5,200.00		\$ 960.00	\$ 44.00				\$ 1,910.00	\$ 300.00	\$ 3,214.00	\$ 5,586.00				
Training Cost - AK	8,800.00					\$ 664.77			\$ 2,073.91	\$ 2,738.68	\$ 8,861.32				
Advertising/Marketing Exp - AK	11,600.00			\$ 7,106.66	\$ 570.40	\$ 566.40	\$ 21.60	\$ 6,118.60		\$ 14,383.66	\$ 15,466.34				
Sub-Contractor Cost, Maint	29,850.00														
Building Maintenance															
Contingency Reserve	2,500.00							\$ 48.16	\$ 898.62	\$ 3,328.44	\$ (828.44)				
Pool/Building Supplies Cost-AK	2,500.00			\$ 530.55	\$ 1,561.63	\$ 289.48				\$ -	\$ 2,500.00				

YKFC
USA Pools Activity Report for the Month of
June 2015

This report is submitted in conjunction with the Budget Report of the same date. Of the \$795,270.64 of the authorized operating budget, \$536,638.30 has been spent to date. Of the \$351,379.40 projected revenues, \$374,147.16 has been generated.

Operations:

This month we did not have any change in operations. Please see attachments for POS trends and facility usage

Maintenance:

This month we had to repair one of the handicap chairs in the men's locker room. The chair became completely detached from the wall. In an effort to prevent misuse of equipment, we have added making regular walk throughs of the restroom to all the employee's responsibilities.

Programming:

For the month of June we implemented new programs to the fitness center. The main goal for all these programs is to increase family participation at the facility. Elders day is two Sundays out of the month where any persons 65 or older may come in for free but has to be accompanied by someone that pays regular admission. Parents Night is for parents to bring their kids in for an hour and so they can workout and we watch their kids for them. We also launched Teen Night, Toddler Time, Jam Sessions, Game Tournament Night, Pool and Relay Races, Dive-In Movies, and Bump Tournament. We also had an extremely successful month full of Summer Camp H2O with the largest group being 16 participants. We will continue to run Camp H2O through the last week of July.

Outreach:

With all the new programs, we made flyers and posted them all over town and had radio promos and psa's at KYUK. We hosted Camp Fire Alaska with the help of 4-H and Lifesavers, in which we had a group of kids come and swam for three (3) days. Fish and Wildlife did survival training in the pool and were taught how to survive a small airplane crash

Certified by:

Bobbi Fortner Controller 7/13/15
Bobbi Fortner Title Date

pg. 3

Transactions Total

Yukon Kuskokwim

Admissions

Adult Pool	306	395
Adult Fitness	82	86
Adult Fitness & Pool	10	10
First Time Package Youth - Pool	4	4
Fitness Class Drop In	1	1
Kids	1	1
Military Fitness	3	3
Military Pool	9	11
Military Pool & Fitness	3	3
Parent night (pool and fitness)	1	1
Parents Night	1	1
Parents Night (Kids)	2	2
Pool or Fitness add-on	1	2
Senior Fitness	10	12
Senior Pool	26	31
Teen Dive In Movie	1	2
Youth Fitness	16	18
Youth Pool	502	1049

Concessions

Apple Sauce	7	7
Beef Jerky	43	49
Bottle Water	135	157
Candy	86	112
Chicken Tenders	13	16
Chips	76	92
Coffee	22	26
Corn Dog	55	74
Extra Cheese	7	8
Extra- Chill	3	4
French Fries	15	18
Fruit Snacks	1	1
Granola(variety)	4	5
Hot Chocolate	18	22
Hot Dogs	93	143
Juice	58	85
Nachos	174	213
Nake Drink	29	31
Oatmeal	13	17
Pizza	72	94
Raisins	17	18
Salted Peanuts	3	3
Smoothies	38	44
Soft Pretzels	118	147
Supreme pizza	5	6
Sweet potato fries	6	6
Trail Mix	5	5
Water Cup	103	149
Yogurt	22	30

79.4

Pro Shop

Activity Counter	3	3
Anti Fog Goggles	3	3
Anti Fog Metallic Goggles	1	4
Boys Swim Trunks	33	40
Dive Rings	5	6
Ear plugs	8	9
Fitness Shirt	3	3
Flip Flops	6	8
Girls One Piece Suit	23	35
Head Phones	2	2
Locker Locks	14	14
Men's Swim Trunks	10	11
Nose Plugs	2	2
Pull Buoy	1	1
Regular Kickboards	2	2
Shammy Towel	2	2
Silicon Swim Cap	9	9
Swim Diapers	55	62
Towel	8	14
Water Wings	15	17
Women's One Piece Suit	22	25
Women's Plus size one piece suit	7	8

