# City of Bethel

P.O. BOX 1388
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**Regular City Council Meeting**
November 11, 2014
6:30 P.M.
Council Chambers; Bethel, Alaska

# City Council Meeting Agenda
# Regularly Scheduled Meeting
# November 11, 2014-6:30 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
lalbertson@cityofbethel.net

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

Heather Pike
Council Member
Term Expires 2015
444-7211
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

Pete Williams
Acting City Manager
543-2047
pwilliams@cityofbethel.net

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

Patty Burley
City Attorney

Paul Richards
Lobbyist
pmrichards@gci.net


I. **CALL TO ORDER**

II. **PLEDGE OF ALLEGIANCE**

III. **ROLL CALL**

IV. **PEOPLE TO BE HEARD** – Five minutes per person

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

VI. **APPROVAL OF MEETING MINUTES**

a) **P3** *Special City Council Meeting October 20, 2014
b) **P7** *Special City Council Meeting October 22, 2014
c) **P9** *Special City Council Meeting October 23, 2014
d) **P11** *Special City Council Meeting October 27, 2014
e) **P15** *Regular City Council Meeting October 28, 2014
f) **P23** *Special City Council Meeting November 3, 2014

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) Public Works Committee
g) Energy Committee

VIII. **UNFINISHED BUSINESS**

a) **P45** Resolution 14-14: State Of Alaska Capital Priority Requests (Acting City Manager Williams)
b) **P55** Public Hearing Of Ordinance 14-27: Repealing And Replacing Bethel Municipal Code Chapter 4.20, Purchasing (Acting City Manager Williams)
c) **P103** Public Hearing Of Ordinance 14-28: City Of Bethel Fee And Rate Schedule Amended (Acting City Manager Williams)
d) **P120A** Recommendation From The Parks And Recreation Committee, Identifying A Location For A Dog Park (Parks and Recreation Committee)

IX. **NEW BUSINESS**

a) **P123** *Resolution 14-15: Supporting Council Member Mark Springer In His Run For The Alaska Municipal League Vice President Seat (Mayor Robb)

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

Lori Strickler, City Clerk's Office

(Items on the agenda noted with an asterisk (*) are considered the consent agenda.
All Resolutions noted with an asterisk (*) will automatically be adopted on the consent agenda unless removed from the consent agenda by Council.
Ordinances introduced with an asterisk (*) on the consent agenda will automatically be introduced and set for **Public Hearing November 25, 2014**)

b) **P125** AM 14-68: Appointment Of Wade Ferdia As An Alternate Member On The Public Works Committee (Mayor Robb)
c) *Approval Of The City Clerk's 8 Hours Of Personal Time Off Request For October 30, 2014 (Mayor Robb)
d) Council's Consideration Of A Fee Waiver For A YKHC Employee Party At The Yukon Kuskokwim Health And Safety Center (City Manager Williams)
e) **P129** City Of Bethel/ONC Joint Transit System Operations (Mayor Robb)

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

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

_____
Lori Strickler, City Clerk's Office
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Ordinances introduced with an asterisk (*) on the consent agenda will automatically be introduced and set for **Public Hearing November 25, 2014**)

# Approval of the Minutes

## I. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on October 20, 2014 at 6:30pm in the Council Chambers, Bethel, Alaska.

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

## II. PLEDGE OF ALLEGIANCE

## III. ROLL CALL

Comprising a quorum of the Council, the following members were present: Council Member Leif Albertson, Council Member Mark Springer, Council Member Chuck Herman, Council Member Byron Maczynski, Council Member Zach Fansler, and Vice-Mayor Rick Robb

Members Absente were:
Council Member Heather Pike

Also in attendance were the following:
City Clerk Lori Strickler, Acting City Manager Pete Williams, City Attorney Patty Burley

## IV. PEOPLE TO BE HEARD

Mike Shantz – Spoke in favor of the comments made at the last City Council Meeting regarding the State priority submissions by the City of Bethel. The Institutional Corridor should be on the shoulders of the State, not the community of Bethel.

David Trantham- Spoke with concern over the State of Alaska priority considerations by the City of Bethel. The Council should take a close look at the priorities and consider the statements regarding the purchase of new water and sewer trucks very carefully and closely evaluate the Institutional Corridor and the impacts that priority will have on the City of Bethel.
Welcomed the three new Council Members to the Council, excited about having some young representative on the Council.

## V. APPROVAL OF THE AGENDA

**Main Motion:** Approve the Agenda.

| | |
|---|---|
| Moved by: | Springer |
| Seconded by: | Fansler |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Maczynski, Fansler, Albertson, Herman and Springer |
| Opposed: | None |

## VI. NEW BUSINESS

**Item A-** Election Of The Mayor.

| | |
|---|---|
| **Main Motion:** | Nominate Rick Robb for Mayor. |
| Moved by: | Maczynski |

**Round One Voting for Mayor:**

*6 votes in favor of Richard Robb.*

*Council Member Richard Robb is elected Mayor.*

**Item B-** Election Of The Vice-Mayor.

| | |
|---|---|
| **Main Motion:** | Nominate Leif Albertson Vice-Mayor |
| Moved by: | Springer |

| | |
|---|---|
| **Main Motion:** | Nominate Mark Springer Vice-Mayor |
| Moved by: | Maczynski |

**Round One Voting for Vice-Mayor.**

*4 votes in favor of Council Member Albertson.*

*3 votes in favor of Council Member Springer.*

*Council Member Leif Albertson is elected Vice-Mayor.*

**Item C-** Appointment Of Committee/Commission Council Representatives

**A) Council Committees and Commissions**

1. Parks And Recreation Committee

*Mayor Richard Robb is appointed to the Parks and Recreation Committee.*

2. Planning Commission

*Council Member Heather Pike is appointed to the Planning Commission.*

3. Finance Committee

*Vice-Mayor Leif Albertson is appointed to the Finance Committee.*

4. Public Safety And Transportation Commission

*Council Member Chuck Herman is appointed to the Public Safety and Transportation Commission.*

5. Energy Committee

*Council Member Zach Fansler is appointed to the Energy Committee.*

6. Port Commission

*Council Member Mark Springer is appointed to the Port Commission.*

7. Public Works Committee

*Council Member Byron Maczynski is appointed to the Public Works Committee.*

**B) Senior Center Advisory Committee.**

*Council Member Zach Fansler is appointed to the Senior Center Advisory Committee.*

**C) Yuut Elitnaurviat**

*Vice-Mayor Leif Albertson is appointed to the Yuut Elitnaurviat Board.*

**D) Transit Committee**

*Council Member Chuck Herman is appointed to the Transit Committee.*

**E) Delta Tobacco Control Alliance**

*Council Member Leif Albertson is appointed to the Delta Tobacco Control Alliance and Council Member Heather Pike is appointed as the alternate.*

**F) Kuimarvic**

*Council Member Byron Maczynski is appointed to the Kuimarvic Board.*

**Item D-** Authorizing The Salary Range Modification To The Human Resources Director Position.

| **Main Motion:** | Approve AM 14-65. |
|---|---|
| Moved by: | Springer |
| Seconded by: | Albertson |

| | |
|---|---|
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Maczynski, Fansler, Albertson, Herman and Springer |
| Opposed: | None |

## VII. ADJOURNMENT

| | |
|---|---|
| **Main Motion:** | Adjourn. |
| Moved by: | Springer |
| Seconded by: | Albertson |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Maczynski, Fansler, Albertson, Herman and Springer |
| Opposed: | None |

_____
Richard Robb, Mayor

ATTEST:

_____
Lori Strickler, City Clerk

## I. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on October 22, 2014 at 6:30pm, in the council chambers, Bethel, Alaska.

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

## II. PLEDGE OF ALLEGIANC

## III. ROLL CALL

Comprising a quorum of the Council, the following members were present: Council Member Leif Albertson, Council Member Chuck Herman, Council Member Byron Maczynski, Council Member Zach Fansler, and Vice-Mayor Rick Robb, Council Member Heather Pike, and Council Member Mark Springer (arrived after roll call)

Also in attendance were the following:
City Clerk Lori Strickler, Acting City Manager Pete Williams, City Attorney Patty Burley

## IV. PEOPLE TO BE HEARD

*No one wished to be heard.*

## V. APPROVAL OF THE AGENDA

| **Main Motion:** | To approve the Agenda. |
|---|---|
| Moved by: | Fansler |
| Seconded by: | Maczynski |
| Action: | Motion carried unanimously by a vote of 7-0 |
| In favor: | Robb, Maczynski, Fansler, Albertson, Pike and Herman |
| Opposed: | None |

## VI. EXECUTIVE SESSION

**Item A –** Subjects The Tend To Prejudice The Reputation And Character Of Any Person- City Manager Candidates (Note: Personnel Action

Regarding The City Manager Candidates May Be Taken Following The Executive Session.

| | |
|---|---|
| **Main Motion:** | Motion to move into executive session to discuss Subjects The Tend To Prejudice The Reputation And Character Of Any Person- City Manager Candidates (Note: Personnel Action Regarding The City Manager Candidates May Be Taken Following The Executive Session. Council and City Clerk. |
| Moved by: | Fansler |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 7-0 |
| In favor: | Robb, Maczynski, Fansler, Albertson, Pike and Herman |
| Opposed: | None |

## XII. ADJOURNMENT

| | |
|---|---|
| **Main Motion:** | To adjourn. |
| Moved by: | Pike |
| Seconded by: | Herman |
| Action: | Motion carried unanimously by a vote of 7-0 |
| In favor: | Robb, Maczynski, Fansler, Albertson, Pike and Herman |
| Opposed: | None |

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

## I. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on October 23, 2014 at 6:30pm, in the council chambers, Bethel, Alaska.

Mayor Robb called the meeting to order at 12:30pm.

## II. PLEDGE OF ALLEGIANC

## III. ROLL CALL

Comprising a quorum of the Council, the following members were present: and Mayor Rick Robb, Council Member Heather Pike, Council Member Zach Fansler, Council Member Mark Springer and Vice-Mayor Leif Albertson (arrived after roll call)

Those not present are:
Council Member Chuck Herman, Council Member Byron Maczynski,

Also in attendance were the following:
City Clerk Lori Strickler, Acting City Manager Pete Williams, City Attorney Patty Burley

## IV. PEOPLE TO BE HEARD

*No one wished to be heard.*

## V. APPROVAL OF THE AGENDA

| **Main Motion:** | To approve the Agenda. |
|---|---|
| Moved by: | Pike |
| Seconded by: | Springer |
| Action: | Motion carried unanimously by a vote of 4-0 |
| In favor: | Robb, Fansler, Springer and Pike |
| Opposed: | None |

## VI. EXECUTIVE SESSION

**Item A** – Subjects The Tend To Prejudice The Reputation And Character Of Any Person- City Manager Candidates (Note: Personnel Action Regarding The City Manager Candidates May Be Taken Following The Executive Session.

| | |
|---|---|
| **Main Motion:** | Motion to move into executive session to discuss Subjects The Tend To Prejudice The Reputation And Character Of Any Person- City Manager Candidates (Note: Personnel Action Regarding The City Manager Candidates May Be Taken Following The Executive Session. Those participating will be City Clerk. |
| Moved by: | Springer |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 4-0 |
| In favor: | Robb, Fansler, Springer and Pike |
| Opposed: | None |

*Vice-Mayor Albertson arrived during the Council's executive session.*

## XII. ADJOURNMENT

| | |
|---|---|
| **Main Motion:** | To adjourn. |
| Moved by: | Springer |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Springer, Albertson and Pike |
| Opposed: | None |

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

## I. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on October 27, 2014 at 6:00pm, in the council chambers, Bethel, Alaska.

Mayor Robb called the meeting to order at 6:00pm.

## II. PLEDGE OF ALLEGIANC

## III. ROLL CALL

Comprising a quorum of the Council, the following members were present: Mayor Rick Robb, Vice-Mayor Leif Albertson, Council Member Heather Pike, Council Member Zach Fansler, Council Member Chuck Herman, Council Member Byron Maczynski,

Those not present are:
Council Member Mark Springer

Also in attendance were the following:
City Clerk Lori Strickler, Acting City Manager Pete Williams

## IV. PEOPLE TO BE HEARD

*No one wished to be heard.*

## V. APPROVAL OF THE AGENDA

| **Main Motion:** | To approve the Agenda. |
|---|---|
| Moved by: | Pike |
| Seconded by: | Maczynski |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Maczynski, Herman, Albertson, and Pike |
| Opposed: | None |

| **Main Motion:** | Move Executive Session up to the start of the Agenda. |
|---|---|
| Moved by: | Albertson |
| Seconded by: | Fansler |
| Action: | Motion carried unanimously by a vote of 6-0 |

| | |
|---|---|
| In favor: | Robb, Fansler, Maczynski, Herman, Albertson, and Pike |
| Opposed: | None |

## VI. EXECUTIVE SESSION

**Item A –** Subjects The Tend To Prejudice The Reputation And Character Of Any Person- City Manager Candidates (Note: Personnel Action Regarding The City Manager Candidates May Be Taken Following The Executive Session.

| | |
|---|---|
| **Main Motion:** | Motion to move into executive session to discuss Subjects The Tend To Prejudice The Reputation And Character Of Any Person- City Manager Candidates (Note: Personnel Action Regarding The City Manager Candidates May Be Taken Following The Executive Session. Those participating will be City Clerk. |
| Moved by: | Albertson |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Maczynski, Herman, Albertson, and Pike |
| Opposed: | None |

| | |
|---|---|
| **Main Motion:** | Amend the agenda to move to New Business Item A. |
| Moved by: | Herman |
| Seconded by: | Fansler |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Maczynski, Herman, Albertson, and Pike |
| Opposed: | None |

## XII. NEW BUSINESS

**Item A-** Consideration of Goals and Matrix for Potential City Manager.

## XIII. UNFINISHED BUSINESS

**Item A-** Employment Contract Negotiations with City Manager Candidate Ann Capela.

1. Completion of a policies and procedures manual and employee handbook that is approved by Council.
2. Fill all Department Head positions. Increase staffing level to 90% and maintain the 90% average for a three month average.
3. Develop a plan of work for all departments as approved by Council. Included in the plan of work would be internal mentoring, career ladders and a plan for succession.

4. Finalize the Union Contract -request from her to establish a better matrix than just progress.

## XIV. ADJOURNMENT

| **Main Motion:** | To adjourn. |
|---|---|
| Moved by: | Pike |
| Seconded by: | Herman |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Maczynski, Herman, Albertson, and Pike |
| Opposed: | None |

_____
Richard Robb, Mayor

ATTEST:

_____
Lori Strickler, City Clerk

## I. CALL TO ORDER

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

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

## II. PLEDGE OF ALLEGIANCE

## III. ROLL CALL

Comprising a quorum of the Council, the following members were present:

Mayor Rick Robb, Vice-Mayor Leif Albertson, Council Member Mark Springer, Council Member Chuck Herman, Council Member Heather Pike, and Council Member Zach Fansler

Those absent:
Council Member Byron Maczynski

Also in attendance were the following:
City Clerk Lori Strickler and Acting City Manager Pete Williams

## IV. PEOPLE TO BE HEARD

Sam Blankenship- City of Bethel IT Manager, touching on issues brought up at the Council's Special Meeting on October 27, 2014. Informed the Council that at one point in time the City had a complete Policies and Procedures Manual although significantly outdated. It should be easy enough for the new city manager candidate to use the current Manual as a reference and source when establishing Council's request.

Eva Malvich – Chair of the Bethel's Winter House Lions Club. The shelter will open December 1, 2014. They are looking at potential locations; she is requesting the City Council consider providing reduced water and sewer rates for the facility, once one is secured.

*Council Member Springer arrived at 6:41p.*

David Trantham – Stated, the voter turnout for the City's Municipal Election was discussing; he hopes that people will get out and vote at the November 4th Election. On the issue of the City's State Priorities listed under Resolution 14-14, suggested the Council evaluate the potential liability for the Institutional Corridor. Hopes the Council will take a close look at the City's Priorities.

Beverly Hoffman – Thanked the Bethel Fire Department and all of the Volunteers who dealt with the fire last night.
As a member of the Kuimarvik Board, presented the Council with a letter from the Board and their recommendation to the Council to resend the 20% for Admission Rates charged at the Bethel Aquatic Training and Health Center. It is their belief; the increased rates will discourage users. They additionally suggested establishing a student rate, to decrease the senior rate from age 65 to age 60 and to establish an annual rate.
Does not feel that there should be a tax applied to the rates taken at the Bethel Aquatic Training and Health Center.

Marcia Schoenthal- An Employee of Pro Dev, while working at the pool today heard great laughter from some young children with their father during their swim, this was such a great moment.
In the Council's deliberation on the fees, the Council should consider when the budget numbers were provided to the City, the projections were presented with the sales tax not included therefore the Council should realize, there would not be any impact to the budget if the sales tax was not applied to the rates.

Barb Mosier – Spoke in favor of Kuimarvik's suggested fees as opposed to the modifications presented and approved by the Council.

Mary Sattler – Spoke in favor of the Kuimarvik's suggested fees as opposed to the modifications presented and approved by the Council. Kuimarvik is a collaborative membership between many organizations in town, a very broad representation and the rates as presented by the Board were voted by an unanimous vote.

Joseph Klejka – Suggested the Council direct someone in the City to begin working on a mechanism for financial assistance with the Water and Sewer increase for those within the community who will inevitably start facing such hardship.

## V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

| **Main Motion:** | To approve the Consent and Regular Agenda. |
|---|---|
| Moved by: | Pike |
| Seconded by: | Herman |

| | |
|---|---|
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

| | |
|---|---|
| **Remove from the Consent Agenda:** | Ordinance 14-27 and 14-28 from the Consent agenda. |
| Moved by: | Springer |

| | |
|---|---|
| **Primary Amendment:** | Move Agenda item New Business Item E to fall after Unfinished Business Item A. |
| Moved by: | Pike |
| Seconded by: | Springer |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

## VI. APPROVAL OF THE MEETING MINUTES

**Item A -** 10-14-2014 Regular City Council Meeting.
*Passed on the consent agenda.*

## VII. REPORTS OF STANDING COMMITTEES

**Item A -** Port Commission –
Mark Springer, Council Representative-
No report

**Item B -** Planning Commission –
Heather Pike, Council Representative-
No report

**Item C -** Public Safety and Transportation Commission-
Chuck Herman, Council Representative-
No Report

**Item D -** Energy Committee –
Richard Robb, Committee Representative-

**Item E -** Public Works Committee-
No report.

**Item F** - Finance Committee-
Leif Albertson, Council Representative –

No report.
**Item G** - Parks and Recreations Committee-
Next meeting is Monday.

## VIII. SPECIAL BUSINESS

**Item A** - Appreciation To Outgoing Council Members

## IX. UNFINISHED BUSINESS

**Item A –** Public Hearing Of Budget Ordinance 14-14 (f): Modifying The FY15 Budget For The Operation Of The Yukon Kuskokwim Health And Training Center.

*Mayor Robb opened the Public Hearing.*

David Trantham –Brought up some concerns he found in the Budget modification, one being the insurance at $15,000, this seems too low. The second line item, Water/Sewer/Garbage at $19,440, this seems too low.

Beverly Hoffman – The numbers in the budget are all estimates, it is difficult to put numbers in place for the budget. Suggested the Council hold off on making significant changes to the budget for at least three months so that there are more information to look at.

Kurt Kuhne – As a member of the Kuimarvik Board, suggested there is a ton of opportunity for revenue that isn't included in the budget such as corporate rates. Everything is an estimate at this point.

