

Introduced by: City Manager
Date Introduced: January 9, 2001
Public Hearing Date: January 23, 2001
Action: Enacted
Vote: Unanimous 6-0

CITY OF BETHEL, ALASKA

ORDINANCE # 01-1

AN ORDINANCE EXEMPTING THE CITY'S ACQUISITION OF GRAVEL IN SETTLEMENT OF A LEGAL CLAIM FROM THE PROVISIONS OF CHAPTER 4.20 OF THE BETHEL MUNICIPAL CODE

WHEREAS Faulkner Walsh Constructors ("Faulkner Walsh") owed the City of Bethel ("Bethel") \$100,767.03 in fees and other charges associated with their use of the Bethel Port; and

WHEREAS Faulkner Walsh paid Bethel \$25,000.00 of the \$100,767.03 owed to Bethel; and

WHEREAS Bethel owed Faulkner Walsh \$7,017.05 for gravel and associated services; and

WHEREAS Faulkner Walsh offered to extinguish its remaining debt to the City (after the \$7,017.05 offset) by providing 2292 yards of river run gravel to the City at \$30 per yard; and

WHEREAS river run gravel is needed for use in the Bethel Port dock area and the Port planned to request funds to purchase such gravel in the FY 2002 budget cycle; and

WHEREAS the City Council has determined that accepting Faulkner Walsh's offer is in the public interest because it fulfills a public need for gravel at a very good price;

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

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

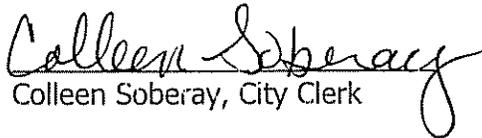
SECTION 2. Chapter 4.20 of the Bethel Municipal Code shall not apply to the execution of a settlement agreement with Faulkner Walsh to accept gravel in extinguishment of Faulkner Walsh's debt to the City outlined above.

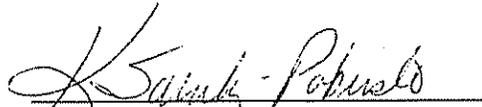
SECTION 3. The City Council hereby approves the acquisition of the gravel, such approval to be effective for all actions of the City administration taken to negotiate the settlement agreement.

SECTION 4 Effective Date. This ordinance shall become effective immediately upon adoption and shall have retroactive effect back to the first date that the City administration began to negotiate for acquisition of the gravel.

ENACTED THIS 23 DAY OF JAN. 2001, by a vote of * in favor and * opposed.

ATTEST:


Colleen Soberay, City Clerk


Stanley "Tundy" Rodgers, Mayor