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

Pool Reports –

Day of Week	Time	Head Count of Pool
Sunday, 6-7-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	3
	11:00 AM	12
	12:00 PM	8
	1:00 PM	25
	2:00 PM	28
	3:00 PM	45
	4:00 PM	52
5:00 PM	49	
6:00 PM	46	
7:00 PM	19	
8:00 PM		
9:00 PM		
Total		287

Day of Week	Time	Head Count of Pool
Wednesday, 6-10-2015	6:30 AM	3
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	2
	11:00 AM	
	12:00 PM	
	1:00 PM	
	2:00 PM	
	3:00 PM	10
	4:00 PM	15
5:00 PM	8	
6:00 PM	10	
7:00 PM	37	
8:00 PM		
9:00 PM		
Total		85

Day of Week	Time	Head Count of Pool
Friday, 6-12-2015	6:30 AM	3
	7:00 AM	3
	8:00 AM	1
	9:00 AM	1
	10:00 AM	2
	11:00 AM	3
	12:00 PM	4
	1:00 PM	5
	2:00 PM	14
	3:00 PM	23
	4:00 PM	17
5:00 PM		
6:00 PM		
7:00 PM		
8:00 PM		
9:00 PM		
Total		76

Day of Week	Time	Head Count of Pool
Tuesday, 6-9-2015	6:30 AM	4
	7:00 AM	1
	8:00 AM	3
	9:00 AM	4
	10:00 AM	
	11:00 AM	
	12:00 PM	
	1:00 PM	15
	2:00 PM	20
	3:00 PM	24
	4:00 PM	32
5:00 PM		
6:00 PM		
7:00 PM		
8:00 PM		
9:00 PM		
Total		103

Day of Week	Time	Head Count of Pool
Thursday, 6-11-2015	6:30 AM	1
	7:00 AM	5
	8:00 AM	4
	9:00 AM	5
	10:00 AM	3
	11:00 AM	
	12:00 PM	
	1:00 PM	
	2:00 PM	
	3:00 PM	5
	4:00 PM	8
5:00 PM	11	
6:00 PM		
7:00 PM		
8:00 PM		
9:00 PM		
Total		42

Day of Week	Time	Head Count of Pool
Saturday, 6-13-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	
	11:00 AM	
	12:00 PM	
	1:00 PM	
	2:00 PM	
	3:00 PM	35
	4:00 PM	22
5:00 PM	20	
6:00 PM	35	
7:00 PM	30	
8:00 PM		
9:00 PM		
Total		142

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

Day of Week	Time	Head Count of Pool
Sunday, 6-14-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	13
	11:00 AM	7
	12:00 PM	1
	1:00 PM	33
	2:00 PM	40
	3:00 PM	45
4:00 PM	20	
5:00 PM	19	
6:00 PM		
7:00 PM		
8:00 PM		
9:00 PM		
Total		178

Day of Week	Time	Head Count of Pool
Wednesday, 6-17-2015	6:30 AM	3
	7:00 AM	5
	8:00 AM	
	9:00 AM	
	10:00 AM	
	11:00 AM	
	12:00 PM	5
	1:00 PM	12
	2:00 PM	
	3:00 PM	21
4:00 PM	32	
5:00 PM	25	
6:00 PM	19	
7:00 PM	22	
8:00 PM	44	
9:00 PM		
Total		188

Day of Week	Time	Head Count of Pool
Friday, 6-19-2015	6:30 AM	4
	7:00 AM	4
	8:00 AM	4
	9:00 AM	3
	10:00 AM	4
	11:00 AM	7
	12:00 PM	10
	1:00 PM	23
	2:00 PM	30
	3:00 PM	28
4:00 PM	45	
5:00 PM	13	
6:00 PM	45	
7:00 PM	47	
8:00 PM	33	
9:00 PM		
Total		300

Day of Week	Time	Head Count of Pool
Tuesday, 6-16-2015	6:30 AM	5
	7:00 AM	8
	8:00 AM	2
	9:00 AM	4
	10:00 AM	8
	11:00 AM	3
	12:00 PM	11
	1:00 PM	30
	2:00 PM	19
	3:00 PM	25
4:00 PM	27	
5:00 PM	13	
6:00 PM	11	
7:00 PM		
8:00 PM		
9:00 PM		
Total		166

Day of Week	Time	Head Count of Pool
Thursday, 6-18-2015	6:30 AM	2
	7:00 AM	3
	8:00 AM	1
	9:00 AM	2
	10:00 AM	5
	11:00 AM	7
	12:00 PM	20
	1:00 PM	25
	2:00 PM	35
	3:00 PM	23
4:00 PM	17	
5:00 PM	12	
6:00 PM	23	
7:00 PM		
8:00 PM	33	
9:00 PM		
Total		208