*Mayor Robb closed the Public Hearing.*

| **Main Motion:** | Adopt Ordinance 14-14 (f) |
|---|---|
| Moved by: | Springer |
| Seconded by: | Herman |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

| **Incidental Motion:** | Suspend the rules to hear from the Sean Legg, USA Pool Owner. |
|---|---|
| Moved by: | Herman |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

| | |
|---|---|
| **Incidental Motion:** | Suspend the rules to hear from member of the public. |
| Moved by: | Pike |
| Seconded by: | Albertson |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

## NEW BUSINESS

**Item E-** Consideration Of The Bethel Aquatic Training And Health Center Admission Rates And The Process Of Changing/Negotiating Different Rates.

| | |
|---|---|
| **Main Motion:** | Amend the Admission rates for the Bethel Aquatic Training and Health Center to those originally Rate Proposal. |
| Moved by: | Springer |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 5-1 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | Albertson |

| | |
|---|---|
| **Incidental Motion:** | Suspend the rules to hear from Members of the Kuimarvik Board and the public if the Council were to have any question. |
| Moved by: | Springer |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

| | |
|---|---|
| **Primary Amendment:** | To insert a under the Military "Student Rate" any person over the age of 18 enrolled in post secondary education, GED or technical training. |
| Moved by: | Springer |
| Seconded by: | Herman |
| Action: | Motion carried unanimously by a vote of 5-1 |
| In favor: | Robb, Maczynski, Fansler, Pike, Herman and Springer |
| Opposed: | Albertson |

| | |
|---|---|
| **Secondary Amendment:** | Amend the previous amendment to request Kuimarvik identify a definition for student rate. |
| Moved by: | Herman |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 5-1 |
| In favor: | Robb, Maczynski, Fansler, Pike, Herman and Springer |
| Opposed: | Albertson |

| | |
|---|---|
| **Primary Amendment:** | Amend the Admission Rates to Read for Monthly Membership Fees to strike under Youth $40/40/50 and insert $30/30/50 and strike under Military $30/30/50 and insert $40/40/40. |
| Moved by: | Herman |
| Seconded by: | Fansler |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

| | |
|---|---|
| **Primary Amendment:** | Amend the proposed rates to establish the annual pass at a rate of 10 months of the monthly rates available passed the October 31, 2014 deadline. |
| Moved by: | Fansler |
| Seconded by: | Herman |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

| | |
|---|---|
| **Main Motion:** | Take a ten minute break. |
| Moved by: | Pike |
| Seconded by: | |
| Action: | Does not carry due to a lack of a second. |
| In favor: | |
| Opposed: | |

| | |
|---|---|
| **Main Motion:** | Take a ten minute break. |
| Moved by: | Albertson |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

| | |
|---|---|
| **Main Motion:** | Establish a corporate rate at:<br>Bundle Discount rate<br>15=20%<br>20=25%<br>30=30%<br>50=32%<br>100=35% |
| Moved by: | Albertson |
| Seconded by: | Pike |
| Action: | 0-6 Motion does not carry |
| In favor: | None |
| Opposed: | Robb, Fansler, Albertson, Pike, Herman and Springer |

| | |
|---|---|
| **Main Motion:** | USA Pools is allowed to open negotiations based on the Bundle Discount Rates and if there is any division from the bundles, USA Pools will have to come to the City Council for approval. |
| Moved by: | Fansler |
| Seconded by: | Albertson |
| Action: | 0-6 Motion does not carry |
| In favor: | None |
| Opposed: | Robb, Fansler, Albertson, Pike, Herman and Springer |

**Item B-** Resolution 14-14: State Of Alaska Capital Priority Requests.

| | |
|---|---|
| **Main Motion:** | Postpone until the next regular meeting. |
| Moved by: | Springer |
| Seconded by: | Pike |
| Action: | 4-2 |
| In favor: | Albertson, Pike, Herman and Springer |
| Opposed: | Robb and Fansler |

## X. NEW BUSINESS

**Item A –** Introduction Of Ordinance 14-27: Repealing And Replacing Bethel Municipal Code Chapter 4.20, Purchasing.

| | |
|---|---|
| **Main Motion:** | To introduction Budget Ordinance 14-27. |
| Moved by: | Springer |
| Seconded by: | Herman |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

**Item B –** Introduction Of Ordinance 14-28: City Of Bethel Fee And Rate Schedule Amended.

| | |
|---|---|
| **Main Motion:** | Introduction of Ordinance 14-28. |
| Moved by: | Herman |
| Seconded by: | Albertson |
| Action: | Motion carried unanimously by a vote of |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

**Item C –** AM 14-66: Appointment Of Beverly Hoffman To The Planning Commission.

*Passed on the consent agenda.*

**Item D-** AM 14-67: Approval Of The Land And Water Conservation Fund Grant Agreement.

| **Main Motion:** | Approve AM 14-67. |
|---|---|
| Moved by: | Springer |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 6-0 |
| In favor: | Robb, Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | None |

*Item E moved to follow Unfinished Business Item A.*

**Item F –** Recommendation From The Parks And Recreation Committee, Identifying A Location For A Dog Park.

| **Main Motion:** | Adopt recommendation two as the option for the dog park. |
|---|---|
| Moved by: | Pike |
| Seconded by: | Herman |
| Action: | No action taken |
| In favor: | |
| Opposed: | |

| **Main Motion:** | Suspend the rules to go past 11:00pm. |
|---|---|
| Moved by: | Fansler |
| Seconded by: | |
| Action: | Does not carry due to a lack of a second. |
| In favor: | |
| Opposed: | |

## XII. ADJOURNMENT

| **Main Motion:** | Adjourn |
|---|---|
| Moved by: | Springer |
| Seconded by: | Herman |
| Action: | Motion carried unanimously by a vote of 4-2 |
| In favor: | Fansler, Albertson, Pike, Herman and Springer |
| Opposed: | Fansler and Robb |

_____
Richard Robb, Mayor

ATTEST:

_____
Lori Strickler, City Clerk

## I. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on November 3, 2014 at 6:00pm, in the council chambers, Bethel, Alaska.

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

## II. PLEDGE OF ALLEGIANC

## III. ROLL CALL

Comprising a quorum of the Council, the following members were present:
Mayor Rick Robb, Council Member Heather Pike, Council Member Zach Fansler, Council Member Byron Maczynski, Council Member Mark Springer

Those not present are:
Council Member Chuck Herman and Vice-Mayor Leif Albertson

Also in attendance were the following:
City Clerk Lori Strickler, Acting City Manager Pete Williams

## IV. PEOPLE TO BE HEARD

Tom McCallson- Provided the Council with a write up on the truck maintenance, vehicle and equipment status indicating there is a definite need for the Council to consider submitting in the State's Capital Priority Request the purchase of new water and sewer trucks. If not put in the State's Capital Budget, the City must consider their options in purchasing new trucks.

| **Incidental Motion:** | Suspend the rules to provide five minutes more for his statements. |
|---|---|
| Moved by: | Springer |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

## V. APPROVAL OF THE AGENDA

| | |
|---|---|
| **Main Motion:** | To approve the Agenda. |
| Moved by: | Pike |
| Seconded by: | Springer |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

| | |
|---|---|
| **Main Motion:** | Move New Business Item A to follow Unfinished Business Item A. |
| Moved by: | Fansler |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

## VI. UNFINISHED BUSINESS

**Item A –** Employment Contract Negotiation With City Manager Candidate Ann Capela.

**Item C-** Consideration Of Goals And Matrix For Potential City Manager. *Moved up on the agenda.*

*Ann Capela participated by Skype.*

| | |
|---|---|
| **Main Motion:** | Offer the contract and relocation agreed to by both parties to Ann Capela, subject to the approval by the City Attorney. |
| Moved by: | Springer |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

**Item B-** Resolution 14-14: State Of Alaska Capital Priority Requests.

| | |
|---|---|
| **Main Motion:** | Motion to adopt was made at October 14, Council Meeting. |
| Moved by: | Springer |
| Seconded by: | Albertson |
| Action: | |
| In favor: | |
| Opposed: | |

| | |
|---|---|
| **Primary Amendment:** | Amend to strike Priority Number 2, Institutional Corridor Water Delivery System – Phase 2. |
| Moved by: | Springer |

| | |
|---|---|
| Seconded by: | Maczynski |
| Action: | Motion carried unanimously by a vote of 4-1 |
| In favor: | Robb, Maczynski, Springer and Pike |
| Opposed: | Fansler |

| | |
|---|---|
| **Main Motion:** | Amend to insert under Priority Number 2 to include the request of the Road Through the Doughnut Hole. |
| Moved by: | Maczynski |
| Seconded by: | |
| Action: | Does not carry due to a lack of a second. |
| In favor: | |
| Opposed: | |

| | |
|---|---|
| **Main Motion:** | Move into a committee of the whole. |
| Moved by: | Pike |
| Seconded by: | Springer |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

| | |
|---|---|
| **Main Motion:** | Suspend the rules to hear from the public on the Priority list. |
| Moved by: | Pike |
| Seconded by: | Springer |
| Action: | Motion carried unanimously by a vote of 4-1 |
| In favor: | Fansler, Maczynski, Springer and Pike |
| Opposed: | Robb |

*Council moved into a committee of the whole at 7:53p.*

| | |
|---|---|
| **Main Motion:** | Move out of committee of the whole. |
| Moved by: | Pike |
| Seconded by: | Springer |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

*Council moved out of committee of the whole at 8:45p.*

| | |
|---|---|
| | Establish a new State Capital Request list:<br>1) Sewage lagoon Rehabilitation and Dredging<br>2) Fleet Replacement of Water and Sewer truck and garbage truck<br>3) Bethel Small Boat Harbor Improvements –Final Phase<br>4) Planning and Development of a Road around H Marker Lake |
| **Primary Amendment:** | 5) Institution Corridor Water Delivery System –Phase 2<br>6) Dust Control Measures, Gravel and Calcium Chloride |

| | |
|---|---|
| Moved by: | Fansler |
| Seconded by: | Springer |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

| | |
|---|---|
| **Main Motion:** | Postpone until the next regular meeting. |
| Moved by: | Springer |
| Seconded by: | Fansler |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

## XII. NEW BUSINESS

**Item A-** City Of Bethel Transit System Grant And Operations.

## XIII. ADJOURNMENT

| | |
|---|---|
| **Main Motion:** | To adjourn. |
| Moved by: | Fansler |
| Seconded by: | Pike |
| Action: | Motion carried unanimously by a vote of 5-0 |
| In favor: | Robb, Fansler, Maczynski, Springer and Pike |
| Opposed: | None |

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

# Reports of Standing Committees

# City of Bethel, Alaska
# ENERGY COMMITTEE

Oct. 6, 2014 Regular Meeting Bethel, Alaska

## I. CALL TO ORDER

A regular meeting of the Energy Commission was held on Oct. 6, 2014 in the conference room at City Hall, in Bethel, Alaska.

Chair Mary Weiss called the meeting to order at 6:50

## II. ROLL CALL

**PRESENT:** Jeff Sanders, Mary Weiss and Shari Neth.

**ABSENT:** Rick Robb (vacation) and Eddie Stanley.

Staff members present were the following: Recorder Libby Furlong

Due to a lack of a quorum, the meeting is adjourned at 6:51 pm.

## XI. ADJOURNMENT

Next meeting on Nov.3, 2014.

_____, Chairperson

ATTEST: _____, Libby Furlong, Recorder

# City of Bethel, Alaska
# Planning Commission

October 9, 2014 Regular Meeting Bethel, Alaska

**I. CALL TO ORDER**

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

Chairman, John Guinn, called the meeting to order at 6:35 pm.

**II. ROLL CALL**

Compromising a quorum of the Commission, the following members were present for roll call: John Guinn, Joy Shantz, Abe (Bubba) Palacios, Cliff Linderoth, and Kathy Hanson. Absent: Heather Pike.

Ex -Officio members present were the following: Rachael Pitts, Planning Director, and Betsy Jumper, Recorder

**III. PEOPLE TO BE HEARD**: Nobody wished to be heard.

**IV. APPROVAL OF AGENDA**

**MOTION TO APPROVE THE AGENDA FOR THE OCTOBER 9, 2014 MEETING**

| | | |
|---|---|---|
| **MOVED:** | Abe Palacios | To approve the agenda for the Oct. 9 2014 meeting. |
| **SECONDED:** | Cliff Linderoth | |
| | | |
| **VOTE ON MAIN MOTION** | All in favor<br>Motion passes; 5 yes and 0 opposed. | |

**V. APPROVAL OF THE MINUTES OF SEPT. 11, 2014**

| | | |
|---|---|---|
| **MOVED:** | Joy Shantz | To approve the meeting minutes for the Sept. 11, 2014. |
| **SECONDED:** | Kathy Hanson | |
| | | |
| **VOTE ON MAIN MOTION** | All in favor<br>Motion passes; 5 yes and 0 opposed. | |

**VI. UNFINISHED BUSINESS:** A. Amendments of the Bethel Municipal Code, Titles 15-18, FOR DISCUSSION ONLY. The Titles are: 15. Buildings, Construction, and Flood Control; 16. Planning, Land Use, Platting, and Development; 17. Subdivisions; and 18. Zoning.

The group reached the consensus to concentrate on the Supplemental portion of the amendment to the BMC since there were no "glaring" items that jumped out on titles 15-18 rewrites, and also that the Council would pore over those titles.

**VII. NEW BUSINESS:** A. Public Hearing: Preliminary Plat of Jung and Active lots, USS 3790, LOTS 6A, 6B, 6C, 7A, and 7B, Block 8, and lots 6A and 6B, Block 9. The address is 177 East Avenue. The purpose is to create dedications.

After discussion, it was decided to postpone this item.

**MOTION TO POSTPONE PRELIMINARY PLAT OF JUNG AND ACTIVE LOTS**

| | | |
|---|---|---|
| **MOVED:** | Abe Palacios | To postpone the preliminary plat of the Active/Jung property until further information is presented. |
| **SECONDED:** | Kathy Hanson | |
| | | |
| **VOTE ON MAIN MOTION** | All in favor<br>Motion passes; 5 yes and 0 opposed. | |

B. Public Hearing: Trail planning with regards to priorities identified by the Trails Committee

After a brief overview, it was decided that a member of the Trails committee should come and present maps and ideas about trails in Bethel.

**VI. PLANNER'S REPORT:** Rachael presented the monthly planner's report .

**VII. COMMISSIONER'S COMMENTS: John:** no comments; **Joy:** we really need to do an ordinance about wind turbines, very, very important; **Bubba:** apologized for missing last month's meeting, and welcomes Kathy; **Kathy:** no comments; and **Cliff:** is the wind driving the turbines or the turbines driving the wind?

**V. ADJORNMENT**

**MOTION TO ADJOURN THE MEETING**

| | | |
|---|---|---|
| **MOVED:** | Joy Shantz | To adjourn the meeting at 6:40 |
| **SECONDED:** | Abe Palacios | |
| | | |
| **VOTE ON MAIN MOTION** | All in favor<br>Motion passes; 5 yes and 0 opposed. | |

The next Planning Meeting will be on November 13, 2014.

John Guinn, Chairman

Betsy Jumper, Recorder

# City of Bethel
# Port Commission Meeting Agenda

Regularly Scheduled Meeting
October 27, 2014 - 7 pm
City Council Chambers, City Hall, Bethel, AK

**Commissioners**
Alan Murphy
Chair
Term Expires
(907)543-2805

Greg Roczicka
Vice-Chair
Term Expires
(907)543-2903
groczicka@hotmail.com

Mark Springer
Council Rep.
Term Expires
(907)543-1297
mspringer@cityofbethel.net

Richard Pope
Port Commissioner
Term Expires
(907)543-1900
bethelalaskapc@gci.net

John Dickens
Port Commissioner
Term Expires
(907)543-0684
mightyjades@gmail.com

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

**Ex-Officio**
Peter A. Williams,
Port Director
(907)545-4150
pwilliams@cityofbethel.net

Edward Flores
Port Admin
(907)543-2310
eflores@cityofbethel.net

i. **CALL TO ORDER**

ii. **ROLL CALL**

iii. **PEOPLE TO BE HEARD**

iv. **APPROVAL OF AGENDA**

v. **APPROVAL OF MINUTES FROM THE REGULAR MEETINGS**

vi. **DEPARTMENT HEAD COMMENTS**

vii. **UNFINISHED BUSINESS**

viii. **NEW BUSINESS**

ix. **COMMISSION MEMBER'S COMMENTS**

x. **ADJOURNMENT**

# City of Bethel, Alaska
# ENERGY COMMITTEE

Nov. 3, 2014 Regular Meeting Bethel, Alaska

## I. CALL TO ORDER

A regular meeting of the Energy Commission was held on Nov. 3, 2014 in the conference room at City Hall, in Bethel, Alaska.

**PRESENT:** Jeff Sanders, Mary Weiss and Shari Neth.

**ABSENT:** Zach Fansler, (attending a special council meeting); and Eddie Stanley.

Staff members present were the following: Recorder Betsy Jumper

*Due to a lack of a quorum, no meeting took place.*

## XI. ADJOURNMENT

Next meeting on December 1, 2014.

_____, Chairperson

ATTEST: Betsy Jumper, Betsy Jumper, Recorder

# City of Bethel, Alaska
# ENERGY COMMITTEE

Oct. 6, 2014 Regular Meeting Bethel, Alaska

## I. CALL TO ORDER

A regular meeting of the Energy Commission was held on Oct. 6, 2014 in the conference room at City Hall, in Bethel, Alaska.

Chair Mary Weiss called the meeting to order at 6:50

## II. ROLL CALL

**PRESENT:** Jeff Sanders, Mary Weiss and Shari Neth.

**ABSENT:** Rick Robb (vacation) and Eddie Stanley.

Staff members present were the following: Recorder Libby Furlong

Due to a lack of a quorum, the meeting is adjourned at 6:51 pm.

## XI. ADJOURNMENT

Next meeting on Nov.3, 2014.

Chairperson

ATTEST: _____, Libby Furlong, Recorder

# Planning Commission Meeting Agenda

Regular Meeting Thursday, November 13, 2014 – 6:30PM
City Hall Council Chambers 300 Chief Eddie Hoffman Highway

**MEMBERS**

John Guinn
Chair
Term Expires
12/2013

Joy Shantz
Vice-Chair
Term Expires
12/2013

Heather Pike
Council Rep.
Term Expires
10/2015

Kathy Hanson
Committee Member
Term Expires
12/2016

Abe Palacios
Committee Member
Term Expires
12/2015

Cliff Linderoth
Committee Member
Term Expires
12/2014

Beverly Hoffman
Committee Member
Term Expires
12/2016

Rachael Pitts
Ex-Officio Member

Betsy Jumper
Recorder

## AGENDA

I. CALL TO ORDER
II. ROLL CALL
III. PEOPLE TO BE HEARD – (5 Minute Limit)
IV. APPROVAL OF THE MINUTES OF THE OCTOBER 9, 2014 MEETING
V. APPROVAL OF AGENDA
VI. UNFINISHED BUSINESS

A. Public Hearing: Trail planning with regards to priorities identified by the Trails Committee.

B. Public Hearing: Preliminary Plat of Jung and Active lots, US Survey 3790, Lots 6A, 6B, 6C, 7A, and 7B, Block 8, and Lots 6A and 6B Block 9. The address is 177-179 East Avenue. The purpose is to create dedications.

C. Public Hearing: Amendments to the Bethel Municipal Code, Titles 15-18. The titles are:

15. Buildings, Construction, and Flood Control
16. Planning, Land Use, Platting and Development
17. Subdivisions
18. Zoning

VII. NEW BUSINESS

A. Public Hearing: Preliminary Plat of a proposed Hoffman Subdivision, adjacent to Tsikoyak (Martha Larson) Subdivision . The location is BIA Road. The purpose is to create the following lots: Tract A, Lots 1-32 Block 1, Lots 1-11 Block 2, Lot 1 Block 3, Lots 1-16 Block 4, Lots 1-8 Block 5, Lots 1-7 Block 6, Lots 1-3 Block 7, and four Open Space Tracts. The location is BIA Road. The purpose is to create commercial and residential lots.