Day of Week	Time	Head Count of Pool
Saturday, 6-20-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	
	11:00 AM	
	12:00 PM	
	1:00 PM	2
	2:00 PM	2
	3:00 PM	8
4:00 PM	7	
5:00 PM	23	
6:00 PM		
7:00 PM	23	
8:00 PM		
9:00 PM		
Total		65

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

Day of Week	Time	Head Count of Pool
Sunday, 6-21-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	9
	11:00 AM	3
	12:00 PM	12
	1:00 PM	29
	2:00 PM	32
	3:00 PM	45
	4:00 PM	38
5:00 PM	32	
6:00 PM		
7:00 PM		
8:00 PM		
9:00 PM		
Total		200

Day of Week	Time	Head Count of Pool
Wednesday, 6-24-2015	6:30 AM	5
	7:00 AM	3
	8:00 AM	2
	9:00 AM	4
	10:00 AM	4
	11:00 AM	5
	12:00 PM	30
	1:00 PM	10
	2:00 PM	5
	3:00 PM	20
	4:00 PM	7
5:00 PM	20	
6:00 PM	20	
7:00 PM		
8:00 PM		
9:00 PM		
Total		135

Day of Week	Time	Head Count of Pool
Friday, 6-26-2015	6:30 AM	1
	7:00 AM	3
	8:00 AM	2
	9:00 AM	2
	10:00 AM	1
	11:00 AM	6
	12:00 PM	6
	1:00 PM	8
	2:00 PM	17
	3:00 PM	12
	4:00 PM	9
5:00 PM	10	
6:00 PM	12	
7:00 PM	13	
8:00 PM	11	
9:00 PM		
Total		113

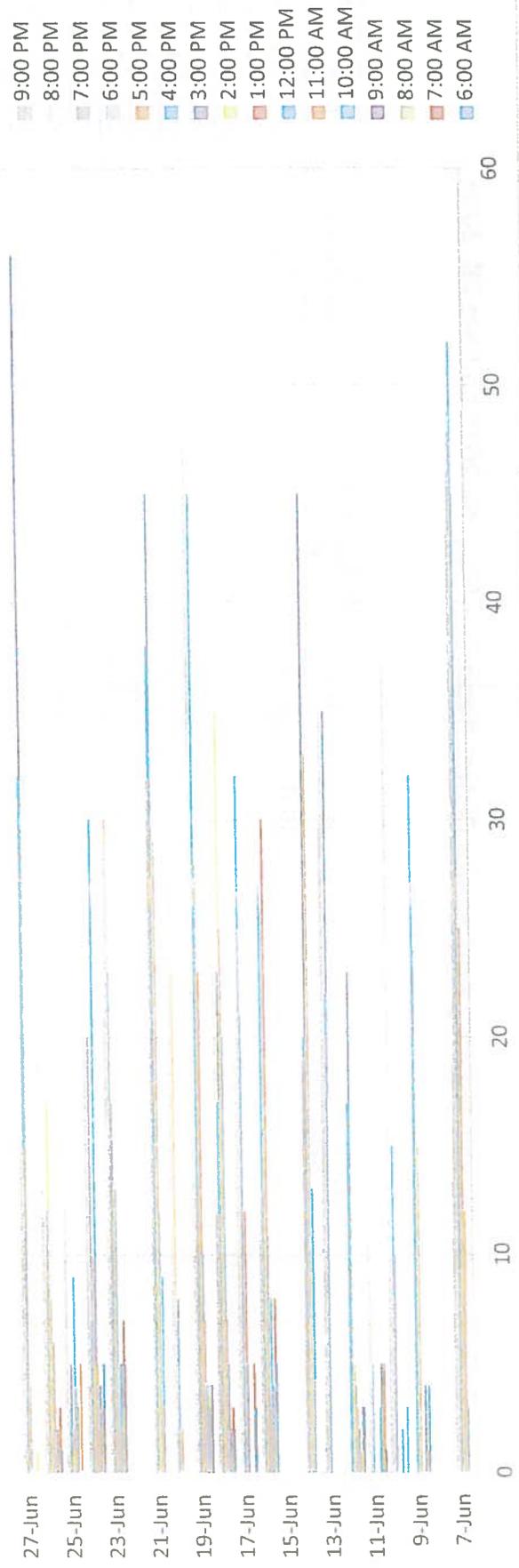
Day of Week	Time	Head Count of Pool
Tuesday, 6-23-2015	6:30 AM	5
	7:00 AM	7
	8:00 AM	3
	9:00 AM	5
	10:00 AM	5
	11:00 AM	2
	12:00 PM	13
	1:00 PM	13
	2:00 PM	21
	3:00 PM	17
	4:00 PM	23
5:00 PM	30	
6:00 PM	29	
7:00 PM	21	
8:00 PM	16	
9:00 PM		
Total		210