VIII. DIRECTOR'S REPORT
IX. COMMISSIONER'S COMMENTS
X. ADJOURNMENT

Posted Nov. 7, 2014, at City Hall, Alaska Commercial Company Store (AC), Bethel Native Corporation (BNC) Building, and Corina's Case Lot Groceries

# Unfinished Business

Introduced by: Pete Williams, Acting City Manager
Date: October 14, 2014
October 28, 2014
November 3, 2014
November 11, 2014
Action:
Passed:

# CITY OF BETHEL

## Resolution # 14-14

## CITY OF BETHEL PRIORITIES FOR THE FY 2016 STATE OF ALASKA CAPITAL BUDGET

**WHEREAS**, the Bethel City Council is a seven-member body elected by resident voters of Bethel to act in the best interest of the community and intends to exhibit transparency, oversight, and accountability for all funds awarded through this request;

**WHEREAS**, the priorities established herein are rank-ordered and vital to the well-being of the community and municipality of Bethel;

**WHEREAS**, a summary of the City of Bethel's priorities and requested funding amounts are listed in the following table:

| Five Priorities | Request |
|---|---|
| 1. Sewage Lagoon Rehabilitation and Dredging | $9,608,906 |
| 2. Water and Sewer Trucks | $2,660,000 |
| 3. Bethel Small Boat Harbor Improvements – Final Phase | $2,500,000 |
| 4. Alternative Road Around H-Marker Lake | $1,820,752 |
| 5. Institutional Corridor Water Delivery System - Phase 2 | $5,187,742 |
| 6. Dust Control Measures (Gravel, Calcium Chloride, Hydroseed) | $1,200,000 |
| Total | $22,756,648 |

| #1 | Sewage Lagoon Rehabilitation and Excavation | $9,608,906 |
|---|---|---|

**WHEREAS**, the City of Bethel provides hauled sewage service to 1,318 buildings and piped sewage service to 424 buildings;

Introduced by: Pete Williams, Acting City Manager
Date: October 14, 2014
October 28, 2014
November 3, 2014
November 11, 2014
Action:
Passed:

**WHEREAS,** all sewage is deposited into the City's sewer lagoon, which is divided into two cells that occupy 61.7 acres;

**WHEREAS,** the lagoon capacity is steadily shrinking every year as solids settle on the bottom and the berms remain fixed;

**WHEREAS,** the City is given an administrative extension from the Alaska Department of Environmental Conservation each year to discharge effluent into the Kuskokwim River with the understanding that the City is actively pursuing lagoon remediation efforts;

**WHEREAS,** the City must discharge 220 million gallons of raw effluent into the Kuskokwim River every year in order to lower lagoon volume and avoid a cataclysmic breach or an overflow situation;

**WHEREAS,** the fact that a portion of the upper lagoon cell wall breached in 2005, causing the discharge of thousands of gallons of effluent onto open tundra, underscores the need for rehabilitation;

**WHEREAS,** professional engineering firm, Larsen Consulting Group, LLC , completed a preliminary engineering report in 2010 in which they described the poor condition of the lagoon and made recommendations for improvement;

**WHEREAS,** a letter from the compliance manager at the Alaska Department of Environmental Conservation dated June 27, 2013, summarized the City's lagoon facility problem by saying, "Therefore, the risk to human health of waterborne disease as a result of exposure to partially treated sewage effluent will persist until a replacement wastewater treatment facility can be put into place;"

**WHEREAS,** recommendations from Larsen Consulting and CH2MHill comprise the majority of this project: replace sewage truck dump site, excavate existing lagoon cells and replace baffles, and construct a new 30-acre holding cell and 20-acre treatment area;

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel City Council, as elected representatives of the community and City of Bethel, do hereby formally request that the State of Alaska provide $9,608,906 in the FY 2016 Alaska Capital Budget for Bethel to fund the Sewage Lagoon Rehabilitation and Excavation project.

| #2 | Water and Sewer Trucks | $2,660,000 |
|---|---|---|

**WHEREAS,** the City of Bethel provides hauled water and sewer service to 1,318 households six days a week throughout the year because only 424 Bethel households are on piped service;

Introduced by: Pete Williams, Acting City Manager
Date: October 14, 2014
October 28, 2014
November 3, 2014
November 11, 2014
Action:
Passed:

**WHEREAS**, Approximately 3 million gallons of water are delivered each month and 2.5 million gallons of sewage is evacuated each month;

**WHEREAS**, the City currently owns and operates ten 3,000-gallon Stirling brand water trucks manufactured between 1999 to 2007 and seven 3,000-gallon Stirling brand sewer trucks manufactured between 2000 to 2007;

**WHEREAS**, Stirling closed their factory in 2008 and no longer manufactures water and sewer truck chassis or parts, making it extremely difficult for the City to acquire parts to repair the vehicles in its fleet;

**WHEREAS**, the proliferation of Stirling trucks in use across the globe, the advent of few after-market parts makers, and high demand for parts have created severe parts shortages and if parts are available, the prices are usually sky high;

**WHEREAS**, One City diesel mechanic and two assistants spend 130 hours of their time each week diagnosing problems on water and sewer trucks, searching for parts, and completing the repairs when possible;

**WHEREAS**, Bethel City Council recently approved a community-wide water and sewer rate increase to begin in January 2015 that will produce sufficient revenue to cover 100% of the service costs, but not capital vehicle costs;

**WHEREAS**, the number of new buildings and planned subdivisions coming online in Bethel is adding pressure on the City's overworked water and sewer trucks to make reliable deliveries;

**WHEREAS**, the City created a special fleet replacement fund that currently has $491,000 in it, which will allow the City to buy two water trucks this winter as match for this project;

**WHEREAS**, the City requests $2,660,000 in State Capital funding to purchase five water trucks and five sewer trucks — giving the City full fleet replacement for the next seven years and allowing the City to meet its current and near-future demand for reliable service;

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel City Council, as elected representatives of the community and City of Bethel, do hereby formally request that the State of Alaska provide $2,660,000 in its FY 2016 Capital Budget to fund the purchase of water and sewer trucks;

| #3 | Bethel Small Boat Harbor Improvements | $2,500,000 |
|---|---|---|

**WHEREAS**, the City of Bethel received funding from the U.S. Army Corps of Engineers, Denali Commission, and State of Alaska for improvements to the Bethel Small Boat Harbor over the last five years;

Introduced by: Pete Williams, Acting City Manager
Date: October 14, 2014
October 28, 2014
November 3, 2014
November 11, 2014
Action:
Passed:

**WHEREAS**, three sections of bank encompassing 1,300 feet are all that are left to improve with webbing and gravel in order to stabilize 100% of the banks, thereby reducing slough-off and the need for dredging;

**WHEREAS**, several culverts are needed to improve the parking lot and north side road access to the harbor;

**WHEREAS**, the Harbor allows Bethel residents easy, convenient, and inexpensive access to the Kuskokwim River for subsistence harvest of fish and game, access to fish camps, recreational uses, commercial fishing, commercial birding/guiding, wood gathering, and transportation to and from villages on the river;

**WHEREAS**, nearby villagers depend on the Harbor when they travel by boat to Bethel for medical appointments, vocational training, college attendance, conferences/workshops, government services, shopping, employment, air transportation to Anchorage and points beyond, and to visit friends and relatives;

**WHEREAS**, the Bethel Small Boat Harbor was officially designated a "harbor of refuge" by the U.S. Army Corps of Engineers and provides protection for small boaters from storms, high seas, and other natural hazards;

**WHEREAS**, great strides have been made to improve the Harbor over the last five years and one more "shovel-ready" bank stabilization effort is needed to finish the changes needed;

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel City Council, as elected representatives of the community and City of Bethel, do hereby formally request that the State of Alaska provide $2,500,000 in its FY 2016 Capital Budget to fund the Small Boat Harbor Improvements Project;

| #4 | Alternative Road Around H-Marker Lake | $1,820,752 |
|---|---|---|

**WHEREAS**, the community of Bethel has been severely hampered by the closure of Tundra Ridge Road in 2008 because it broke the circuit, causing all traffic to flow in a "U" pattern from the State Highway to Ptarmigan Street;

**WHEREAS**, the City worked diligently with the State and private landowners to re-open the road, but after six years, the impasse remains steadfast;

**WHEREAS**, the community continues to suffer in terms of increased response time for emergency response vehicles to reach the Tundra Ridge Subdivision and residents of the subdivision are enduring additional time and cost to get to work, to the store, to the airport, and other places;

Introduced by: Pete Williams, Acting City Manager
Date: October 14, 2014
October 28, 2014
November 3, 2014
November 11, 2014
Action:
Passed:

**WHEREAS**, the City's proposed solution is to construct a new gravel road around H-Marker Lake to connect the public part of Tundra Ridge Road with Ptarmigan Street, that will complete the circuit again;

**WHEREAS**, the new road will follow the shortest route from existing road to existing road;

**WHEREAS**, the City of Bethel is willing and able to provide sand, heavy equipment, and personnel to assist in the development of the new road;

**WHEREAS**, a new road between the state highway and Ptarmigan Street is expected to save lives and reduce injuries as a result of faster emergency vehicle response times, lessen drive time to town, lower fuel cost, and reduce vehicle maintenance cost;

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel City Council, as elected representatives of the community and City of Bethel, do hereby formally request that the State of Alaska provide $1,820,752 in its FY 2016 Capital Budget to fund the Alternative Road Around H-Marker Lake project;

## #5 Institutional Corridor Water Delivery System – Phase 2 $5,187,742

**WHEREAS**, the State of Alaska provided the City of Bethel with only $7,000,000 in FY 2014 to complete the Institutional Corridor Water Delivery System project that cost $12,187,742, requiring the City to break the project into Phase 1 and 2;

**WHEREAS**, the City is currently using the bidding process to hire an engineer firm to develop design, plans, and specifications to construct Phase 1 and Phase 2;

**WHEREAS**, while Phase 1 is slated to connect piped water to the Yukon Kuskokwim Health Corporation's hospital and administration building, Phase 2 funding is needed to provide piped water to the adult correction facility, youth correction facility, and remaining institutions along Chief Eddie Hoffman Highway;

**WHEREAS**, the City of Bethel owns and operates the City Subdivision Water Treatment Plant that has sufficient capacity to provide water to all institutional corridor project users;

**WHEREAS**, once the City begins providing piped water to institutional corridor users, the City foresees an increase in revenue over expenses, which will help the City demonstrate its fiscal responsibility to USDA and other funders;

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel City Council, as elected representatives of the community and City of Bethel, do hereby formally request that the State of Alaska

provide $5,187,742 in its FY 2016 Capital Budget to fund the Institutional Corridor Water Delivery System – Phase 2;

| #6 | Dust Control Measures, Gravel, and Calcium Chloride | $1,200,000 |
|---|---|---|

**WHEREAS**, the community of Bethel is plagued by airborne dust and the ill-health effects associated with its inhalation, ingestion, and contact with eyes, ears, and skin;

**WHEREAS**, the City learned over its 55-year existence that purchasing and applying gravel, calcium chloride, and hydroseeding road slopes are effective dust control techniques;

**WHEREAS**, the City will purchase one new water spray truck with project funds so that it can apply water to the dusty streets throughout the summer;

**WHEREAS**, the City plans to purchase gravel and other materials in bulk quantities and use them in subdivisions, which are currently underserved because the City must focus its efforts on major thoroughfares;

**WHEREAS**, the City has the heavy equipment, trained personnel, and operating costs in its budget to apply gravel, calcium chloride, and hydroseed to the City's roads as needed;

**NOW, THEREFORE, BE IT RESOLVED** that the Bethel City Council, as elected representatives of the community and City of Bethel, do hereby formally request that the State of Alaska provide $1,200,000 in its FY 2016 Capital Budget to fund the Dust Control Measures, Gravel, and Calcium Chloride project;

**THEREFORE, BE IT FURTHER RESOLVED** that the Bethel City Council, as elected representatives of the community and City of Bethel, hereby set and affirm the following six projects for the City's FY 2016 State of Alaska Capital Budget funding request: (1) Sewage Lagoon Rehabilitation and Dredging, (2) Water and Sewer Trucks, (3) Bethel Small Boat Harbor Improvements, (4) Alternative Road Around H-Marker Lake, (5) Institutional Corridor Water Delivery System – Phase 2, and (6) Dust Control Measures, Gravel, and Calcium Chloride.

**ENACTED THIS 11th DAY OF NOVEMBER 2014 BY A VOTE OF _____ IN FAVOR AND _____ OPPOSED.**

_____
Richard Robb, Mayor

ATTEST:

Introduced by: Pete Williams, Acting City Manager
Date: October 14, 2014
October 28, 2014
November 3, 2014
November 11, 2014
Action:
Passed:

_____
Lori Strickler, City Clerk

# City of Bethel
## Projects for Bethel City Council Consideration – No Priority Indicated
## FY 2016 State Capital Priorities

**1. Alternate Road Around H-Marker Lake**
($877,579 if City provides in-kind services; $1,820,752 if contractor completes project)
If funded, the City of Bethel would design, survey, and plan a road from Gunder's Way near H-Marker Lake to Ptarmigan Street. The preliminary plan calls for the road to cross BNC land and Charles' family land. Easements would have to be acquired from at least these two landowners. This alternative route around the lake would facilitate vehicle traffic to Tundra Ridge Subdivision and Ptarmigan Street neighborhoods from State Highway and allow access going south to the airport, Kasayulie, Larsen, and downtown.

**2. Dust Control Measures, Gravel & Calcium Chloride** (Any amount can be justified $1,000,000+)
The City of Bethel will purchase gravel, calcium chloride, and hydroseed mixture to apply to roads in subdivisions that do not often receive such treatment. The purchase of a water spray truck ($200,000) could also be added to this project. The City's current road watering truck is a 1992 Ford TL 9800. It has cracks in the frame , holes in the tank, and extensive rust on the body.

**3. East Timber Wall Replacement** ($5,047,675)
The City of Bethel received a grant from the Denali Commission in the amount of $200,000 to design the replacement of the East Timber Wall on Brown's Slough. The City contributed $50,000 toward the design project. The East Timber Wall is being jacked out of the ground as it slowly rots and collapses. PND Engineers recommends the removal of the wall and replacing it with a new steel sheet pile wall that will not decay like the timber wall. Design is done.

**4. Port Office Facility** ($500,000)
The existing Port Office is a small 12' x 18' building with no interior walls and shortage of space for private conversations with staff, customers, contractors, and agency personnel like the U.S. Coast Guard and Corps of Engineers. The proposed new Port Office would be at least 1,200 sq. ft. and ideally 1,800 sq. ft. in size and cost approximately $250/sq. ft. to construct. Three private offices would serve the Port Director, Dock Operator, and Administrative Assistant. A meeting room would serve the Port Commission, Corps of Engineers, engineering firms, and others who need room for several individuals and space to display large plan sets.

**5. New Water Truck** ($400,000)
The City of Bethel will be in the hauled water business for the foreseeable future and will always need new water delivery trucks. Most of the City's water trucks are Sterling-Western makes, a company that is no longer in business. The City believes Mack trucks may be superior in quality and durability and would like to move to a Mack fleet. The City plans to buy two new 4,000-gallon tank and larger pump so that more work can be completed faster.

**6. New Sewer Truck** ($175,000)
The City of Bethel will be in the hauled sewer business for the foreseeable future and will always need new sewer evacuation trucks. These trucks have pump systems that are more complex than the water trucks and usually undergo most costly repairs. Most of the City's sewer trucks are Sterling-Western, a company that is no longer in business. The City believes Mack trucks may be superior in quality and durability and would like to move to a Mack fleet. The City plans to purchase a 4,000-gallon sewer truck with a stronger pump so that more work can be completed faster.

**7. New Fire Tanker/Tender** ($350,000)
The Bethel Fire Department's current tanker only carries 1,500 gallons of water. The 1981 tanker runs poorly, can barely attain speeds of 30 mph, and lacks newly required safety equipment. The new tanker/tender will hold 3,500 gallons and better meet the needs of the department.

**8. Front End Loader** ($360,000)
The Public Works Department needs to purchase one front end loader to use on the landfill. The loader will assist in crushing vehicles, moving vehicles around the landfill, and loading dirt into dump trucks for cover and doing cover work.

**9. Sheet Pile Wing Wall Replacement**($6,440,225)
A 2006 engineer report recommended that the sheet pile wall adjoining Brown's Slough be replaced. The tiebacks supporting the top portion of the wall have decayed. Wall failure is a possibility as water continues to reach around the wall, eroding the sand supporting it.

**10. Trash Dumpster Truck and 100 New Dumpsters** ($252,847)
The City needs to purchase one new dumpster truck and designate one of the older ones to a "backup" role when one of the two newer ones is being serviced. The City's current dumpsters are rusting out from the bottom and are configured in such a way as to be inconvenient for the community to use effectively. The City needs new 4-yard, 6-yard, and 8-yard dumpsters.

**11. New Porta-Pottie Evacuation Truck and 12 Porta-Potties** ($114,708)
The City of Bethel currently provides porta-potties to businesses, construction sites, and to those hosting events for a fee. The City needs one port-pottie evacuation truck that can be used to evacuate standing porta-potties at locations and not have to haul the porta-potties to the sewage lagoon to evacuate them, as is done now. The City needs 12 new porta-potties.

Introduced by: Acting City Manager Williams
Introduction Date October 28, 2014
Public Hearing: November 11, 2014
Action:
Vote:

# *CITY OF BETHEL, ALASKA*

## Ordinance #14-27

### AN ORDINANCE BY THE BETHEL CITY COUNCIL REPEALING AND REPLACING SECTION 4.20 PURCHASING

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

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

**SECTION 2. Severability.** If any provisions of this ordinance or any application thereof to any person or circumstance is held invalid, the remainder of this ordinance and the application to other persons or circumstances shall not affected thereby.

**SECTION 3.** Section 4.20 is hereby repealed.

**~~Chapter 4.20~~**
**~~PURCHASING~~**

~~Sections:~~

~~Article I. General Provisions~~

~~4.20.010 Purpose.~~
~~4.20.020 Applicability.~~
~~4.20.030 Definitions.~~
~~4.20.040 Budget approval.~~
~~4.20.050 Specifications generally.~~

~~Article II. Purchasing Agent~~

~~4.20.060 Office established.~~
~~4.20.070 Powers and duties.~~
~~4.20.080 Delegation of authority.~~

~~Article III. Source Selection and Contract Formation~~

~~4.20.090 Competitive sealed bidding.~~
~~4.20.100 Competitive sealed proposals.~~
~~4.20.110 Cancellation of bid invitations and proposal requests.~~
~~4.20.120 Determination of nonresponsibility – Confidentiality.~~

~~Article IV. Appeals and Remedies~~

~~4.20.130 Appeals.~~
~~4.20.140 Remedies.~~

~~Article V. Procurements~~

~~4.20.150 General equipment, material and supplies.~~
~~4.20.155 Contracts for insurance.~~
~~4.20.160 Construction contracts.~~
~~4.20.170 Professional services.~~
~~4.20.180 Sole-source procurement.~~
~~4.20.190 Emergencies.~~

~~Article VI. Ethics~~

~~4.20.200 Conflicts of interest.~~
~~4.20.210 Gratuities, kickbacks and unauthorized spending.~~
~~4.20.220 Contingent fee prohibition.~~
~~4.20.230 Repealed.~~
~~4.20.240 Waivers from conflict of interest provisions.~~
~~4.20.250 Confidentiality.~~
~~4.20.260 Sanctions designated.~~
~~4.20.270 Recovery of value received or transferred.~~

~~Article VII. Violation and Penalty~~

~~4.20.280 Criminal penalties.~~
~~4.20.290 Contractor in good standing.~~

## ~~Article I. General Provisions~~

**~~4.20.010 Purpose.~~**

~~The purpose of this chapter is to provide for the fair and equitable treatment of all persons involved in public purchasing by the city, to maintain and improve local employment opportunities by encouraging the city to purchase supplies and materials locally when feasible, to increase sales tax receipts, to maximize the purchasing value of public funds in procurement, and to provide safeguards for maintaining a procurement system of quality and integrity.~~

**~~4.20.020 Applicability.~~**

~~A. This chapter applies to contracts for the procurement of supplies, services, and construction entered into by the city after the effective date of this chapter. It shall apply to every expenditure of public funds by a public agency for public purchasing irrespective of the source of the funds.~~

~~B. When the procurement involves the expenditure of federal assistance, state grants, or contract funds, the procurement shall be conducted in accordance with any mandatory applicable federal or state law and regulation.~~

~~C. Nothing in this chapter shall prevent any public agency from complying with the terms and conditions of any grant, gift or bequest that is otherwise consistent with law.~~

~~D. This chapter shall be used in conjunction with the purchasing procedures adopted by city administration and set forth in the city administrative manual.~~

**~~4.20.030 Definitions.~~**

~~As used in this chapter, the following words and phrases shall have the meanings set out in this section:~~

~~A. Architect-Engineer and Land Surveying Services. "Architect-engineer and land surveying services" means those professional services within the scope of the practice of architecture, professional engineering, or land surveying, as defined by the laws of the state.~~

~~B. Business. "Business" means any corporation, partnership, individual, sole proprietorship, joint venture, or any other private legal entity.~~

~~C. Confidential Information. "Confidential information" means any information which is available to an employee only because of the employee's status as an employee of the city and is not a matter of public knowledge or available to the public on request.~~

~~D. Construction. "Construction" means the process of building, altering, repairing, improving, or demolishing any public structure or building, or other public improvements of any kind to any public real property. It does not include the routine operation, routine repair, or routine maintenance of existing structures, buildings, or real property.~~

~~E. Contract. "Contract" means all types of city agreements, regardless of what they may be called, for the procurement of supplies, services or construction.~~

~~F. Contractor. "Contractor" means any person having a contract with the city or a using agency thereof.~~

~~G. Direct or Indirect Participation. "Direct or indirect participation" means involvement through decision, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or any other advisory capacity.~~

~~H. Employee. "Employee" means an individual drawing a salary or wages from the city, whether elected or not, and any individual serving as an elected official.~~

~~I. Financial Interest. "Financial interest" means:~~

~~1. Ownership of any interest or involvement in any relationship from which, or as a result of which, a person within the past year has received, or is presently or in the future entitled to receive, more than one thousand dollars ($1,000) per year, or its equivalent;~~

~~2. Ownership of twenty (20) percent of any property or business; or~~

~~3. Holding a position in a business such as officer, director, trustee, partner, employee, or the like, or holding any position of management.~~

~~J. Gratuity. "Gratuity" means a payment, loan, subscription, advance, deposit of money, service or anything of more than nominal value, present or promised, unless consideration of substantially equal or greater value is received.~~

~~K. Immediate Family. "Immediate family" means a spouse, children, parents, brothers and sisters.~~

~~L. Invitation for Bids. "Invitation for bids" means all documents, whether attached or incorporated by reference, utilized for soliciting sealed bids.~~

~~M. "Local business" means a business with fixed offices or distribution points located within the boundaries of the city and who has a current city business license and who is at the time of bidding or proposing in compliance with all requirements of the city sales tax ordinance. A Bethel post office box number or residential address may not be used solely to establish status as a local business.~~

~~N. Person. "Person" means any business, individual, union, committee, club, other organization, or group of individuals.~~

~~O. Procurement. "Procurement" means the buying, purchasing, renting, leasing, or otherwise acquiring of any supplies, services, or construction. It also includes all functions that pertain to the obtaining of any supply, service, or construction, including description of requirements, selection, and solicitation of sources, professional services, preparation and award of contract, and all phases of contract administration.~~

~~P. Public Agency. "Public agency" means a public entity subject to or created by the city.~~

~~Q. Qualified Products List. "Qualified products list" means an approved list of supplies, services, or construction items described by model or catalogue numbers which, prior to competitive solicitation, the city has determined will meet the applicable specification requirements.~~

~~R. Request for Proposals. "Request for proposals" means all documents, whether attached or incorporated by reference, utilized for soliciting proposals.~~

~~S. Responsible Bidder or Offeror. "Responsible bidder or offeror" means a person who has the capability in all respects to perform fully the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facility, equipment, and credit which will assure good faith performance.~~

~~T. Responsive Bidder. "Responsive bidder" means a person who has submitted a bid which conforms in all material respects to the requirements set forth in the invitation for bids.~~

~~U. Services. "Services" means the furnishing of labor, time, or effort, by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. This term shall not include employment agreements, collective bargaining agreements or agreements relating to the procurement of insurance coverage through an insurance broker.~~

~~V. Specification. "Specification" means any description of the physical or functional characteristics or of the nature of a supply, service, or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction item for delivery.~~

~~W. Supplies. "Supplies" means all property, including but not limited to equipment, materials, printing, and leases of real property, excluding land or a permanent interest in land.~~

~~X. Using Agency. "Using agency" means any department, commission, board, or public agency requiring supplies, services, or construction procured pursuant to this chapter.~~

**~~4.20.040 Budget approval.~~**

~~It is the duty of the finance director to confirm that sufficient funds are available for the procurement of any single item or purchase order transaction exceeding ten thousand dollars ($10,000) which has already been approved by the adoption of the current fiscal year budget. The purchasing agent may give budget approval for the procurement of any single item of purchase order transaction less than ten thousand dollars ($10,000). Any item for which the procurement of is not otherwise included in the current fiscal year budget must be approved by council.~~

**~~4.20.050 Specifications generally.~~**

~~All specifications shall be drafted so as to promote overall economy for the purposes intended and encourage competition in satisfying the city's needs. Whenever a material, article, or piece of equipment is identified on the plans or in the specifications by reference to manufacturers' or vendors' names, trade names, catalog numbers, etc., it is intended merely to establish a standard; and any material, article, or equipment of other manufacturers and vendors which will perform adequately the duties imposed by the general design will be considered equally acceptable provided the material, article, or equipment so proposed is, in the opinion of the city, of equal substance and function. Any item quoted as "equal" shall be accompanied by complete data and/or brochures to be used in evaluation.~~

## ~~Article II. Purchasing Agent~~

**~~4.20.060 Office established.~~**

~~The position of purchasing agent is established in the finance department.~~

**~~4.20.070 Powers and duties.~~**

~~A. Principal Purchasing Official. Except as otherwise provided in this chapter, the purchasing agent shall serve as the principal purchasing official for the city, and shall be responsible for the procurement of supplies and services in accordance with this chapter, as well as the management and disposal of supplies and fixed assets.~~

~~B. Duties. In accordance with this chapter, and subject to the supervision of the finance director, the purchasing agent shall:~~

~~1. Procure or supervise the procurement of all supplies and services needed by the city;~~

~~2. Sell, trade, or otherwise dispose of surplus supplies and fixed assets belonging to the city.~~

~~C. Operational Procedures. Consistent with this chapter, and with the approval of the finance director, the purchasing agent may adopt and publish operational procedures relating to the execution of the duties of the position.~~

**~~4.20.080 Delegation of authority.~~**

~~With the approval of the city manager, the purchasing agent may delegate authority to purchase certain supplies, services, or construction to other city officials, if such delegation is deemed necessary for the effective procurement of those items. This provision recognizes that for the procurement of certain supplies, services or construction, effective management may call for the delegation of procurement authority to other city officials possessing specialized skills or knowledge that would make them better qualified to define the city's requirements or monitor a contractor's performance. When faced with an especially complex procurement, such as a complex construction project, the city may find it necessary to temporarily appoint a highly qualified construction management professional as construction procurement officer for that project. As an alternative, the city may choose to contract for the services of a construction management firm to oversee all phases of the project. As a city contractor, this firm shall be closely supervised in its performance by the purchasing agent or other city official as the city manager deems appropriate. In selecting and utilizing such a project management firm, the city will ensure that the contractors providing this management function are independent of those contractors providing construction or other project services to the city. Consistent oversight will be essential for the successful completion of such complex construction projects.~~

## ~~Article III. Source Selection and Contract Formation~~

**~~4.20.090 Competitive sealed bidding.~~**

~~A. Conditions for Use. All procurement contracts of the city shall be awarded by competitive sealed bidding except as otherwise provided in BMC 4.20.100,4.20.155 and 4.20.160.~~

~~B. Invitation for Bids. An invitation for bids shall be issued and shall include specifications and all contractual terms and conditions applicable to the procurement.~~

~~C. Public Notice. Adequate public notice of the invitation for bids shall be given a reasonable time, not less than thirty (30) calendar days prior to the date set forth therein for the opening of bids. Such notice may include publication in a newspaper of general circulation a reasonable time prior to bid opening. The public notice shall state the place, date and time of bid opening.~~

~~D. Bid Opening. Bids shall be opened publicly in the presence of one (1) or more witnesses at the time and place designated in the invitation for bids. The amount of each bid, and such other relevant information as the purchasing agent deems appropriate, together with the name of each bidder, shall be recorded. The record and each bid shall be open to public inspection.~~

~~E. Bid Acceptance and Bid Evaluation. Bids shall be unconditionally accepted without alteration or correction, except as otherwise authorized in this chapter. Bids shall be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for awards shall be objectively measurable, such as discounts, transportation costs, and total life cycle costs. The invitation for bids shall set forth the evaluation criteria to be used. The criteria shall include a statement that any local business submitting a bid shall receive a five (5) percent preference in determining the lowest responsible and responsive bidder. No criteria may be used in bid evaluation that are not set forth in the invitation for bids.~~

~~F. Correction or Withdrawal of Bids – Cancellation of Awards. Correction or withdrawal of inadvertently erroneous bids before or after bid opening, or cancellation of awards or contracts based on such bid mistakes may be permitted where appropriate. Mistakes discovered before bid opening may be modified or withdrawn by written or telegraphic notice received in the office designated in the invitation for bids prior to the time set for bid opening. After bid opening, corrections in bids shall be permitted only to the extent that the bidder can show by clear and convincing evidence that a mistake of a nonjudgmental character was made, the nature of the mistake, and the bid price actually intended. After bid opening, no changes in bid prices or other provisions of bids prejudicial to the interest of the city or fair competition shall be permitted. In lieu of bid correction, a low bidder alleging a material mistake of fact may be permitted to withdraw its bid if:~~

~~1. The mistake is clearly evident on the face of the bid document, but the intended correct bid is not similarly evident; or~~

~~2. The bidder submits evidence which clearly and convincingly demonstrates that a mistake was made. All decisions to permit the correction or~~

~~withdrawal of bids, or to cancel awards or contracts based on bid mistakes, shall be supported by a written determination made by the purchasing agent.~~

~~G. Award. The contract shall be awarded with reasonable promptness by appropriate written notice to the local business that is the lowest responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids, provided such bid does not exceed by more than five (5) percent the lowest bid of any bidder that is not a local business. In the event the low responsive and responsible bid exceeds available funds as certified by the finance director and such bid does not exceed such funds by more than five (5) percent, the city manager or authorized designee is authorized, when time or economic considerations preclude resolicitation of work of a reduced scope, to negotiate an adjustment of the bid price within the amount of available funds. Any such negotiated adjustment shall be based only upon eliminating independent deductive items specified in the invitation for bids.~~

**~~4.20.100 Competitive sealed proposals.~~**

~~A. Conditions for Use. When the purchasing agent determines in writing that the use of competitive sealed bidding is either not practicable or not advantageous to the city, a contract may be entered into by use of the competitive sealed proposal method.~~

~~B. Request for Proposals. Proposals shall be solicited through a request for proposals.~~

~~C. Public Notice. Adequate public notice of the request for proposals shall be given in the same manner as provided in BMC 4.20.090(C).~~

~~D. Receipt of Proposals. No proposals shall be handled so as to permit disclosure of the identity of any offeror or the content of any proposal to competing offerors during the process of negotiation. A register of proposals shall be prepared containing the name of each offeror, the number of modifications received, if any, and a description sufficient to identify the item offered. The register of proposals shall be open for public inspection only after contract award.~~

~~E. Evaluation Factors. The request for proposals shall state the relative importance of price and other evaluation factors. The evaluation factors shall include a statement that any local business submitting a proposal shall receive a five (5) percent preference in evaluating the proposed price.~~

~~F. Discussion with Responsible Offerors and Revisions to Proposals. As provided in the request for proposals, discussions may be conducted with responsible offerors who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the~~

~~solicitation requirements. Offerors shall be accorded fair and equal treatment with respect to any opportunity for discussion and revisions of proposals and such revisions may be permitted after submissions and prior to award for the purpose of obtaining best and final offers. In conducting discussions, there shall be no disclosure of the identity of competing offerors, or of any information derived from proposals submitted by competing offerors.~~

~~G. Award. Award shall be made to the responsible offeror whose proposal is determined in writing to be the most advantageous to the city, taking into consideration price and the evaluation factors set forth in the evaluation. The contract file shall contain the basis on which the award was made.~~

**~~4.20.110 Cancellation of bid invitations and proposal requests.~~**

~~An invitation for bids, a request for proposals, or other solicitation may be cancelled, or any or all bids or proposals may be rejected in whole or in part, when it is for good cause and in the best interests of the city. The reasons therefor shall be made part of the contract file. Each solicitation issued by the city shall state that the solicitation may be cancelled and that any bid or proposal may be rejected in whole or in part for good cause when in the best interests of the city. Notice of cancellation shall be sent to all businesses solicited. Reasons for rejection shall be provided upon request by unsuccessful bidders or offerors.~~

**~~4.20.120 Determination of nonresponsibility – Confidentiality.~~**

~~A. Determination of Nonresponsibility. If a bidder or offeror who otherwise would have been awarded a contract is found nonresponsible, a written determination of nonresponsibility, setting forth the basis of the finding, shall be prepared by the purchasing agent. The unreasonable failure of a bidder or offeror to promptly supply information in connection with an injury with respect to responsibility may be grounds for a determination of nonresponsibility with respect to such bidder or offeror. A copy of the determination shall be sent promptly to the nonresponsible bidder or offeror. The final determination shall be made part of the contract file and be made a public record.~~

~~B. Right of Nondisclosure. Information furnished by a bidder or offeror pursuant to this section shall not be disclosed by the city outside of the office of the purchasing agent, or using agency, without prior written consent of the bidder or offeror.~~

## ~~Article IV. Appeals and Remedies~~

### ~~4.20.130 Appeals.~~

~~A. Right to Protest. Any actual or prospective bidder, offeror, or contractor who is aggrieved in connection with the solicitation or award of a contract may protest to the city manager. A protest with respect to any invitation for bids or request for proposal shall be submitted in writing prior to the opening of bid or the closing date of proposals, unless the aggrieved person did not know and should not have known of the facts giving rise to such protest prior to bid opening or the closing date for proposals. The protest shall be submitted within five (5) days, excluding Saturdays, Sundays, and other legal holidays, after such aggrieved person knows or should have known of the facts giving rise to the case.~~

~~B. Stay of Procurements During Protests. In the event of a timely protest under subsection A of this section, the purchasing agent shall not proceed further with the solicitation or award of the contract until the city manager makes a determination on the record that the award of a contract without delay is necessary to protect substantial interests of the city.~~

~~C. Decision of the City Manager. All claims by a contractor against the city relating to a contract, except bid protests, shall be submitted in writing to the city manager for a decision. The contractor may request a conference with the city manager on the claim. Claims include, without limitation, disputes arising under a contract, and those based upon breach of contract, mistake, misrepresentation, or other cause for contract modification or rescission.~~

~~D. Notice to the Contractor. The decision shall be promptly issued in writing, and shall be immediately mailed or otherwise furnished to the contractor. The decision shall state the reasons for the decision reached, and shall inform the contractor of its appeal rights under subsection E of this section.~~

~~E. Finality of Decision – Contractor's Right to Appeal. The city manager's decision shall be final and conclusive unless, within five (5) days, excluding Saturdays, Sundays, and other legal holidays, from the date of receipt of the decision, the contractor mails or otherwise delivers a written appeal to the city council or commences an action in a court of competent jurisdiction.~~

### ~~4.20.140 Remedies.~~

~~A. Prior to Bid Opening or Closing Date for Receipt of Proposals. If prior to the bid opening or the closing date for receipt of proposals, the purchasing agent, after consultation with the city attorney, determines that a solicitation is in violation of~~

~~federal, state, or municipal law, then the solicitation shall be cancelled or otherwise revised to comply with applicable law.~~

~~B. Prior to Award. If after bid opening or the closing date for receipt of proposals, the purchasing agent, after consultation with the city attorney, determines that a solicitation or a proposed award of a contract is in violation of federal, state or municipal law, then the solicitation or proposed award shall be cancelled.~~

~~C. After Award. If, after an award, the purchasing agent, after consultation with the city attorney, determines that a solicitation or award of a contract was in violation of applicable law, then:~~

~~1. If the person awarded the contract has not acted fraudulently or in bad faith:~~

~~a. The contract may be ratified and affirmed, provided it is determined that doing so is in the best interests of the city; or~~

~~b. The contract may be terminated and the person awarded the contract shall be compensated for the actual costs reasonably incurred under the contract, plus a reasonable profit, prior to the termination; or~~

~~2. If the person awarded the contract has acted fraudulently or in bad faith, the contract may be declared null and void or voidable, if such action is in the best interests of the city.~~

## ~~Article V. Procurements~~

### ~~4.20.150 General equipment, material and supplies.~~

~~A. Source Selection. Except as otherwise provided in BMC 4.20.100, the source selection process for procurement of other than construction or professional services shall be as follows:~~

~~1. Over Twenty Thousand Dollars ($20,000). For the procurement of any single item or purchase order transaction expected to cost twenty thousand dollars ($20,000) or more, it shall be required that the request be put out for bid following the process as stated in BMC 4.20.090.~~

~~2. Ten Thousand Dollars ($10,000) or More, but Less than Twenty Thousand Dollars ($20,000). For the procurement of any single item or purchase order transaction expected to cost ten thousand dollars ($10,000) or more, but less than twenty thousand dollars ($20,000), no less than three (3) businesses shall be solicited to submit written quotations. The names of the businesses~~

~~submitting quotations shall be recorded and maintained as a public record. Any local business whose quotation does not exceed by more than five (5) percent the lowest price quotation received from any person who is not a local business shall be considered to have submitted a quotation lower than that submitted by the person who is not a local business.~~

~~3. Five Thousand Dollars or More, but Less than Ten Thousand Dollars ($10,000). For the procurement of any single item or purchase order transaction expected to cost five thousand dollars ($5,000) or more, but less than ten thousand dollars ($10,000), at least three (3) businesses shall be contacted for a phone quotation. The names of the businesses submitting a phone quotation shall be recorded and maintained as a public record. Any local business whose quotation does not exceed by more than five (5) percent the lowest price quotation received from any person who is not a local business shall be considered to have submitted a quotation lower than that submitted by the person who is not a local business.~~

~~4. Under Five Thousand Dollars ($5,000). The purchasing agent shall use judgment based on knowledge of vendors and products to determine whether or not it is necessary or practical or in the best interests of the city to solicit for quotations or bids.~~

~~B. Bid and Performance Bonds. Bid and performance bonds or other security may be requested for supply contracts or service contracts as the purchasing agent deems advisable to protect the city's interests. Any such bonding requirements shall be set forth in the solicitation. Bid or performance bonds shall not be used as a substitute for determination of a bidder or offeror's responsibility.~~

**~~4.20.155 Contracts for insurance.~~**

~~A. The city shall procure liability, workmen's compensation and property insurance coverage by sealed competitive proposals for up to a three- (3-) year period either through one (1) or more insurance brokers, directly from an insurance company or through participation in a joint insurance arrangement established in accordance with AS 21.76.010.~~

~~B. The city shall procure insurance intended to benefit city employees by competitive sealed proposals for up to a three- (3-) year period either through one (1) or more insurance brokers, directly from an insurance company or through participation in a health insurance trust or similar arrangement established in accordance with applicable state or federal law.~~

~~C. Competitive sealed proposals shall be solicited in accordance with BMC 4.20.100. The city may hire a consultant to assist in either soliciting or evaluating the competitive sealed proposals.~~

**~~4.20.160 Construction contracts.~~**

~~A. Source Selection. The source selection process for the procurement of construction contracts, whether it be remodeling or construction of a new structure, shall be made as follows:~~

~~1. One Hundred Thousand Dollars ($100,000) and Over. For any construction or remodeling project estimated by the requisitioning department head or the public works director to cost one hundred thousand dollars ($100,000) or more, the competitive sealed bid procedure shall be used as stated in Article III of this chapter.~~

~~2. Under One Hundred Thousand Dollars ($100,000). For any construction or remodeling project estimated by the requisitioning department head or the public works director to cost under one hundred thousand dollars ($100,000), no less than three (3) businesses shall be contacted to submit written quotations. Award shall be given to the lowest responsible and responsive contractor.~~