Day of Week	Time	Head Count of Pool
Thursday, 6-25-2015	6:30 AM	
	7:00 AM	5
	8:00 AM	4
	9:00 AM	
	10:00 AM	3
	11:00 AM	4
	12:00 PM	9
	1:00 PM	2
	2:00 PM	1
	3:00 PM	5
	4:00 PM	3
5:00 PM	5	
6:00 PM	13	
7:00 PM	10	
8:00 PM	10	
9:00 PM		
Total		74

Day of Week	Time	Head Count of Pool
Saturday, 6-27-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	1
	10:00 AM	
	11:00 AM	
	12:00 PM	
	1:00 PM	4
	2:00 PM	37
	3:00 PM	56
	4:00 PM	32
5:00 PM	15	
6:00 PM	17	
7:00 PM	6	
8:00 PM		
9:00 PM		
Total		168

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

TIME	7-Jun	9-Jun	10-Jun	11-Jun	12-Jun	13-Jun	14-Jun	16-Jun	17-Jun	18-Jun	19-Jun	20-Jun	21-Jun	23-Jun	24-Jun	25-Jun	26-Jun	27-Jun
6:00 AM	0	4	3	1	3	0	0	5	3	2	4	0	0	5	5	0	1	0
7:00 AM	0	1	0	5	3	0	0	8	5	3	4	0	0	7	3	5	3	0
8:00 AM	0	3	0	4	1	0	0	2	0	1	4	0	0	3	2	4	2	1
9:00 AM	0	4	0	5	1	0	0	4	0	2	3	0	0	5	4	0	2	0
10:00 AM	3	0	2	3	2	0	13	8	0	5	4	0	9	5	4	3	1	0
11:00 AM	12	0	0	0	3	0	7	3	0	7	7	0	3	2	5	4	6	0
12:00 PM	8	0	0	0	4	0	1	11	5	20	10	0	12	13	30	9	6	0
1:00 PM	25	15	0	0	5	0	33	30	12	25	23	2	29	13	10	2	8	4
2:00 PM	28	20	0	0	14	0	40	19	0	35	30	2	32	21	5	1	17	37
3:00 PM	45	24	10	0	23	35	45	25	21	23	28	8	45	17	20	5	12	56
4:00 PM	52	32	15	5	17	22	20	27	32	17	45	7	38	23	7	3	9	32
5:00 PM	49	0	8	8	0	20	19	13	25	12	13	23	32	30	20	5	10	15
6:00 PM	46	0	10	11	0	35	0	11	19	23	45	0	0	29	20	13	12	17
7:00 PM	19	0	37	0	0	30	0	0	22	0	47	23	0	21	0	10	13	6
8:00 PM	0	0	0	0	0	0	0	0	44	33	33	0	0	16	0	10	11	0
9:00 PM	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0



YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

Fitness Reports –

Day of Week	Time	Head Count of Pool
Saturday, 5-30-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	4
	11:00 AM	4
	12:00 PM	2
	1:00 PM	2
	2:00 PM	
	3:00 PM	5
	4:00 PM	4
	5:00 PM	4
6:00 PM	8	
7:00 PM	3	
8:00 PM		
9:00 PM		
Total		36

Day of Week	Time	Head Count of Pool
Wednesday, 6-3-2015	6:30 AM	5
	7:00 AM	6
	8:00 AM	1
	9:00 AM	
	10:00 AM	
	11:00 AM	
	12:00 PM	
	1:00 PM	
	2:00 PM	
	3:00 PM	1
	4:00 PM	3
	5:00 PM	4
6:00 PM	6	
7:00 PM	5	
8:00 PM	2	
9:00 PM		
Total		33

Day of Week	Time	Head Count of Pool
Friday, 6-5-2015	6:30 AM	3
	7:00 AM	3
	8:00 AM	1
	9:00 AM	
	10:00 AM	
	11:00 AM	
	12:00 PM	1
	1:00 PM	1
	2:00 PM	
	3:00 PM	1
4:00 PM	1	
5:00 PM	8	
6:00 PM	3	
7:00 PM	4	
8:00 PM	3	
9:00 PM		
Total		29

Day of Week	Time	Head Count of Pool
Tuesday, 6-2-2015	6:30 AM	7
	7:00 AM	7
	8:00 AM	4
	9:00 AM	3
	10:00 AM	19
	11:00 AM	18
	12:00 PM	2
	1:00 PM	1
	2:00 PM	1
	3:00 PM	1
	4:00 PM	7
	5:00 PM	6
6:00 PM	5	
7:00 PM	9	
8:00 PM		
9:00 PM		
Total		90