~~B. Bid Security. Bid security shall be required for all competitive sealed bidding for construction contracts when the price is estimated by the requisitioning department or the public works director to exceed one hundred thousand ($100,000). Bid security shall be a bond provided by a surety company authorized to do business in the state, or the equivalent in cash, or otherwise supplied in a form satisfactory to the city. Bid security shall be in the amount equal to at least five (5) percent of the amount of the bid.~~

~~C. Performance and Payment Bonds. When a construction contract is awarded in excess of fifty thousand dollars ($50,000), the following bonds or security shall be delivered to the city and shall become binding on the parties upon the execution of the contract:~~

~~1. A performance bond satisfactory to the city, executed by a surety company authorized to do business in the state or otherwise secured in a manner satisfactory to the city, in an amount equal to fifty (50) percent of the price specified in the contract, unless the price specified in the contract exceeds five million dollars ($5,000,000); then the performance bond shall be in the sum of two million five hundred thousand dollars ($2,500,000); and~~

~~2. A payment bond satisfactory to the city, executed by a surety company authorized to do business in the state or otherwise secured in a manner satisfactory to the city, for the protection of all persons supplying labor and material to the contractor or its subcontractors for the performance of the work provided for in the contract. The bond shall be in an amount equal to fifty (50) percent of the price specified in the contract, unless the price specified in the contract exceeds five million ($5,000,000); then the payment bond shall be in the sum of two million five hundred thousand dollars ($2,500,000).~~

~~C. Contract Administration for Construction Contracts. The city manager or council shall have discretion to select the appropriate method of construction contracting management for a particular project. In determining which method to use, the city manager shall consider the city's requirements, its resources, and the potential contractor's capabilities. The city manager shall execute and include in the contract file a written statement setting forth the facts which led to the selection of a particular method of construction contracting management for each project. It is recognized that at least the following methods are currently being used for control and coordination of construction projects:~~

~~1. A single prime contractor (including a turnkey or design-build contractor); or~~

~~2. Multiple prime contractors managed by:~~

~~a. A designated general contractor,~~

~~b. A construction manager, or~~

~~c. The public works director.~~

**~~4.20.170 Professional services.~~**

~~A. Source Selection. The method of source selection process for professional services shall be made through the solicitation for request for proposals as stated in BMC 4.20.100.~~

~~B. Public Notice. Adequate public notice of the request for proposals shall be given in the same manner as provided in BMC 4.20.090. The request for proposal shall describe services required, list the types of information and data required of each offeror, and state the relative importance of particular qualifications.~~

~~C. Statement of Qualifications. Persons engaged in providing the designated types of professional services may submit statements of qualifications and expressions of~~

~~interest in providing such professional services. Persons may amend these statements at any time by filing a new statement.~~

~~D. Discussions. The head of a using department procuring the required professional services or a designee of such officer may conduct discussions with any offeror who has submitted a proposal to determine such offeror's qualifications for further consideration. Discussions shall not disclose any information derived from proposals submitted by other offerors.~~

~~E. Award. Award shall be made to the offeror determined in writing, by the head of the using department procuring the required professional services or a designee of such officer, to be best qualified based on the evaluation factors set forth in the request for proposals, and negotiation of compensation determined to be fair and reasonable. If compensation cannot be agreed upon with the best qualified offeror, the negotiations may be conducted with such other offeror or offerors, in the order of their respective qualification ranking, and the contract may be awarded to the offeror then ranked best qualified if the amount of compensation is determined to be fair and reasonable.~~

**~~4.20.180 Sole-source procurement.~~**

~~A contract may be awarded without competition when the purchasing agent documents in writing, after conducting a good faith review of available resources, that there is only one (1) source for the required supply, service or construction item.~~

**~~4.20.190 Emergencies.~~**

~~Notwithstanding any other provisions of this chapter, the city manager may authorize in writing the purchasing agent to make or authorize others to make emergency procurements of supplies, services, or construction items when there exists a threat to public health, welfare, or safety; provided, that such emergency procurements shall be made with such competition as is practicable under the circumstances. A written determination or the basis for the emergency and for the selection of the particular contractor shall be included in the contract file.~~

## ~~Article VI. Ethics~~

**~~4.20.200 Conflicts of interest.~~**

~~A. It shall be unethical for any city employee to participate directly or indirectly in a procurement contract when the city employee knows that:~~

~~1. The city employee or any member of the city employee's immediate family has a financial interest pertaining to the procurement contract; or~~

~~2. Any other person, business, or organization with whom the city employee or any member of a city employee's immediate family is negotiating or has an arrangement concerning prospective employment is involved in the procurement contract.~~

~~B. A city employee or any member of a city employee's immediate family who holds a financial interest in a disclosed blind trust shall not be deemed to have a conflict of interest with regard to matters pertaining to that financial interest.~~

**~~4.20.210 Gratuities, kickbacks and unauthorized spending.~~**

~~A. Gratuities. It shall be unethical for any person to offer, give, or agree to give any city employee or former city employee, or for any city employee or former city employee to solicit, demand, accept, or agree to accept from another person, a gratuity or an offer of employment in connection with any decision, approval, disapproval, recommendation, or preparation of any part of a program requirement or a purchase request, influencing the content of any specification or procurement standard, rendering of advice, investigation, auditing, or in any other advisory capacity in any proceeding or application, request for ruling, determination, claim or controversy, or other particular matter, pertaining to any program requirement or a contract or subcontract, or to any solicitation or proposal therefor.~~

~~B. Kickbacks. It shall be unethical for any payment, gratuity, or offer of employment to be made by or on behalf of a subcontractor under contract to the prime contractor or higher tier subcontractor or any person associated therewith, as an inducement for the award of a subcontract or order.~~

~~C. Unauthorized Spending. Unauthorized spending of city moneys by a city employee on the city's behalf without proper approval shall be deemed unethical. No city funds shall be used for the procurement of goods and services for a city employee even if there was such intent to reimburse the city.~~

**~~4.20.220 Contingent fee prohibition.~~**

~~It shall be unethical for a person to be retained, or to retain a person, to solicit or secure a city contract upon an agreement or understanding for a commission, percentage, brokerage, or contingent fee, except for retention of bona fide employees or bona fide established commercial selling agencies for the purpose of securing business.~~

**~~4.20.230 Contemporaneous employment prohibited.~~**

~~*Repealed by Ord. 10-19.* [Ord. 163 § 8-105, 1985.]~~

**~~4.20.240 Waivers from conflict of interest provisions.~~**

~~The city council may grant a waiver from the employee conflict of interest provision (BMC 4.20.200), upon making a written determination that:~~

~~A. The conflict of interest has been publicly disclosed;~~

~~B. *Repealed by Ord. 10-19*;~~

~~C. The award will be in the best interests of the city.~~

**~~4.20.250 Confidentiality.~~**

~~It shall be unethical for any employee or former employee knowingly to use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.~~

**~~4.20.260 Sanctions designated.~~**

~~A. Employees. The city manager or city council may impose any one (1) or more of the following sanctions on a city employee for violations of ethical standards in this article:~~

~~1. Oral or written warnings or reprimands;~~

~~2. Suspension with or without pay for specified periods of time; or~~

~~3. Termination of employment.~~

~~B. Elected Official. The city council may impose any one (1) or more of the following sanctions for violations of the ethical standards:~~

~~1. Termination of contract;~~

~~2. Censuring. Such censure shall be made upon a two-thirds (2/3) majority vote of the city council. No member of the city council may vote on any question of his or her own censure, but may participate in any discussion and debate on the matter.~~

**~~4.20.270 Recovery of value received or transferred.~~**

~~A. General Provisions. The value of anything transferred or received in breach of the ethical standards of this chapter by a city employee or an elected official may be recovered from both city employee and an elected official.~~

~~B. Recovery of Kickbacks by the City. Upon a showing that a subcontractor made a kickback to a prime contractor or a higher tier subcontractor in connection with the award of a subcontract or order thereunder, it shall be conclusively presumed that the amount thereof was included in the price of the subcontract or order and ultimately~~

~~borne by the city and will be recoverable hereunder from the recipient. In addition, that amount may also be recovered from the subcontractor making such kickbacks. Recovery from one (1) offending party shall not preclude recovery from other offending parties.~~

~~**Article VII. Violation and Penalty**~~

~~**4.20.280 Criminal penalties.**~~

~~To the extent that violations of the ethical standards of conduct set forth in this chapter constitute violations of the State Criminal Code they shall be punishable as provided therein. Such penalties shall be in addition to the civil sanctions set forth in this chapter. Criminal, civil, and administrative sanctions against employees or nonemployees which are in existence on the effective date of the ordinance codified in this chapter shall not be impaired.~~

~~**4.20.290 Contractor in good standing.**~~

~~No procurement contract may be awarded to a person, group, organization, or other entity that is delinquent in the payment or collection of sales taxes, fees, charges, penalties, interest or other amounts that are due and owing, or otherwise obligated to the city.~~

**Section 4.** Title 4.20, Purchasing is hereby adopted to read as follows:

## 4.20 Purchasing

Article I – General Provisions
4.20.010 Definitions

Article II – Purchasing Agent
4.20.020 Purchasing Agent

Article III – Source Selection
4.20.030 Competitive Sealed Bidding
4.20.040 Competitive Sealed Proposals
4.20.050 Specifications Generally (Bids and Proposals)
4.20.060 Local Preferences
4.20.070 Contractor in Good Standing

Article IV – Bid Awards
4.20.080 Awards to be made only to Responsive Bidders
4.20.090 Procedures for Award
4.20.100 Bonds

Article V – Exceptions / Issues
4.20.110 When Competitive Bidding Is Not Required
4.20.120 Waiver of Irregularities
4.20.130 Cancelation of Bid Invitations and Proposal Requests
4.20.140 Determination of Non-Responsiveness
4.20.150 Waiver of Formal Bid Procedures

Article VI – Specific Procurements
4.20.160 Construction
4.20.170 Consulting Services for the City Council
4.20.180 Emergency Procurements
4.20.190 General Equipment, Materials and Supplies
4.20.200 Governmental and Proprietary
4.20.210 Joint Purchasing
4.20.220 Insurance
4.20.230 Legal Services
4.20.240 Professional Services
4.20.250 Sole-Source Procurements
4.20.260 State and Federal Grants

Article VII – Bid Protests
4.20.270 Filing of a Bid Protest
4.20.280 Timeline
4.20.290 Stay of Award
4.20.300 Review by City Manager
4.20.310 Appeal of City Manager Decision
4.20.320 Notice and Record on Appeal
4.20.330 Hearing Procedures
4.20.340 Decision by City Council
4.20.350 Appeal to Superior Court

Article VIII - Contract Formation and Modification
4.20.360 Budget Approval/Availability of Funds
4.20.370 Contracting Authority
4.20.380 Contracts Enforceable Against the City
4.20.390 Execution of Contracts
4.20.400 Contract Administration
4.20.410 Contract Amendments
4.20.420 Multi-Year Contracts
4.20.430 Council Approval of Contracts

**Article I - General Provisions**

**4.20.010 Definitions.**

As used in this chapter, the following words, terms and phrases shall have the meanings set out in this chapter, except where the context clearly indicates a different meaning:

A. "Business" means any corporation, partnership, individual, sole proprietorship, joint venture, or any other private legal entity.

B. "Construction" means the on-site erection, rehabilitation, alteration, extension or repair of improvements to real property, including painting or redecorating buildings, highways, or other improvements under contract for the City, but does not include routine operation, repair, or maintenance of existing buildings or improvements which are recurring services normally performed in connection with the ownership, occupancy or use of the building or improvement.

C. "Contract" means all types of City agreements, regardless of what they may be called, for the procurement of supplies, services or construction but does not include collective bargaining agreements or subdivision agreements.

D. "Contract Amendment" means any change in the term of a contract accomplished by agreement of the parties, including change orders.

E. "Contractor" means any person having a contract with the City or a using agency thereof.

F. "Financial interest" includes the receipt of a pecuniary benefit or the expectation of a pecuniary benefit:

1. A financial interest of a person includes a financial interest of any member of the person's household.
2. A person has a financial interest in an organization if the person:
   i. Has an ownership interest in the organization or
   ii. Is a director, officer or employee of the organization;
3. Whether a financial interest is substantial is determined on a case by case basis.

G. "Immediate family":

1. The spouse of the person
2. Another person cohabiting with the person in a conjugal relationship that is not a legal marriage;
3. A child, including a stepchild and an adoptive child, of the person;
4. A parent, sibling, grandparent, aunt or uncle of the person; and

5. A parent or sibling of the person's spouse.

H. "Invitation for bids" means all documents, whether attached or incorporated by reference, utilized for soliciting sealed bids or proposals.

I. "Person" means any business, individual, union, committee, club, other organization, or group of individuals.

J. "Procurement" means the buying, purchasing, renting, leasing, or otherwise acquiring of any supplies, services, or construction. It also includes all functions that pertain to the obtaining of any supply, service, or construction, including description of requirements, selection, and solicitation of sources, professional services, preparation and award of contract, and all phases of contract administration.

K. "Professional Service" means those advisory, consulting, technical, research or other services, such as architectural, engineering, land surveying, legal and financial which involve the exercise of discretion and independent judgment together with an advanced or specialized knowledge, expertise or training gained by formal studies or experience.

L. "Qualified products list" means an approved list of supplies, services, or construction items described by model or catalogue numbers which, prior to competitive solicitation, the City has determined will meet the applicable specification requirements.

M. "Responsive bidder" means a person who has submitted a bid which conforms in all material respects to the requirements set forth in the invitation for bids.

N. "Services" means the furnishing of labor, time, or effort, by a contractor, not involving the delivery of a specific end product other than reports which are merely incidental to the required performance. This term shall not include employment agreements, collective bargaining agreements or agreements relating to the procurement of insurance coverage through an insurance broker.

O. "Specification" means any description of the physical or functional characteristics or of the nature of a supply, service, professional service or construction item. It may include a description of any requirement for inspecting, testing or preparing a supply, service or construction item for delivery.

P. "Subcontract" means any agreement or arrangement between a contractor and any person (in which the parties do not stand in the relationship of employer and an employee) for the purchase, sale or use of personal property or non-personal services which, in whole or in part, is necessary to the performance of any one or more contracts; or under which any portion of the contractor's obligation under any one or more contracts is performed, undertaken, or assumed.

Q. "Supplies" means all property, including but not limited to equipment, materials, printing, and leases of real property, excluding land or a permanent interest in land.

## Article II – Purchasing Agent

### 4.20.020 Purchasing Agent

A. The Finance Director or their designee shall serve as the purchasing agent.

B. The purchasing agent shall have the following authority and responsibilities:
   1. To procure or supervise the procurements of all supplies, services and construction required by the City;
   2. To administer or supervise the sale, trade or other disposal of surplus supplies belonging to the City;
   3. To join with other units of government in cooperative purchasing ventures where the best interest of the City would be served thereby;
   4. To maintain all records pertaining to the procurement of supplies, services and construction, and the disposal of supplies, by the City in accordance with the City's most recent retention schedule or the retention schedule for the funding source, whichever is later;
   5. To prescribe the time, manner, authentication and form of making requisitions for supplies and services; and
   6. Any other authorities and responsibilities which this chapter assigns to the purchasing agent.
   7. The City manager may delegate authority, in writing, to a department head, to purchase certain supplies, services, or construction if such delegation is deemed necessary for the effective procurement of those items provided such obligation does not exceed five ($5,000) thousand dollars.
   8. When faced with an especially complex procurement, such as a complex construction project, the City may find it necessary to temporarily appoint a highly qualified construction management professional as construction procurement officer for that project. As an alternative, the City may choose to contract for the services of a construction management firm to oversee all phases of the project. As a City contractor, this firm shall be closely supervised in its performance by the purchasing agent or other City official as the City manager deems appropriate. In selecting and utilizing such a project management firm, the City will ensure that the contractors providing this management function are independent of those contractors providing construction or other project services to the City. Consistent oversight will be essential for the successful completion of such complex construction projects.

**Article III – Source Selection**
**4.20.030 Competitive Sealed Bidding**

Unless otherwise authorized under this chapter or other provision of law, all City contracts for supplies, services (excluding professional services), and construction shall be awarded by competitive sealed bidding.

A. The purchasing agent shall initiate competitive bidding by issuing an invitation for bids. The invitation for bids shall be prepared by the using department and shall state, or incorporate by reference, all specifications and contractual terms and conditions applicable to the procurement.
B. Bids shall be opened publicly in the presence of one or more City witnesses at the time and place designated in the invitation for bids. The purchasing agent

shall tabulate the amount of each bid and shall record such other information as may be necessary or desirable for evaluation together with the name of each bidder. The tabulation shall be open to public inspection, and a copy of the tabulation shall be furnished to each bidder upon request. Any bidder may review the bids after tabulation or summary.

C. Bids shall be accepted unconditionally without alteration or correction. For purposes of determining the low bidder and the responsiveness of bids, no criteria except those set forth in the invitation for bids, including all specifications and addenda, may be used.

**4.20.040 Competitive sealed proposals.**

A. Conditions for Use. When the purchasing agent determines, in writing, that the use of competitive sealed bidding is either not practicable or not advantageous to the City, the City may procure supplies, professional services, general services or construction by competitive sealed proposals as outlined in this section.

B. The request for proposals shall be prepared by the using department. The purchasing agent shall solicit competitive sealed proposals by issuing a request for proposals. The request for proposals shall state, or incorporate by reference, all specifications and contractual terms and conditions to which a proposer must respond, and shall state the factors to be considered in evaluating proposals and the relative importance of those factors.

C. Proposals shall be received at the time and place designated in the request for proposals, and shall be opened so as to avoid disclosing their contents to competing proponents during the evaluation, discussion, and negotiation process. Notwithstanding chapter 2.40, the names of the responding firms, contents of the proposals, tabulations and evaluations thereof shall be open to public inspection only upon City council approval of a contract award. However, the purchasing agent shall issue a notice of intent to award to all responding proposers at least seven (7) business days prior to the City council approval.

    1. Competing proponents may make written request, to view their proposal or competing proposals prior to City council consideration of a contract. All such reviews must be in person and under the supervision of the purchasing agent. The review by a competing proponent is to assure reasonable access and opportunity to request a debriefing from the purchasing agent prior to council action on the proposed award.

D. In the manner provided in the request for proposals, the purchasing agent may enter into discussions with those responsible proponents whose proposals are determined by the purchasing agent to be most reasonably responsive to the request for proposals (short-listed firms). The purchasing agent may issue an interim notice to the remaining firms that a qualified list has been established for discussion purposes. No disclosure of the short-listed firms, contents of proposals, tabulations or evaluations thereof shall be made in accordance with subsection C above. Discussions shall be used to clarify and ensure full

understanding of the requirements of the request for proposals. The purchasing agent may permit those short-listed firms to revise their proposals after submission and prior to award to obtain best and final offers. Proponents deemed eligible for discussions shall be treated equally regarding any opportunity to discuss and revise proposals. However, if during the discussions it is evident that the proposals, as submitted, will exceed the available funding, and/or other changes in the terms, conditions, or requirements are needed to clarify or fulfill the requirements of the City, the purchasing agent shall issue a written modification to those short-listed firms with an established date and time for the firms to respond. The failure of a short-listed firm to respond or to notify the purchasing officer of a needed time extension may be just cause to remove the proposer from further consideration. In conducting discussions or requesting revisions, neither the purchasing agent nor any other City officer or employee shall disclose any information derived from other competing proposals.

E. If fair and reasonable compensation, contract requirements and contract documents can be agreed upon with the most qualified proposer, the contract shall be awarded to that firm.

F. If fair and reasonable compensation, contract requirements and contract documents cannot be agreed upon with the most qualified proposer, the purchasing agent shall advise the proposer of the termination of negotiations within five (5) business days of the determination. If the proposals were submitted by one or more other proponents determined to be qualified, negotiations may be conducted with such other proposers in the order of their respective rankings. The contract may be awarded to the proposer then determined to be most advantageous to the City.

G. When the service is routine and repetitious, costs of the anticipated service shall be considered during evaluation of proposals. This subsection shall not apply to a qualifications-based selection process.