Day of Week	Time	Head Count of Pool
Thursday, 6-4-2015	6:30 AM	1
	7:00 AM	5
	8:00 AM	
	9:00 AM	
	10:00 AM	7
	11:00 AM	
	12:00 PM	5
	1:00 PM	1
	2:00 PM	1
	3:00 PM	1
	4:00 PM	3
	5:00 PM	5
6:00 PM	2	
7:00 PM	4	
8:00 PM		
9:00 PM		
Total		35

Day of Week	Time	Head Count of Pool
Saturday, 6-6-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	1
	10:00 AM	
	11:00 AM	
	12:00 PM	
	1:00 PM	3
	2:00 PM	5
	3:00 PM	6
4:00 PM	6	
5:00 PM	10	
6:00 PM	3	
7:00 PM		
8:00 PM		
9:00 PM		
Total		34

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

Day of Week	Time	Head Count of Pool
Friday, 6-12-2015	6:30 AM	3
	7:00 AM	4
	8:00 AM	
	9:00 AM	
	10:00 AM	1
	11:00 AM	2
	12:00 PM	1
	1:00 PM	3
	2:00 PM	6
	3:00 PM	4
	4:00 PM	6
5:00 PM	5	
6:00 PM	4	
7:00 PM	2	
8:00 PM	3	
9:00 PM	1	
Total		45

Day of Week	Time	Head Count of Pool
Wednesday, 6-10-2015	6:30 AM	3
	7:00 AM	5
	8:00 AM	
	9:00 AM	
	10:00 AM	2
	11:00 AM	5
	12:00 PM	5
	1:00 PM	5
	2:00 PM	1
	3:00 PM	3
	4:00 PM	4
	5:00 PM	2
	6:00 PM	4
7:00 PM	3	
8:00 PM	4	
9:00 PM		
Total		46

Day of Week	Time	Head Count of Pool
Sunday, 6-7-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	4
	11:00 AM	2
	12:00 PM	3
	1:00 PM	2
	2:00 PM	4
	3:00 PM	4
	4:00 PM	6
5:00 PM	2	
6:00 PM	2	
7:00 PM		
8:00 PM		
9:00 PM		
Total		29

Day of Week	Time	Head Count of Pool
Saturday, 6-13-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	1
	10:00 AM	4
	11:00 AM	1
	12:00 PM	6
	1:00 PM	2
	2:00 PM	2
	3:00 PM	1
	4:00 PM	5
5:00 PM	5	
6:00 PM	4	
7:00 PM	2	
8:00 PM	3	
9:00 PM	1	
Total		37

Day of Week	Time	Head Count of Pool
Thursday, 6-11-2015	6:30 AM	2
	7:00 AM	2
	8:00 AM	
	9:00 AM	3
	10:00 AM	1
	11:00 AM	13
	12:00 PM	2
	1:00 PM	1
	2:00 PM	2
	3:00 PM	2
	4:00 PM	2
	5:00 PM	3
	6:00 PM	3
7:00 PM	4	
8:00 PM	4	
9:00 PM		
Total		44

Day of Week	Time	Head Count of Pool
Tuesday, 6-9-2015	6:30 AM	4
	7:00 AM	4
	8:00 AM	4
	9:00 AM	2
	10:00 AM	20
	11:00 AM	11
	12:00 PM	4
	1:00 PM	
	2:00 PM	2
	3:00 PM	3
	4:00 PM	1
	5:00 PM	4
	6:00 PM	2
7:00 PM	7	
8:00 PM		
9:00 PM		
Total		68

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

Day of Week	Time	Head Count of Pool
Friday, 6-19-2015	6:30 AM	2
	7:00 AM	5
	8:00 AM	2
	9:00 AM	
	10:00 AM	3
	11:00 AM	3
	12:00 PM	2
	1:00 PM	
	2:00 PM	
	3:00 PM	1
4:00 PM	2	
5:00 PM	3	
6:00 PM	4	
7:00 PM	3	
8:00 PM	5	
9:00 PM		
Total		35

Day of Week	Time	Head Count of Pool
Wednesday, 6-17-2015	6:30 AM	4
	7:00 AM	6
	8:00 AM	1
	9:00 AM	
	10:00 AM	1
	11:00 AM	2
	12:00 PM	1
	1:00 PM	
	2:00 PM	
	3:00 PM	
	4:00 PM	2
	5:00 PM	4
	6:00 PM	5
7:00 PM	3	
8:00 PM	3	
9:00 PM		
Total		32

Day of Week	Time	Head Count of Pool
Sunday, 6-14-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	5
	11:00 AM	6
	12:00 PM	3
	1:00 PM	10
	2:00 PM	6
	3:00 PM	4
	4:00 PM	4
5:00 PM	3	
6:00 PM	2	
7:00 PM		
8:00 PM		
9:00 PM		
Total		43