    1. When the source selection is for architectural and/or engineering services, a qualifications-based selection process shall be used. Price will not be a sole factor in the selection of the architect or engineer during the evaluation process.
    2. Notwithstanding subsection G.1 of this section, the purchasing agent may include price as an added factor in selecting architectural and engineering services when, in the judgment of the purchasing agent, the services required are repetitious in nature, and the scope, nature, and amount of services required are thoroughly defined by measurable and objective standards to reasonably enable firms or persons making proposals to compete with a clear understanding and interpretation of the services required.
    3. Except as otherwise required by state law in particular situations, this section shall apply to all procurements of architectural and engineering services by the City.

**4.20.050 Specifications generally for Bids and Proposals**

**A.** Requests for bids/proposals should clearly and accurately describe the technical requirements for the goods or services to be purchased. The specifications should not contain features that unduly restrict competition. A qualified products list may be used. It is the responsibility of the vendor to demonstrate to the City's satisfaction that its product is "equal" to that specified. Requests for approval of substitutions must be made with sufficient time to allow the City to adequately review the substitution request, including time for vendors to respond to questions and requests for additional information or clarification. The City has no obligation to accept proposed substitutions or to hire outside experts to evaluate proposed substitutions. Acceptance of a substitute product proposed as an "equal" to that specified will be made in writing and, if made prior to award, other firms/individuals will be notified if practical and convenient.

B. Public Notice. Adequate public notice of the invitation for bids/proposals shall be given a reasonable time, not less than twenty (20) calendar days prior to the date set forth therein for the opening of bids/proposals. Such notice may include publication in a newspaper of general circulation for a reasonable time prior to bid/proposal opening.

1. The public notice shall state the place, date and time of bid/proposal submission and opening.
2. The contents of the notice shall be sufficient to inform interested readers of the general nature of the supplies, services or construction being procured and the procedure for submitting a bid/proposal.
3. The failure of any person to receive notice under this subsection shall not affect the validity of any award or contract.

C. The purchasing agent, at the request of the using department director, may provide for a pre-bid/proposal conference to be held at least seven (7) business days before the last day for submitting bids/proposal.

D. The terms of an invitation for bid/proposals may be modified or interpreted only by written addenda issued by the purchasing agent or the designee. Only a bid/proposal which acknowledges receipt of all addenda may be considered responsive. If an addendum is issued less than five (5) business days before the last day on which bids/proposals are to be accepted, the time for accepting bids shall be extended by at least five (5) business days after the date on which the addendum was sent.

E. All requests for bids or requests for proposals shall require the bidder to attach to his proposal, a sworn declaration:

1. Stating that neither he nor any of his representatives or third party mandated by him has attempted to contact City representatives or members of the selection committee, when applicable, for the purpose of influencing their choice, judgment or recommendation relating to the contract, or with members of the City council to influence their decision; and

2. Stating that he has produced his proposal without collusion, communication, agreement or arrangement with a competitor with regards to prices, methods, factors or formulas for setting prices, to the decision to submit or not submit a proposal or to present a proposal that does not comply, directly or indirectly, with specifications contained in the request.
3. Stating that neither he nor any of his representatives engaged in discrimination, intimidating measures, influence peddling or corruption or entered into any form of collusion, communication, agreement or arrangement with other suppliers or third parties relating to a contract with the City.

F. All requests for bids or request for proposals must clearly state that:
   1. A bidders/proposers failure to attach the sworn declarations required above shall result in automatic rejection of the proposal/bid, and
   2. That in the event that a bidder or proposer, or a representative or third party mandated by them, has been in violation of the statements called for above, the bidder's proposal shall be automatically rejected, and
   3. That the City of Bethel may cancel a contract that has been awarded if the City becomes aware, during the course of the contract, of a situation contravening a sworn statement required by this section.

G. Sealed bids/proposals shall be designated as such on the outer envelope and shall be submitted by mail, in person, e-mail or facsimile at the place and no later than the time specified in the invitation for bids/proposals. Bidders/Proposers who submit their bids/proposals via facsimile or e-mail do so at their own risk. The City is not responsible for failures or delays in transmission. Bids/proposals not submitted at the proper place or within the time specified shall not be opened or considered.

H. Awards shall be made by written notice to the bidder/proponent whose final proposal is determined to be most advantageous to the City. No criteria other than those set forth in the request for bids/proposals may be used in bid/proposal evaluation.

I. If the City manager determines that it is in the best interest of the City to do so, the City may reject all bids/proposals.

**4.20.060 Local Preferences**

A. In awarding competitive purchases or construction contracts, preference may be given to an otherwise qualified "local bidder" unless such preference is prohibited by the funding source.

B. For purposes of this section, a "local bidder/proposer" is a person who:
   1. Holds a current state business license, and in addition, for construction contracts holds a current, appropriate state contractor's registration certificate; and

2. Holds a current City of Bethel business license both at the time the bid is announced and at the time it is scored; and
3. Submits a bid for a competitive purchase or construction contract under the name as appearing on the person's license, and where applicable, a certificate; and
4. Has continuously maintained a physical place of business within the City of Bethel staffed by the bidder or an employee of the bidder for a period of one hundred eighty (180) calendar days immediately preceding the date of the bid opening; and
5. Is compliant with all requirements of the City sales tax ordinance.
6. A Bethel post office box number or residential address may not be used solely to establish status as a local business.

C. Sliding Scale for Local Preference:
1. A five (5%) percent preference in bid/proposal prices not to exceed Five Thousand ($5,000.00) on purchases not exceeding Two Hundred Fifty Thousand ($250,000) Dollars;
2. A three (3%) percent preference in bid/proposal prices not to exceed Ten Thousand ($10,000.00) Dollars on purchases between Two-Hundred Fifty-One Thousand ($251,000) Dollars and Five Hundred Thousand ($500,000) Dollars; and
3. A two (2%) percent preference in bid/proposal prices not to exceed Twenty Thousand ($20,000.00) Dollars on purchases exceeding Five Hundred Thousand ($500,000.00) Dollars.

**4.20.070 Contractor in Good Standing**

A. No procurement contract may be awarded to a person, group, organization, or other entity that is delinquent in the payment or collection of sales taxes, fees, charges, penalties, interest or other amounts that are due and owing, or otherwise obligated to the City which is not remedied within ten (10) business days of notice to the contractor.
B. Any contract can be terminated for cause if it is determined that the contractor is in violation of any taxation ordinance and if such violation is not remedied within ten (10) business days of written notification by regular mail. If the delinquency arises due to non-filing of sales tax, no payment will be made to the contractor until all filings have been made and all amounts due are remitted.
C. The City reserves any right it may have to offset amounts owed by its contractor(s) for delinquent City taxes against any amount owing to the contractor(s) under a contract between the City and the contractor(s).

**Article IV –Awards**

**4.20.080 Award to be made only to Responsive Bidders or Proposers**

A contract awarded under this chapter shall be made only to a qualified, responsive and responsible bidder or proposer. The purchasing agent shall determine,

after consultation with the appropriate department director and the City manager, whether a bidder/proposer is qualified, responsive and responsible on the basis of the following criteria:

A. The skill and experience demonstrated by the bidder in performing contracts of a similar nature;
B. The bidder's capacity to perform in terms of facilities, personnel, financing and location (including whether the bidder/proposer has performed contracts of a similar nature);
C. The bidder's/proposer's past performance under City contracts. If the bidder/proposer has failed in any material way to perform its obligations under any contract with the City, the bidder/proposer may be deemed a non-responsible bidder/proposer.
D. At all times the best interests of the City shall be recognized in awarding bids/proposals.

**4.20.090 Procedures for Award**

A. Contracts shall be awarded by written notice issued by the purchasing agent to the lowest qualified, responsive and responsible bidder or proposer.
B. At least seven (7) business days before council approval, the purchasing agent shall send written notice of intent to award the contract. Notice will be sent by to the three (3) lowest bidders/proposers.
C. If the lowest qualified, responsive and responsible bid/proposal exceeds the amount of funds certified by the purchasing agent to be available for the procurement, and if sufficient additional funds are not made available, the scope of the procurement may be reduced to bring its estimated cost within the amount of available funds. The purchasing agent shall issue a new invitation for bids/proposals for the reduced procurement, or, upon finding that the efficient operation of the City government requires that the contract be awarded without delay, the purchasing agent may negotiate with the three lowest qualified, responsive and responsible bidders starting with the first lowest and progressing upward by price or with the three most qualified proposers starting with the highest scored proposer and progressing downward by score; and may award, or recommend to the City council for award, the reduced contract to the best negotiated bid/proposal, except where prohibited by state and federal grant conditions or where another procedure has been specified in this chapter.

**4.20.100 Bonds**

A. Bid Bonds. The purchasing agent may require that persons submitting bids pursuant to this chapter accompany their bids with a bid bond in an amount and in a form acceptable to the purchasing agent. The bonds shall be issued by a company qualified by law to do business as a surety in the state, or shall be in the form of a cash deposit. A condition of the bond shall be that, if the bidder receives the award, they shall enter into a contract therefore with the City.

B. Performance and Payment Bonds. If a requirement for a performance and payment bond is included in the terms of the invitation to bid, the purchasing agent may require that any person awarded a City contract furnish such bond, issued by a company qualified by law to do business as surety in the state. The bond shall be in an amount determined by the purchasing agent and in a form approved by the City attorney. Such bonds shall, at a minimum, guarantee the full and faithful performance of all contract obligations and payment for all labor and materials to be used under the contract.
C. Exceptions. The purchasing agent, with the using department head concurrence, may grant exceptions from bonds pursuant to AS 36.25.025.

**Article V – Exceptions**

**4.20.110 When Competitive Bidding Is Not Required**

The following may be purchased without giving an opportunity for competitive bidding:

1. Supplies, materials, equipment or contractual services, purchased from another unit of government at a price deemed below that obtainable from private dealers, including war surplus;
2. Contractual services purchased from a public utility at a price or rate determined by State or other government authority;
3. Supplies, materials, equipment or contractual services purchasable under the contract of another governmental agency in which contract the City is authorized to participate.

**4.20.120 Waiver of Irregularities**

The City Council, or the City manager for bids of $50,000 or less, shall have the authority to waive irregularities on any and all bids, except that timeliness and signature requirements shall not be waived.

**4.20.130 Cancelation of Bid Invitations and Proposal Requests**

An invitation for bids, a request for proposals, or other solicitation may be cancelled, or any or all bids or proposals may be rejected in whole or in part, when it is for good cause and in the best interests of the City. The reasons therefore shall be made part of the contract file. Each solicitation issued by the City shall state that the solicitation may be cancelled and that any bid or proposal may be rejected in whole or in part for good cause when in the best interests of the City. Notice of cancellation shall be sent to all businesses solicited. Reasons for rejection shall be provided upon request by unsuccessful bidders or offerors.

**4.20.140 Determination of Non-Responsiveness**

A. If a bidder or offeror who otherwise would have been awarded a contract is found nonresponsive, a written determination of non-responsiveness, setting

forth the basis of the finding, shall be prepared by the purchasing agent and presented to the bidder or offeror within three (3) business days.

B. The unreasonable failure of a bidder or offeror to supply information in connection with an inquiry within three (3) business days of notice by the purchasing agent may be grounds for a determination of non-responsiveness. A copy of the determination shall be sent promptly to the nonresponsive bidder or offeror. The final determination shall be made part of the contract file and be made a public record.

**4.20.150 Waiver of Formal Bidding Procedures**

The City manager may waive, in writing, some of the formal bidding procedures of this chapter when there is not sufficient time to comply with the waived requirements, or the best interests of the City will be served by such action.

Following such waiver, the City manager shall submit a written report to the council clearly outlining all waivers made. Such written report shall be included in the next available council packet following the waiver.

**Article VI. Specific Procurements**

**4.20.160 Construction**

A. Source Selection. The source selection process for the procurement of construction contracts, whether it be remodeling or construction of a new structure, shall be made as follows:
   1. One Hundred Thousand Dollars ($100,000) and Over. For any construction or remodeling project estimated by the requisitioning department director to cost one hundred thousand dollars ($100,000) or more, the competitive sealed bid procedure shall be used as stated in this chapter.
   2. Under One Hundred Thousand Dollars ($100,000). For any construction or remodeling project estimated by the requisitioning department director to cost under one hundred thousand dollars ($100,000), no less than three (3) businesses shall be contacted to submit written quotations. Award shall be given to the lowest responsible and responsive contractor.

B. Contract Administration for Construction Contracts. For construction contracts of less than One Million Dollars, the City manager or council shall have discretion to select the appropriate method of construction contracting management for a particular project. For contracts exceeding one million dollars, the discretion shifts solely to the City council.
   1. In determining which method to use, the following shall be considered:
      a) The City's requirements,
      b) The City's resources, and
   2. The potential contractor's capabilities. The City manager shall execute and include in the contract file a written statement setting forth the facts which led to the selection of a particular method of construction

contracting management for each project. It is recognized that at least the following methods are currently being used for control and coordination of construction projects:

a) A single prime contractor (including a turnkey or design-build contractor); or
b) Multiple prime contractors managed by:
   i. A designated general contractor,
   ii. A construction manager, or
   iii. The public works director.

**4.20.170 Consulting Services for City Council**

The City council may solicit, evaluate, and select consultants to assist them in performance of their duties without the necessity of following the formal procedures for procurement of services set forth in this code. The City council shall direct the method and criteria for obtaining consultant services by resolution setting forth the urgent situation necessitating the need to bypass the regular procurement processes and demonstrating how the City is obtaining the best possible value.

**4.20.180 Emergency Procurements**

The City may award a contract for supplies, services or professional services or construction without competition, formal advertising or other formal procedure where the City manager determines, in writing, that an emergency threatening the public health, safety or welfare of the City requires that the contract be awarded without delay. A report on such emergency procurement shall be made to the City council no later than the second regular meeting following the decision to award the contract.

For purposes of this subsection, an "emergency" is defined as the occurrence or imminent threat of widespread or severe damage, injury, loss of life or property, or shortage of food, water, or fuel resulting from:

1. An incident such as a storm, high water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, avalanche, snowstorm, prolonged extreme cold, drought, fire, flood, epidemic, explosion or riot;
2. The release of oil or a hazardous substance if the release requires prompt action to avert environmental danger or mitigate environmental damage;
3. Equipment failure if the failure is not a predictably frequent or recurring event or preventable by adequate equipment maintenance or operation;
4. Enemy or terrorist attack or a credible threat of imminent enemy or terrorist attack in or against the State that the Adjutant General of the Department of Military and Veterans Affairs or a designee of the Adjutant General, in consultation with the Commissioner of Public Safety or a designee of the Commissioner of Public Safety, certifies to the Governor has a high probability of occurring in the near future (the certification must meet the standards set out in Alaska Statute, AS 26.20.200); or

5. An outbreak of disease or a credible threat of an imminent outbreak of disease that the Commissioner of Health and Social Services or a designee of the Commissioner of Health and Social Services certifies to the Governor has a high probability of occurring in the near future. The certification must be based on specific information received from local, state, federal or international agency or other source that the Commissioner or the designee determines is reliable.

**4.20.190 General Equipment, Materials and Supplies**

A. Source Selection. Except as otherwise provided in BMC 4.20.050, the source selection process for procurement of general equipment, materials and supplies, other than those for construction shall be as follows:
   1. Twenty Thousand (*$20,000*) Dollars and Over: For the procurement of any single item or purchase order transaction expected to cost twenty thousand dollars ($20,000) or more, it shall be required that the request be put out for bid following the process as stated in BMC 4.20.030.
   2. Under Twenty Thousand (*$20,000*) Dollars: For the procurement of any single item or purchase order transaction expected to cost ten thousand dollars ($10,000) or more, but less than twenty thousand dollars ($20,000), no less than three (3) businesses shall be solicited to submit written quotations. The names of the businesses submitting quotations shall be recorded and maintained as a public record.
   3. Under Ten Thousand (*$10,000*) Dollars: For the procurement of any single item or purchase order transaction expected to cost five thousand dollars ($5,000) or more, but less than ten thousand dollars ($10,000), at least three (3) businesses shall be contacted for a phone quotation. The names of the businesses submitting a phone quotation shall be recorded and maintained as a public record.
   4. Under Five Thousand *($5,000)* Dollars. The purchasing agent shall use judgment based on knowledge of vendors and products to determine whether or not it is necessary or practical or in the best interests of the City to solicit for quotations or bids.

**4.20.200 Governmental and Proprietary Procurements**

A. The purchasing agent may contract, without the use of the competitive source selection procedures of this chapter, for the following supplies, services, professional services or construction:
   1. For contracts, including reimbursable agreements, with federal, state or local units of government or utility provider where the City has a financial responsibility or beneficial interest in entering into an agreement.
   2. For contracts issued pursuant to any federal, state or local government contract where the City is an authorized user, or where the resulting contractor agrees to extend the same terms, conditions, and pricing to the

City as those awarded under the original contract, all in accordance with BMC 4.20.050. Such agreements shall be limited to those contracts where the award is issued pursuant to a formally advertised solicitation.

B. All contract awards under this section, and any amendments thereto, shall be subject to the applicable approval requirements of this chapter prior to execution.

C. No contractor may provide supplies, services, professional services, or construction to the City before the applicable requirements of this section are first satisfied.

**4.20.210 Joint Purchasing**

A. The City manager may join with other units of government in cooperative purchasing ventures for the purchase of personal property to include bid extension, where the best interest of the City would be served thereby, provided such other unit of government uses competitive bidding on the item purchased. The property to be purchased must be budgeted and substantially meet or exceed the City requirements for a similar item.

B. The City manager may join with other units of government in the cooperative purchasing of professional services and products, where the best interest of the City is served. The professional service or product must be budgeted and substantially meet or exceed the City requirements for a similar service or product.

C. The City manager may purchase personal or real property from other governmental agencies, without competition, provided the City manager presents to the council, through an ordinance as provided in BMC 04.08. description of the transaction, including a description of the property, its price and any such terms or information that may be relevant prior to the purchase of any real property.

D. The other units of government may be outside of Alaska, to include other municipalities, states, and the federal government. If, for a federal government purchase the point of purchase or contract is outside of Alaska or if the unit of nonfederal government is outside of Alaska, then the bidder must agree: (1) to have venue in Bethel, Alaska, for any dispute arising out of or related to the purchase or to the good or service provided, (2) to have the laws of the state of Alaska apply to all disputes arising out of or related to the purchase or to the good or service provided, and (3) to have the laws of no state other than the state of Alaska apply to all disputes arising out of or related to the purchase or to the good or service provided. If the goods are reasonably expected to require service over their lifetime, the bidder/proposer must certify that there is a service center for the goods available in Alaska; provided, that this requirement may be omitted by the City manager for good cause in writing.

1. In addition, the bidder must agree to ship the goods FOB Bethel, Alaska, at the best shipping rate available providing for a reasonable delivery time, which shipping rate and time must be preapproved by the City

manager. The bidder must agree that the City will bear only that portion of the shipping costs FOB Bethel that exceed the shipping costs to the point of delivery under the contract with the other unit of government.

E. Any purchases or agreements exceeding Fifty Thousand ($50,000) dollars must also be approved by the City Council.

**4.20.220 Insurance**

A. The City shall procure liability, workmen's compensation and property insurance coverage by sealed competitive proposals for up to a five (5) year period either through one or more insurance brokers, directly from an insurance company or through participation in a joint insurance arrangement established in accordance with AS 21.76.010.

B. The City shall procure insurance intended to benefit City employees by competitive sealed proposals for up to a five (5) year period either through one or more insurance brokers, directly from an insurance company or through participation in a health insurance trust or similar arrangement established in accordance with applicable state or federal law.

C. Competitive sealed proposals shall be solicited in accordance with BMC 4.20.040. The City may hire a consultant to assist in either soliciting or evaluating the competitive sealed proposals.

**4.20.230 Legal Services**

A. Legal services shall be procured in accordance with 4.20.040.

B. No negotiations or contracts for the services of legal counsel may be pursued or awarded without the prior written approval of the City attorney and/or City council. The City attorney shall review the responses received by the purchasing agent and shall be assisted by the purchasing agent in the selection process.

C. All bills or invoices for payment for legal services obtained pursuant to this section shall be reviewed and approved by the City attorney prior to payment. All funds budgeted, obligated or expended by any City department or utility for contract legal services must be charged to a separate legal services budget account within that department or utility.

D. The City council shall approve, in advance, the participation by the City in any litigation as plaintiff or intervener, where outside counsel is retained to represent the City if the cost, including attorneys' fees and litigation expenses of that representation, is likely to exceed thirty thousand ($30,000) dollars.

E. Exceptions and Waiver: The City Manager, City Clerk and/or City Attorney are exempt from this section only during the following situations:

1. Threatened or actual litigation initiated by an outside person;
2. Temporary coverage while the City Attorney's office is vacant for any period of time;
3. Situations where immediate legal action of a specialized nature is necessary; or

4. Situations where a neutral third party attorney is needed such as appeals to a commission or the city council.
5. Following such waiver, a written report to the council shall be presented clearly outlining the waiver and the reason for it. Such written report shall be included in the next available council packet following the waiver.

**4.20.240 Professional Services**

A. Source Selection: The method of source selection process for professional services shall be made through the solicitation for request for proposals as stated in BMC 4.20.040.
B. Public Notice. Adequate public notice of the request for proposals shall be given in the same manner as provided in BMC 4.20.050. The request for proposal shall describe services required, list the types of information and data required of each offeror, and state the relative importance of particular qualifications.
C. Statement of Qualifications. Persons engaged in providing the designated types of professional services may submit statements of qualifications and expressions of interest in providing such professional services. Persons may amend these statements during the filing period by filing a new statement.
D. Discussions. The purchasing agent may enter into discussions with those responsible proponents whose proposals are determined to be most responsive in accordance with the procedures laid out in section 4.20.040 (D) of this chapter.
E. Award. An award shall be made to the offeror determined, in writing, to be the best qualified based on the evaluation factors set forth in the request for proposals, and negotiation of compensation determined to be fair and reasonable.

**4.20.250 Sole Source Procurements**

A. A sole-source contract may be awarded under this section only when the purchasing agent determines, in writing, that there is only one source for the required purchasing or construction.
B. A sole-source purchase may not be made if a reasonable alternative source exists. The written determination must include findings which support the determination that only one source exists.
C. The authority to make the determination and findings required by this subsection may not be delegated.
D. The using department shall submit written evidence to support a sole-source determination. The purchasing agent may also require the submission of cost or pricing data in connection with an award under this section.
E. The purchasing agent shall negotiate with the single supplier, to the extent practicable, to obtain the most advantageous contract to the city.
F. A sole-source contract may be awarded without competition when the purchasing agent documents in writing, after conducting a good faith review of

available resources, that there is only one (1) source for the required supply, service or construction item.

G. All sole-source determinations will be made in advance and require council approval prior to final execution.

### 4.20.260 State and Federal Grants

A. The City council has the power and authority to appropriate funds and accept grant offers from state and federal agencies.

B. The council may authorize the City manager to enter into grant agreements with state and federal granting agencies.

C. All rights, powers and authority pertaining to grants, and the administration of grants, are vested in the City manager or their designee.

D. The council may authorize the City manager to enter into contracts with incorporated entities, including organized municipalities, to assist the City in performing under the terms and conditions of grant agreements.

E. When, in the opinion of the City attorney, it is determined that certain mandated provisions of a grant agreement regarding procurement are inconsistent with this chapter, the grant provisions shall take precedent.

## Article VII – Bid Protests and Appeals

### 4.20.270 Filing of a Bid Protest

A. The City establishes these administrative review procedures for bid/procurement protests to promote the fair and efficient resolution of such disputes over contracts awarded by the City pursuant to the provisions of this chapter regarding bids and requests for proposals. Time is of the essence in any protest. All documents the City issues shall be deemed to contain language advising bidders/proposers of the right to protest the determination of the successful bid/proposal as set out in this section.

B. An interested party may protest the intended award of a contract or a solicitation of supplies or services by filing a written protest with the purchasing agent.

C. All protests must include the following information:

1. The name, address, and telephone number and continuously operating fax number of the interested party filing the protest;
2. The signature of the interested party or the interested parties authorized representative;
3. Identification of the invitation, request or proposed award at issue;
4. A detailed statement of the legal or factual grounds for the protest;
5. Copies of all relevant documents;
6. The form of relief requested;
7. Certification under oath that the claim is made in good faith and that the supporting data are accurate and complete to the best of the bidder's/protester's knowledge and belief; and

8. A fee in the amount listed in the most current City of Bethel Schedule of Rates. Charges and Fees shall be paid to the City and must be received by the deadline for filing the written protest. This fee shall be refundable if the appellant prevails in the protest to the City manager or City council.

D. The purchasing agent shall reject an untimely or incomplete protest or a protest filed without timely payment of the required fee. Such rejection shall be final and may be appealed to the superior court pursuant to Part VI of the Rules of Appellate Procedure.

**4.20.280 Timeline:**

A. Pre-Award Notice Timeline: A protest based on alleged improprieties or ambiguities in an invitation to bid or a request for proposals must be filed with the purchasing agent at least (10) business days before the due date of the bid or proposal. Failure to meet this timeline shall constitute a waiver of the protesting party's rights and bar any further action regarding this matter.

B. Post-Award Notice Timeline. Any party bidding or submitting a proposal for a contract with the City that is adversely affected by the provisions of this chapter, or regulations promulgated hereunder, or by any acts of the City in connection with the intention of the City to award a City contract, may protest to the City manager, in a writing personally received at the office of the City purchasing agent within five (5) business days from the date of notice of intent to award a contract. The protest may be hand delivered, delivered by mail or by facsimile and must comply with the requirements of this section.

C. The purchasing agent shall immediately give notice of a protest filed to all interested parties.

**4.20.290 Stay of an Award**

A. If a timely and complete protest is filed, the award of a contract shall be stayed until all administrative remedies have been exhausted, unless the City manager determines, in writing, that award of the contract pending resolution of the protest is in the best interest of the City.

B. Notice of the stay, protest and decision of the City manager whether or not to grant the stay shall be delivered to all interested parties within three (3) business days of receipt of a properly filed protest.

**4.20.300 Review by City Manager**

A. The City manager shall issue a written decision to the protesting party within ten (10) business days of the date the protest is filed by certified mail or other authorized method. If multiple protests have been filed, they may be consolidated for purposes of the decision. The decision may include any lawful action, including without limitation an amendment of all or any part of the recommended award. For good cause shown the City manager may extend the date for the decision for such additional period as may be necessary. In such

situation, the City Manager shall immediately give written notice to all interested parties and shall provide a date when a decision is expected.

B. If a decision is not made by the date it is due, the protester may proceed as if the City manager had issued a decision adverse to the protester.

### 4.20.310 Appeal of City Manager Decision

**A.** The City manager's decision may be appealed to the City council by filing a notice of appeal to the City clerk and requesting the City manager to forward the written appeal and the City manager's response to the council. The council shall conduct a de novo review of the issue appealed. The request to appeal to the City council must be submitted in writing to the City clerk within three (3) business days of the City manager's decision. Any appeal not timely filed shall be rejected by the clerk and the appeal forever barred. Appeals to the City council will be heard at the date and time established by the City clerk, not less than twelve (12) calendar nor more than thirty-five (35) calendar days after receipt of the appeal. For good cause the City council may shorten or extend the hearing date.

### 4.20.320 Notice and Record on Appeal

A. The City clerk shall provide all interested parties who may be adversely affected by a decision of the council, notice of the appeal and scheduled hearing date within seven (7) business days of receipt of the notice of appeal. Such notice shall also advise the parties of their right to appear and be heard at the appeal, and shall also set forth a schedule for written statements and submission of evidence.

B. The purchasing agent shall submit to the clerk the record of the bid or proposal process including the invitation to bid or request for proposal, any amendments thereto, all correspondence to or from all parties, the protest filed to the City manager and supporting documentation, and the decision issued by the City manager. The clerk shall prepare the record on appeal, to include written statements and all evidence submitted, and provide copies to interested parties upon payment of appropriate copying fees in the amount listed in the most current City of Bethel Fee and Rate Schedule. Prior to the scheduled hearing the clerk shall distribute copies of the record to all City council members, the purchasing agent and the City manager.

C. The City council shall act in its quasi-judicial capacity when considering an appeal under this section and shall accordingly remain impartial and refrain from ex parte contact with any interested party regarding a specific invitation to bid or request for proposal from the time it has been issued. Any council member found to have violated this provision shall be recused from participation in the appeal.

D. Written arguments and submittals of evidence shall be filed in the following manner:

1. Written arguments due. Written arguments shall be filed by the parties on a date set by the clerk no later than four (4) business days prior to the hearing. All exhibits, evidence, and affidavits supporting a party's position shall be filed on the date written arguments are due.
2. Party participation. Any eligible party wishing to participate in the appeal must submit its mailing address, telephone and facsimile numbers, if any, to the clerk, in writing, within five (5) business days of the clerk issuing notice of the appeal. The clerk shall provide the parties, the City manager and council with written submittals before the hearing date.

**4.20.330 Hearing Procedures**

The following procedures shall be followed by the council when conducting a hearing under this chapter:

A. Evidence not submitted to the clerk five (5) business days prior to the hearing, may not be considered by the council unless good cause is shown. Good cause may include, but is not limited to; evidence that was not available to the party presenting the evidence at the time it was due to the clerk. Any objection to new evidence by any party shall be made at the time of the hearing before the council.
B. The following order shall be followed for the hearing, unless for good cause shown the council permits a change:
    1. Appellant's Opening Presentation;
    2. Administration's Opening Presentation;
    3. Opening Presentation by any other Party;
    4. Rebuttal by the Appellant;
    5. Rebuttal and closing by the Administration;
    6. Rebuttal by any other interested party; and
    7. Sur-Rebuttal and closing by the Appellant.
C. If the appellant or representative is not present when called, the council shall consider any written presentation, evidence, and documents presented to it pursuant to and thereafter proceed according to the remaining applicable provisions of this chapter.
D. All persons presenting evidence shall do so under oath, administered by the City clerk.
E. The hearing shall be conducted informally with respect to the introduction of evidence. Irrelevant evidence may be excluded by the presiding officer. Each interested party shall have a total of no more than thirty (30) minutes to present their case. Each party shall be responsible for dividing their thirty (30) minutes between oral presentation, argument, testimony (including witness testimony), and rebuttal. The council may expand or limit the length of the hearing depending on its complexity, or take other action to expedite the proceedings. Cross-examination will not be permitted during presentation of the case. If a witness testifies during presentation of either the appellant's or any other parties'

case, unless excused by the council, with the concurrence of the appellant and all other parties, the witness must remain available in council chambers to be called to testify during rebuttal by the appellant and the administration or other interested party. City Council questions and parties' responses shall not be included in the time limitation.

**4.20.340 Decision by City Council**

A. The council may uphold the City manager's decision, remand the matter back to the City manager or order a rejection of all bids or proposals. The council shall make written findings of fact which are supported by the substantial evidence in the record, written conclusions and an order. The council member chairing the hearing shall execute the order. If the matter is remanded to the City manager, any further appeals of the City manager's decision shall be to the superior court pursuant to Part VI of the Alaska Rules of Appellate Procedure.
   1. "Substantial evidence" means relevant evidence a reasonable mind might accept to support a conclusion.
B. The clerk shall serve the written decision on the parties in person, or by mail within ten (10) business days after the oral decision. If facsimile service is requested by a party, service by U.S. mail shall follow.

**4.20.350 Appeal to superior court.**

Appeals may be taken from the written decision of the council within thirty (30) calendar days of the date of the decision pursuant to Part VI of the Alaska Rules of Appellate Procedure.

**Article VIII – Contract Formation and Modification**

**4.20.360 Budget Approval / Availability of Funds**

A. No contract for supplies, services or construction may be approved or executed unless the finance director has certified that funds are available for the City's performance under the contract.
B. It is the duty of the finance director to confirm that sufficient funds are available for the procurement of any single item, contract, bid/proposal or purchase order transaction exceeding five thousand ($5,000) dollars, inclusive of all shipping costs.
C. The purchasing agent may give budget approval for the procurement of any single item or purchase order transaction less than five thousand ($5,000) dollars.
D. Any item for which the procurement of is not otherwise included in the current fiscal year budget must be approved by council prior to the solicitation or procurement of the item.

### 4.20.370 Contracting Authority

The City may, pursuant to an award in accordance with this chapter, contract with any person to acquire any supplies, services, professional services or construction required by the City.

### 4.20.380 Contracts Enforceable Against the City

A. No contract for supplies, services, professional services or construction, or any amendment thereto, may be enforced against the City unless its terms have been approved in accordance with this chapter and unless the contract or amendment thereto has been set forth in a writing executed in accordance with this chapter.
B. No oral contracts may be enforced against the City. The City only recognizes and accepts written contracts that follow the processes laid out in this Chapter.

### 4.20.390 Execution of Contracts

A. All City contracts and any amendments thereto, must be signed by the City manager or, in the absence of the City manager, by their duly appointed designee.
B. No contract or any amendments thereto may be enforced against the City unless the contract or amendment thereto has been set forth in writing and executed in accordance with this chapter.

### 4.20.400 Contract Administration

The using department shall administer all contracts for supplies, services, professional services and construction except as otherwise designated, in writing, by the City manager.

### 4.20.410 Contract Amendments

Contract amendments shall not be used to avoid procurement by the competitive procedures established under this chapter. Contracts for supplies, services, professional services and construction may be amended by the City manager only for the following reasons:

A. To change the quantity of supplies ordered or date of delivery under a contract for supplies, where necessary to meet unforeseen City requirements;
B. To change the quantity of services or professional services to be rendered or to change the scope of a project under a contract for services or professional services, where necessary to meet unforeseen changes in City requirements;
C. To change the scope of a project or the scope of services or professional services under a construction contract to meet unforeseen City requirements or to change the specifications under a construction contract because unforeseen conditions render the original specifications impracticable;
D. To change the time for completing a project under a contract for services, professional services or construction;

E. To correct an error in contract specifications made by the City in good faith or to resolve a good faith dispute between the City and a contractor as to a party's rights and obligations under the contract; or
F. To change administrative provisions of a contract without materially altering the contract terms governing the quantity or quality of supplies, services, professional services or construction furnished to the City.
G. No contact amendment or change order that will cause the total value of the contract to increase by more than fifteen thousand ($15,000) dollars may be executed unless the council has approved a memorandum setting forth the essential terms of the amendment or change order request.
H. No contract amendment that will increase the contract price may be approved or executed unless the finance director has certified that funds are available for the City's performance under the contract as amended.

### 4.20.420 Multi-year Contracts

A. The City may enter into contracts for terms exceeding one (1) year provided that funds for the City's performance during the fiscal year in which the contract term commences are certified in writing by the finance director as being available.
B. The City's payment and performance obligations for succeeding fiscal years after issue of a multi-year contract shall be subject to the availability of funds lawfully appropriated therefore.
C. Contracts for construction or in connection with requirements of federal and state grants are not to be construed as multi-year contracts; however, lawfully appropriated funds must be available for the term of the contract.

### 4.20.430 Council Approval of Contracts

A. Prior council approval by action memorandum is required before contracts for the following can be sought:
    1. All contracts over five hundred thousand ($500,000) dollars;
    2. Supply Contracts over five thousand ($5,000) dollars;
    3. Services, other than professional services, over fifty thousand ($50,000) dollars;
    4. Insurance contracts over two hundred fifty thousand ($250,000) dollars;
    5. Professional Service Contracts over two hundred fifty thousand ($250,000) dollars; and
    6. Legal Services over thirty thousand ($30,000) dollars.
B. No contract under section (A) above shall be authorized unless the following essential terms of the contract are identified:
    1. The identity of the selected contractor and all contractor's contacted;
    2. The contract price;
    3. The nature and quantity of the performance that the City shall receive under the contract;
    4. The using department; and

5. The time for performance under the contract.

C. If contracts are awarded to more than one bidder pursuant to an invitation for bids, contracts with different bidders shall be considered together for purposes of determining the application of subsections (A) of this section. If any contract to be awarded under a given bid is subject to council approval, the award of other contracts pursuant to the same invitation for bids may, at the discretion of the purchasing officer, be delayed pending council approval.

D. No grant to a governmental or quasi-governmental agency or to a private nonprofit corporation for any amount may be issued unless the council has approved a memorandum setting forth:

1. The identity of the grantee;
2. The grant amount;
3. The purpose to which grant funds are to be devoted; and
4. The department charged with administration of the grant.

E. No contractor may provide supplies, services, professional services, or construction to the City before the applicable requirements of this section are first satisfied.

F. Council approval via action memorandum as described in this section constitutes authorization for the City manager to execute the contract described in the memorandum.

G. Regardless of the amount involved, all contracts for professional lobbying services must be approved in advance by the council.

**Article IX – Contract Disputes**

**4.20.440 Administrative Review of Contract Disputes**

A. A person having a claim concerning a contract or other matter arising out of this chapter (other than a bid protest as covered in BMC 4.20.270) may file the claim with the purchasing agent. The claim must be accompanied by a filing fee as set out in the Bethel Schedule of Rates. When filing the claim, the claimant shall certify under oath:

1. That the claim is made in good faith;
2. That the supporting data are accurate and complete to the best of the claimant's knowledge and belief; and
3. That the amount requested accurately reflects the adjustment for which the claimant reasonably believes the City is liable.

B. A claim under this section must be filed within thirty (30) calendar days after the claimant becomes aware of the basis of the claim or should have known the basis of the claim or within such shorter period as may be required in the contract, whichever is earlier. If the claim does not meet the requirements of subsections (A) and (B) of this section, it shall be denied.

C. If a claim asserted concerning a matter arising out of this chapter cannot be resolved by agreement, the purchasing agent shall issue a written decision and

serve it upon the claimant. The purchasing agent shall make the decision not more than thirty (30) calendar days after receipt of all necessary information from the claimant, except that if the claim is for more than fifty thousand ($50,000) dollars, the decision will be made within sixty (60) calendar days after receipt of all necessary information. If the claimant fails to furnish necessary information requested by the purchasing agent, the purchasing agent shall proceed to decide the claim and may, in the purchasing agent's discretion, deny all or part of the claim because of the failure to furnish necessary information.

D. During an appeal under this chapter, the claimant may not rely on or introduce information that the claimant has failed to furnish to the purchasing agent in support of the claim. Before issuing the decision, the purchasing agent shall review the facts relating to the claim and obtain necessary assistance from legal, fiscal, and other advisors.

E. The purchasing agent shall furnish a copy of the decision to the claimant by certified mail or other method that provides evidence of receipt. The decision must include:

1. A description of the claim;
2. A reference to the pertinent contract provisions;
3. A statement of the agreed-upon and disputed facts;
4. Findings of fact about the claim;
5. A determination of any amount payable;
6. A statement of reasons supporting the decision; and
7. A statement substantially as follows:

   This is the final decision of the purchasing agent. This decision may be appealed to the City manager. If you appeal, you must file a written notice of appeal with the City manager within fourteen (14) calendar days after you receive this decision."

### 4.20.450 Appeal of Purchasing Agent's Decision

A. An appeal from a decision of the purchasing agent on a contract claim (excluding bid protests) arising out of a matter in this chapter may be filed by the claimant with the City manager. The appeal by a claimant shall be filed within fourteen (14) calendar days after the decision is received by the claimant. An appeal by a claimant may not raise any new factual issues or theories of recovery that were not presented to the purchasing agent in the decision under BMC4.20.440. The claimant shall serve a copy of the appeal with the purchasing agent at the time of filing with the clerk.

B. An appeal must contain a copy of the decision being appealed and identification of the factual or legal errors in the decision that form the basis for the appeal.

C. The city manager shall appoint a hearing officer.

**4.20.460 Hearing Procedures**

A. The hearing officer shall arrange for a prompt hearing and notify the parties in writing of the time and place of the hearing. The hearing shall be conducted in an informal manner.