Day of Week	Time	Head Count of Pool
Saturday, 6-20-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	3
	11:00 AM	5
	12:00 PM	2
	1:00 PM	1
	2:00 PM	1
	3:00 PM	3
4:00 PM	2	
5:00 PM	2	
6:00 PM	2	
7:00 PM	1	
8:00 PM		
9:00 PM		
Total		22

Day of Week	Time	Head Count of Pool
Thursday, 6-18-2015	6:30 AM	3
	7:00 AM	6
	8:00 AM	4
	9:00 AM	1
	10:00 AM	12
	11:00 AM	13
	12:00 PM	1
	1:00 PM	1
	2:00 PM	1
	3:00 PM	
	4:00 PM	1
	5:00 PM	4
	6:00 PM	5
7:00 PM		
8:00 PM		
9:00 PM		
Total		52

Day of Week	Time	Head Count of Pool
Tuesday, 6-16-2015	6:30 AM	2
	7:00 AM	3
	8:00 AM	2
	9:00 AM	4
	10:00 AM	12
	11:00 AM	13
	12:00 PM	1
	1:00 PM	1
	2:00 PM	
	3:00 PM	1
	4:00 PM	3
5:00 PM	8	
6:00 PM	4	
7:00 PM	3	
8:00 PM	2	
9:00 PM		
Total		59

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

Day of Week	Time	Head Count of Pool
Friday, 6-26-2015	6:30 AM	2
	7:00 AM	3
	8:00 AM	2
	9:00 AM	2
	10:00 AM	2
	11:00 AM	3
	12:00 PM	2
	1:00 PM	3
	2:00 PM	1
	3:00 PM	
	4:00 PM	1
5:00 PM	2	
6:00 PM	4	
7:00 PM	7	
8:00 PM	9	
9:00 PM		
Total		43

Day of Week	Time	Head Count of Pool
Wednesday, 6-24-2015	6:30 AM	3
	7:00 AM	2
	8:00 AM	2
	9:00 AM	
	10:00 AM	3
	11:00 AM	3
	12:00 PM	2
	1:00 PM	2
	2:00 PM	3
	3:00 PM	1
	4:00 PM	3
	5:00 PM	9
	6:00 PM	8
	7:00 PM	7
8:00 PM	4	
9:00 PM		
Total		52

Day of Week	Time	Head Count of Pool
Sunday, 6-21-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	1
	11:00 AM	3
	12:00 PM	3
	1:00 PM	3
	2:00 PM	3
	3:00 PM	3
	4:00 PM	2
5:00 PM	5	
6:00 PM	2	
7:00 PM		
8:00 PM		
9:00 PM		
Total		25

Day of Week	Time	Head Count of Pool
Saturday, 6-27-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	6
	10:00 AM	3
	11:00 AM	1
	12:00 PM	1
	1:00 PM	2
	2:00 PM	3
	3:00 PM	5
	4:00 PM	5
5:00 PM	3	
6:00 PM	8	
7:00 PM	6	
8:00 PM		
9:00 PM		
Total		43

Day of Week	Time	Head Count of Pool
Thursday, 6-25-2015	6:30 AM	5
	7:00 AM	5
	8:00 AM	1
	9:00 AM	4
	10:00 AM	4
	11:00 AM	6
	12:00 PM	
	1:00 PM	
	2:00 PM	
	3:00 PM	
	4:00 PM	3
	5:00 PM	5
	6:00 PM	6
	7:00 PM	5
8:00 PM	3	
9:00 PM		
Total		47

Day of Week	Time	Head Count of Pool
Tuesday, 6-23-2015	6:30 AM	5
	7:00 AM	8
	8:00 AM	3
	9:00 AM	3
	10:00 AM	12
	11:00 AM	2
	12:00 PM	3
	1:00 PM	4
	2:00 PM	2
	3:00 PM	3
	4:00 PM	3
	5:00 PM	5
	6:00 PM	7
	7:00 PM	2
8:00 PM		
9:00 PM		
Total		62

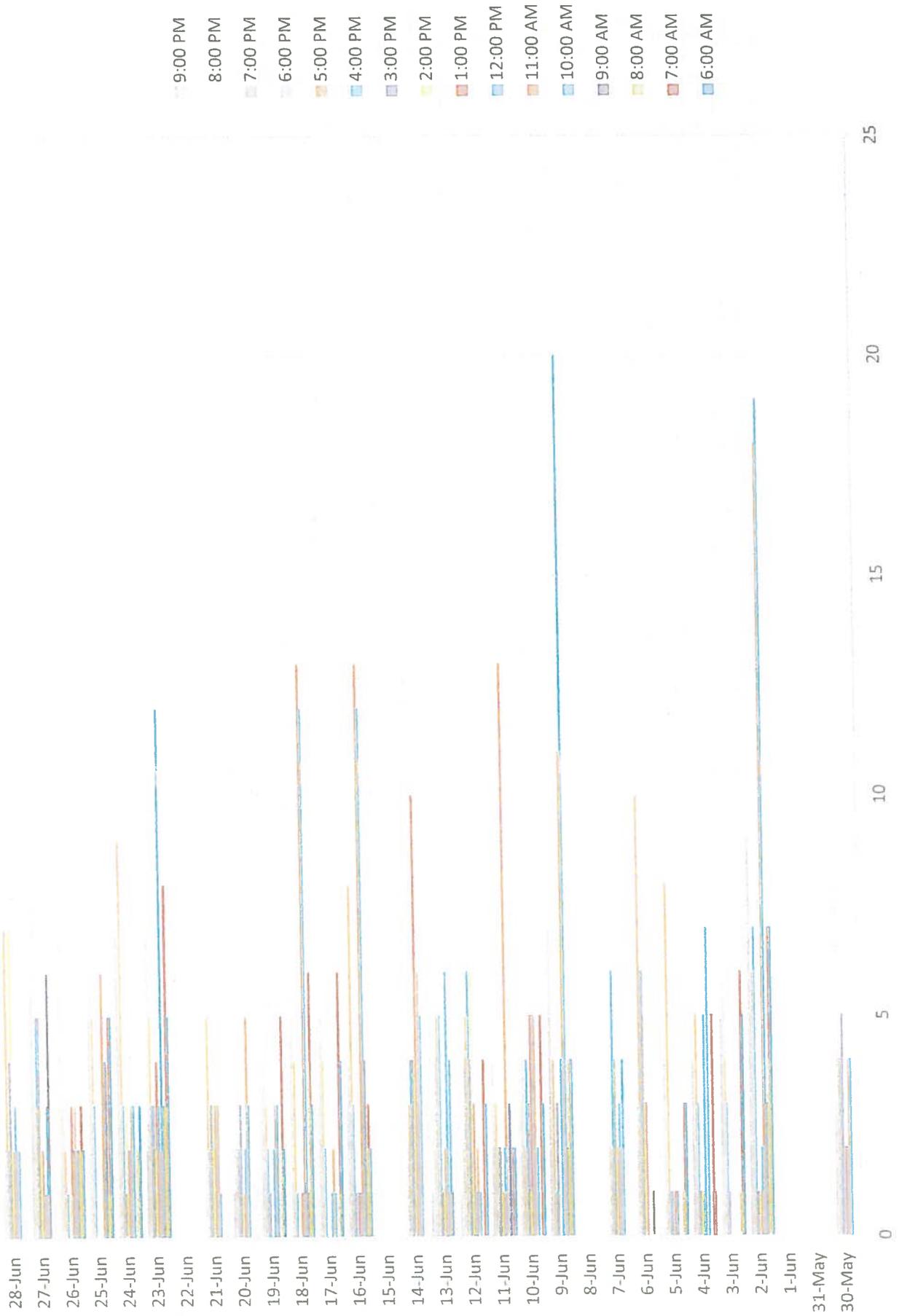
YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

Day of Week	Time	Head Count of Pool
Sunday, 6-28-2015	6:30 AM	
	7:00 AM	
	8:00 AM	
	9:00 AM	
	10:00 AM	2
	11:00 AM	2
	12:00 PM	3
	1:00 PM	2
	2:00 PM	7
	3:00 PM	4
	4:00 PM	2
	5:00 PM	7
	6:00 PM	2
7:00 PM	1	
8:00 PM	1	
9:00 PM		
Total		33

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015

TIME	30- May	2- Jun	3- Jun	4- Jun	5- Jun	6- Jun	7- Jun	9- Jun	10- Jun	11- Jun	12- Jun	13- Jun	14- Jun	16- Jun	17- Jun	18- Jun	19- Jun	20- Jun	21- Jun	23- Jun	24- Jun	25- Jun	26- Jun	27- Jun	28- Jun	
6:00 AM	0	7	5	1	3	0	0	4	3	2	3	0	0	2	4	3	2	0	0	5	3	5	2	0	0	
7:00 AM	0	7	6	5	3	0	0	4	5	2	4	0	0	3	6	6	5	0	0	8	2	5	3	0	0	
8:00 AM	0	4	1	0	1	0	0	4	0	0	0	0	0	2	1	4	2	0	0	3	2	1	2	0	0	
9:00 AM	0	3	0	0	0	1	0	2	0	3	0	1	0	4	0	1	0	0	0	3	0	4	2	6	0	
10:00 AM	4	19	0	7	0	0	4	20	2	1	1	4	5	12	1	12	3	3	1	12	3	4	2	3	2	
11:00 AM	4	18	0	0	0	0	2	11	5	13	2	1	6	13	2	13	3	5	3	2	3	6	3	1	2	
12:00 PM	2	2	0	5	1	0	3	4	5	2	1	6	3	1	1	1	2	2	3	3	2	0	2	1	3	
1:00 PM	2	1	0	1	1	3	2	0	5	1	3	2	10	1	0	1	0	1	3	4	2	0	3	2	2	
2:00 PM	0	1	0	1	0	5	4	2	1	2	6	2	6	0	0	1	0	1	3	2	3	0	1	3	7	
3:00 PM	5	1	1	1	1	6	4	3	3	2	4	1	4	1	0	0	1	3	3	3	1	0	0	5	4	
4:00 PM	4	7	3	3	1	6	6	1	4	2	6	5	4	3	2	1	2	2	2	3	3	3	1	5	2	
5:00 PM	4	6	4	5	8	10	2	4	2	3	5	5	3	8	4	4	3	2	5	5	9	5	2	3	7	
6:00 PM	8	5	6	2	3	3	2	2	4	3	4	4	2	4	5	5	4	2	2	7	8	6	4	8	2	
7:00 PM	3	9	5	4	4	0	0	7	3	4	2	2	0	3	3	0	3	1	0	2	7	5	7	6	1	
8:00 PM	0	0	2	0	3	0	0	0	4	4	3	3	0	2	3	0	5	0	0	0	4	3	9	0	1	
9:00 PM	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	0	0	0	0	0	0	0

YK Aquatic Training And Health Center Reports – May 30, 2015 to June 28, 2015



Clerk's Report



City of Bethel, Alaska

City Clerk's Office

Council Meetings and Events

August 11, 2015 Regular City Council Meeting
August 25, 2015 Regular City Council meeting

City of Bethel Regular Election, October 6, 2015

Election Dates of Interest:

July 29, Declaration of Candidacy packets will be available.

August 5-20 Declaration of Candidacy packets submission time frame.

August 20, Deadline for Ordinance adoption for ballot propositions.

Electronic Records Management

Administration has provided the City Clerk's Office with copies of leases. Unfortunately, these documents were not submitted with the lease term identified which means, the Office will have to go through each lease agreement to determine destruction dates. Additionally, the City Clerk's office will be working with Planning to obtain property maps for each of the leased premises to help establish a complete list of properties owned by the City of Bethel.

The Office is still waiting to receive all of the current contracts from administration for long term retention.

Cemetery

We will be working with the Public Works Department to determine how much seed and fertilizer should be purchased for the Memorial Cemetery as well as assessing and planning for the improvements for the other cemeteries.

Document Preparation

Introduction Of Ordinance 15-17: Submitting To The Voters, A Ballot Proposition Amending Bethel Municipal Code To Adopt A Marijuana Retail Sales Tax In The Amount of Twelve Percent (12%) (Council Member Springer)

Introduction Of Ordinance 15-18: Establishing A Marijuana Advisory Committee (Council Member Springer)

Introduction Of Ordinance 15-19: Amending Bethel Municipal Code 5.40.070, Chauffeurs, Carrying Alcoholic Beverage And Controlled Substances And Repealing Bethel Municipal Code 5.40.080, Chauffeurs, Carrying Alcoholic Beverages (Council Member Springer)

Introduction Of Ordinance 15-20: Amending Bethel Municipal Code 5.20.120 F., Transportation Industry, General Provisions, Penalties And Remedies (Council Member Springer)

Introduction Of Ordinance 15-21: Amending Bethel Municipal Code 5.30, Taxicab, River Taxi, Limousine and Bus Permits, To Require Video Cameras Surveillance System And Global Positioning System Capabilities (Council Member Springer)

Introduction Of Ordinance 15-22: Repealing Ordinance 14-16, Establishing Kuimarvik, A Place To Swim, As The Advisory Committee To The City Council For The Yukon Kuskokwim Regional Aquatic Health And Safety Center (Vice-Mayor Albertson)

Introduction Of Ordinance 15-23: Amending Bethel Municipal Code 2.52, By Removing The Parks And Recreation Committee And Establishing A Fitness Center And Recreation Committee (Vice-Mayor Albertson)

Introduction Of Ordinance 15-24: Submitting To The Qualified Voters At The October 6, 2015, Regular Election, A Ballot Proposition To Adopt Local Options, Alaska Statutes 04.11.490 (a)(3)(C), Prohibiting The Sale Of Alcoholic Beverages Except For At A Package Store, License Operated By The City Of Bethel (Council Member Herman)

For future meetings, the City Clerk's Office is working on Bethel Municipal Code amendments regarding alcohol; the processes taken by council when considering liquor license applications, Conditional Use Permits for package stores, Business License Regulations. This information will likely be presented to the Council August 25, 2015.