B. The hearing officer may:
   1. Hold prehearing conferences to settle, simplify, or identify the issues in a proceeding, or to consider other matters that may aid in the expeditious disposition of the proceeding;
   2. Require parties to state their positions concerning the various issues in the proceeding;
   3. Require parties to produce for examination those relevant witnesses and documents under their control;
   4. Rule on motions and other procedural matters;
   5. Regulate the course of the hearing and conduct of the participants;
   6. Establish time limits for submission of motions or memoranda;
   7. Impose appropriate sanctions against a person who fails to obey an order of the hearing officer, including:
      a) Prohibiting the person from asserting or opposing designated claims or defenses or introducing designated matters into evidence;
      b) Excluding all testimony of an unresponsive or evasive witness; and
      c) Excluding a person from further participation in the hearing;
   8. Take official notice of a material fact not appearing in evidence, if the fact is among the traditional matters subject to judicial notice;
   9. Administer oaths or affirmations;
   10. Exclude witnesses when not testifying.

C. The parties shall have the right:
   1. To present witnesses and evidence; and
   2. To cross-examine opposing witnesses and rebut evidence.

D. The hearing will be open to the public.

E. The hearing shall be recorded. A transcribed record of the hearing shall be made available at cost to a party that requests it.

F. The hearing officer shall review the purchasing agent's decision using a preponderance of evidence standard with the burden of proof on the claimant.

**4.20.470 Determination after Hearing**

A. The hearing officer's decision will be written findings of fact and conclusions of law and will be made within thirty (30) calendar days of the end of the hearing, except that if the amount claimed exceeds fifty thousand ($50,000) dollars, the decision will be made within seventy-five (75) calendar days of the end of the hearing. The decision shall include a statement substantially as follows:

> This is the final decision of the hearing officer. This decision may be appealed to a court. If you appeal, you must commence your lawsuit in the Superior Court for the State of

Alaska at Bethel within thirty (30) calendar days after your receipt of this decision.

B. The hearing officer shall deliver the written decision to the City manager and serve the written decision on the parties by fax and by mail.

C. Appeal to Superior Court. An appeal may be made from the written decision of the hearing officer pursuant to the Alaska Rules of Appellate Procedure to the superior court for the state of Alaska at Bethel only.

### 4.20.480 Misrepresentation and Fraudulent Claims

A. A person who makes or uses in support of a claim or a bid protest under this chapter a misrepresentation, or who practices or attempts to practice a fraud, at any stage of proceedings relating to a matter arising out of this chapter:
   1. Forfeits all claims relating to that procurement or contract; and
   2. Is liable to the City for reimbursement of all sums paid on the claim, for all costs, including without limitation actual attorney's fees, attributable to review of the claim or protest, and for a civil penalty equal to the amount by which the claim is misrepresented.

B. The purchasing agent, hearing officer, or court shall make specific findings of misrepresentation, attempted fraud, or fraud before declaring a forfeiture under subsection (A)(1) of this section.

C. Suits to recover costs and penalties under subsection (A)(2) of this section must be commenced within six (6) years after the discovery of the misrepresentation, fraud, or attempted fraud.

D. In this section, "misrepresentation" means a false or misleading statement of material fact, or conduct intended to deceive or mislead concerning material fact, whether or not it succeeds in deceiving or misleading.

### 4.20.490 Exclusive Remedy

The bid protest and claims procedures in this section provide the exclusive procedure for asserting a bid protest or claim against the City in relation to a matter arising under this chapter.

**SECTION 3. Effective Date.** This section shall become effective January 1, 2015.

**ENACTED THIS _____ DAY OF _____ 2014, BY A VOTE OF ___IN FAVOR AND ___OPPOSED.**

_____
Richard Robb, Vice-Mayor

ATTEST:

_____
Lori Strickler, City Clerk

Introduced by: Acting City Manager Williams
Date: October 28, 2014
Public Hearing: November 11, 2014
Action:
Vote:

***CITY OF BETHEL, ALASKA***

**ORDINANCE #14-28**

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

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

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

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

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

**PASSED AND APPROVED THIS 11th DAY OF NOVEMBER 2014, BY A VOTE OF _ IN FAVOR AND _ OPPOSED.**

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk

## City of Bethel

## Fees and Charges

### GENERAL SERVICES

Identification Card ..... $10.00

Replacement Identification Cards ..... 10.00

Wire Transfer Fee ..... 25.00

NSF Check Fee ..... 30.00

Check Replacement Fee ..... 25.00

Notary Service, per document ..... 3.00

Electronically Reproduced Records (up to 5 pages) ..... 5.00
(For documents over 5 pages in length, add $0.25 per page)

Bethel Business License Holders List/Information ..... 25.00

Bethel Business License-based on business type (Valid 2 years) ..... 150.00

Bethel Lapel Pin ..... 2.00

Passport Execution ..... In accordance with US Department of State Fee

Lost key (Cost of replacing locks) ..... 100.00

Regular Photocopies (per page) ..... 0.25

CD of public meeting/hearing (per CD) ..... 10.00

Burial Permit ..... 50.00

Burial Lot Reservation ..... 150.00

Appeal/Protest/Contract Dispute fees~~, unless otherwise specified in the code~~...150.00

### CODE ENFORCEMENT

Vehicle Removal, (per vehicle) ..... $200.00

Impound fee, first day ..... 25.00
Each day after ..... 20.00
~~Vehicle Disposal at the dump, per vehicle..... 200.00~~

### POLICE DEPARTMENT

***Vehicles and Traffic***

Towing or initial impoundment (4-Wheeler/ ATV/Snowmachine) ..... $100.00

Storage per day (4-Wheeler/ ATV/Snowmachine)..... 10.00

***Animal Control***

Animal License (AVID Chip) onetime fee..... 20.00

Animal Adoption (includes license) ..... 25.00

Destruction of Animal (euthanization)... ..... 30.00

Impound fee, first day.. ..... 25.00
Each day after ..... 20.00

Rabies vaccination..... No charge

Quarantine (10 days) per day ..... 15.00

***Chauffeur/Taxi Permits***

Chauffeur Permit

Initial Issuance.....$250.00

Renewal.....250.00

Substitute Vehicle (good for 14 days) ..... 85.00

Renewal ..... 125.00

Taxi Cab, River Taxi & Dispatch Permit, per month..... ..... 185.00

Dispatch Permit Renewal.....150.00

Taxi Cab/River Taxi Permit Application..... 250.00

Taxi Cab/River Taxi Permit Renewal.....250.00

Appeal made to the Commission.....100.00

Application to Transfer an Interest.....125.00

Late Payments.....100.00

Retest.....25.00

Mailed Applications.....15.00

Drug Testing .....35.00

***Protective Custody***

If paid within 30 days ..... $150.00

After 30 days ..... 175.00

***Copying Fee***

First 3 pages (Reports/Other) ..... $5.00

Additional pages ..... 0.25 per page

***Miscellaneous***

Fingerprints (by appointment only-when available) ..... $25.00/per card

Civil Process Service ..... 45.00

***Records Fees***

CD (per) ..... 15.00

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

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

**FIRE DEPARTMENT**

Basic Life Support ambulance services ..... $350.00

Advanced Life Support ambulance services ..... 450.00

Fire Incident Report ..... 25.00

Ambulance Run Report ..... 25.00

**MAPS**

Land Status Map ..... $50.00

Street Map Booklet (11"x17") ..... 15.00

City Map Color (Grid Sheet) ..... 15.00

City Map B/W (Grid Sheet).....10.00

Plat Copies.....8.00

Plotted Reproduction of an existing file .....15.00

Street Map PDF.....25.00

Street Map (Addresses) ..... 50.00

**PLANNING FEES**

Site plan, infill/moving of single family residence ..... $25.00
A $500.00 fine if infill/moving of residence without site plan application: Contractor/Owner Responsibility

Site plan, residential single family new .....$25.00
A $500.00 fine if developments of a new residence without site plan application Owner responsibility

Site plan residential duplex .....100.00
A $500.00 fine if developments of a new residential duplex without site plan application Owner responsibility

Site plan residential triplex .....200.00
A $1000.00 fine if developments of a new residential triplex without site plan application Owner responsibility

Site Plan, infill Commercial .....100.00
A fine of $1000.00 if infill is done without site plan application: Developers Responsibility

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

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

A. A. Site plan Application Commercial: The application fee for a commercial, industrial or other non residential development shall be $600 for the first $100,000 of the total construction costs, plus an additional fee one half of one percent for the portion over $100,000 of the total construction costs. Typical construction costs shall include all costs associated with the development for which the application is being submitted, including, but not limited to site improvement for which the application is being submitted, including, but not limited to, site improvement and building improvement costs including new or

additional buildings, but shall include interior furnishings, atypical features, decorative materials or other similar features. For fees calculated based the percentage of construction costs, such costs shall be supported by the sworn statement of a licensed architect, licensed engineer or other qualified individual if an architect or engineer has not been retained for the project as the expected construction costs for projects over $1,000,000 . Institutional (Hospital, Educational and Governmental) will be assessed a flat fee of $600 for the total cost of the construction.

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

1. For a resource extraction permit application or permit renewal application, the application fee shall be $1,500.00 plus $30.00 per acre to be mined within each permit period (Yearly);

2. For a change of use with no additional development or home occupations, the application fee shall be $200.00; and

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

Variance.....$200.00

Vacation.....$300.00

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

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

Final Subdivision plat.....$300.00

.....plus recording fees

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

Utility Permit .....$400.00

Platting Waiver .....$100.00

Appeal.....$100.00

**MAPS**

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

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

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

Land Status Map ..... $30.00

Street Map (Addresses) ..... $50.00

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

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

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

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

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

(c) The fee for the review of any study or survey prior to the submission of a development application, including, but not limited to, any threatened or endangered

species protocol, threatened or endangered species protocol results or a cultural resource survey, shall be one-third of the estimated application fee calculated in accordance with (a) through (b) above. Any fee submitted in accordance with this provision shall be deducted from the application fee due at the time of submission of the application for the proposed development for which the study or survey was prepared or conducted.

**Code Enforcement**

Junk Vehicles Removal, per vehicle .....$200.00

Impound fee, first day ..... ...25.00
Each day after ..... ...20.00

Removal of non-vehicles junk/honey buckets (percentage of cost of removal) ..... 100%
Disposal of items plus city man power (wages), city vehicles usage (gas), court cost, attorney fees, only if property owners don't remove the debris from their property.

**PARKS AND RECREATION**

~~Weight Room, per day.....$5.00~~

~~Weight Room, per month..... 50.00~~

~~Weight Room, Senior Rate.....3.00~~

~~Weight Room, per year.....350.00~~

**Bethel 4-H Youth Center**

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

Monthly youth participant fee (grades K-~~12~~ 6).....~~25.00~~ $40.00
Annual fee offered Aug to Nov PFD Special participant fee (grades K to ~~12~~6)...~~160.00~~
.....240.00
Annual Teen participant fee (grades 7-12).....20.00
Drop-in fee (per day) (grades K-12) .....5.00
Adult per day fee..... .....5.00

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

**Log Cabin Rental:**

Cleaning Deposit (refundable).....200.00

Main Room full day ..... 175.00

Kitchen full day .....50.00

Both/full day ..... 225.00

Main Room half day .....90.00

Kitchen half day .....25.00

Both/Half day .....115.00

Log Cabin non-profit organization rental cost,

Cleaning Deposit (refundable)..... $200.00

Main Room full day .....50.00

Kitchen and Main Room..... .....75.00

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

**PORT AND HARBOR**

Fees are in accordance with the most recently adopted tariff rates. Verify with Bethel Port Office.

**PUBLIC WORKS**

Utility Permit Application Fee Annual Permit.....$130.00

Utility Permit Application Fee Temporary Use .....$50.00

Utility Permit Application Fee Emergency Use.....$50.00

***Water & Sewer Rates***

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

***Garbage & Landfill Rates***

~~Fees are in accordance with the most recently adopted ordinance establishing garbage and landfill rates. Verify with Bethel City Finance Office.~~

Vehicle Disposal at the dump, per vehicle.....$200.00

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

# Bethel 4-H Youth Center

**From: Parks and Recreation 4-H**

**RE: Fee Changes**

**For: Fee & Rate Schedule**

Monthly Participation (grades K-6) $40 per person

This is what we have been charging for the last 2 years. Parents feel that it is still reasonable.

Annual fee offered Aug to Nov PFD Special participant fee (grades K-6) $240 per person

This is what we have been charging for the last 2 years. Parents feel that it is still reasonable. If parents paid $40 a month for the year would be $480.

Annual teen participant fee (grades 7-12) $20 per person

This fee is something that the teens alone can afford.

Daily Participation fee (all grades) $5 per day per person

People that come to visit over school vacations, only need a temporary place for the kids and $40 for the month when they only participate a few days out of the month seemed to be charging too much. Fees are not prorated for the month. $5 is the charge for adults and weight room users and feel that it is fair for the parents that just need it for a day here and there or a week or two.

Waivers

Qualifications for a fee waiver are participation in WIC, Food Stamps, free/reduced lunch. Parents are asked to provide documentation such as WIC envelope, Quest Card or note from school lunch program.

Parents with special hardship cases are referred to the Director for further discussion and the Director can make a case by case waiver as necessary.

Fees Cover

The 4-H membership each year which is needed to have the members be in good standing so they can qualify for state travel and other participation.

Fees Collected

Since 2006 when we started charging a fee we have averaged $8,500 per year.

**PARKS AND RECREATION**

~~Weight Room, per day.....$5.00~~
~~Weight Room, per month ..... 50.00~~
~~Weight Room, Senior Rate.....3.00~~
~~Weight Room, per year.....350.00~~

**Bethel 4-H Youth Center:**

*Center Fees can be waived by department policy*

Monthly youth participant fee (grades K to ~~12~~ 6).....~~25.00~~ 40.00
Annual fee offered Aug to Nov PFD Special participant fee (grades K to ~~12~~ 6).~~160.00~~ 240.00
Annual Teen participant fee (grades 7 to 12).....20.00
Drop-in rate (per day) (grades K-12).....5.00

Adult per day fee..... .....5.00
(The Bethel Youth Center is open to adults during open hours that there are no scheduled youth programs)

**Log Cabin Rental:**
Cleaning Deposit (refundable) ..... .200.00
Main Room full day ..... 175.00
Kitchen full day ..... 50.00
Both/full day ..... 225.00
Main Room half day ..... 90.00
Kitchen half day ..... 25.00
Both/Half day .....115.00
**Log Cabin non-profit organization rental cost,**
Cleaning Deposit (refundable) ..... $200.00
Main Room full day ..... 50.00
Kitchen and Main Room..... .....75.00

**Youth Center Rental:**
Cleaning Deposit (refundable) ..... .200.00
Full day (8 + hrs)..... 225.00
Half day (4 or less hrs ).....115.00
**Non-profit organization rental cost,**
Cleaning Deposit (refundable) ..... $200.00
Full day (8 + hrs)..... 200.00
Half day (4 or less hrs ).....100.00

Staff time per hour with rental.....45.00

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

| Permit Number: |
|---|

# CITY OF BETHEL UTILITY PERMIT APPLICATION

P.O. BOX 1388, 1155 Ridgecrest Drive, BETHEL, AK 99559
PHONE: (907) 543-3110 FAX: (907) 543-2046

All entities conducting work repairs or construction on the City owned, maintained Rights of Way, shall apply for and receive a utility permit prior to the commencement of such work, repair or construction. Completed applications can be submitted to the City of Bethel, Public Works Department, 1155 Ridgecrest Drive, PO Box 1388, Bethel, AK 99559-1388. Permit applications may also be faxed to (907) 543-2046.

**1. Utility Identification/Applicant**

- € **Annual Permit for Minor Recurring Activities** *(expires December 31 of each year)*
- € **Temporary Utility Use Permit** *(expires one month after proposed completion date)*
- € **Emergency Utility Use Permit** *(expires one month after proposed completion date)*

| | Name of Company | Street Address | Mailing Address | Phone Number |
|---|---|---|---|---|
| Utility Company | | | | |
| Subcontractor | | | | |

**2. Type of Utility or Work (check all that apply)**

- € **Gas**
- € **Electric**
- € **Television**
- € **Telecommunication**
- € **Other**_____
- € **Underground**
- € **Overhead**
- € **Both**

**3. Utility Contact** *(For emergencies, questions, clarifications and problem resolution.)*

| | |
|---|---|
| Name | |
| Title or Position | |
| 24-Hour Phone number(s) | |

**4. Permit Location/Type** *(For emergencies, questions, clarifications and problem resolution.)*

| | |
|---|---|
| Address (Range), Street | |
| Row, Easement or Both | |
| Type of Work | |

Permit Number:

**5. Work Description** *(Attach additional sheets as necessary.)*

| | |
|---|---|
| **Description of Work** | |
| **Purpose of Construction** | € **New**<br>€ **Replacement**<br>€ **Repair**<br>€ **Other (Describe)** |

**6. Required attachments-** include drawings and/or maps with plats, showing locations of work, new or changed structures, enclosures, vault pits and other work. Drawings or maps should be of sufficient scale to clearly show the details of the work to be performed and shall contain references clearly identifying the location within the City. Such references must include street names, intersections, addresses, etc. Applications submitted without these attachments, or with an incomplete application will be rejected. Construction must be identified as taking place on City of Bethel Right of Ways through a plat or other legal document.

**7. Utility Company Work Order/Reference Number (if any):** _____

**8. Proposed Start Date:** _____ **9. Proposed Completion Date:** _____

**10.** I hereby certify that the above information is complete, true and correct. I further certify that all work will be performed in accordance with the City of Bethel Code and any other, local, state and/or Federal laws and regulations.

**Note: All disturbed areas must be restored within one month of completion, weather permitting.**

**Applicant's Signature:** _____ **Date:** _____

**Applicant's Printed Name:** _____

**OFFICE USE ONLY**
**Note: Permit processing may take up to 5 business days.**

**Date Received:** _____ **Approved/Denied By:** _____

€ **Approved**
**Conditions of Approval:**

_____

_____

€ **Denied**
**Reasons for Denial:**

_____

_____

Permit Number:

**No person or franchised utility shall perform work affecting the public right of way without first obtaining the appropriate permits required by the City. Work affecting the public right of way includes, but is not limited to, installation, or construction of any structure, pipe, pole, conduit, culvert, or facility, including a communications facility, or other wire line utilities in or on a public right of way, and any construction, reconstruction, repair, opening or excavation of a public way for any purpose; but does not include the construction of public improvements performed under a contract executed by the City Manager or work performed by City employees under the City Manager's direction.**

**Issuance of a permit for work within the public right of way does not relieve the permittee from the responsibility to obtain other necessary permits and to conform to other regulatory requirements. In certain areas of the public right of way, location restrictions, setbacks, natural resource preservation, wetland, or other local, state, or federal regulations may apply.**

**All utility permit applications must be made to the public works director. The public works director has the authority to order changes in the construction technique or issue "stop work" orders for un-permitted work, non-compliance with the permit conditions or associated traffic control plans, or if hazardous or improper methods are used.**

**Annual Permit for Minor Recurring Activities**

An annual "blanket" permit is used for franchised utilities for individual service line installations, minor repairs to existing facilitates, routing maintenance functions and similar recurring activities. The annual facilities permit shall not cover the installation of facilities for expansion or upgrade beyond the activities specifically addressed in the blanket permit. Annual permits expire each year on December 31.

**Temporary Utility Use Permit**

A temporary utility use permit is required, for an activity which affects the public way and meets any of the following conditions:

1. The activity involves the removal, modification, or replacement of any City-owned facilities.
2. The activity involves the relocation or modification of the existing facilities (e.g. changing the foot line or elevation of underground facilities or moving existing poles or guy lines to a new location)
3. The activity includes closing a lane of traffic or requires traffic control.
4. Excavating of existing material or placement of fill materials or aggregate in the right of way.
5. The installation of facilities above or below ground for the purposes of expansion or upgrade.
6. The activity involves installing facilities, cable, wire, or lines in an existing conduit installed by another utility.

Temporary Utility Use permits expire one month after the proposed completion date.

**Emergency Work in Right of Way**

If an emergency occurs during normal working hours of the Public Works Department, immediate verbal notice to the public works director is required.

Where emergency repairs are necessary outside the normal business hours of the Public Works Department, the Bethel Police Department should be notified if the work is within a street and will necessitate a lane closure or impede vehicular traffic.

Application for an emergency permit shall be submitted no later than the next working day following the emergency repairs. This application must clearly describe the nature of the emergency and the action the permittee has taken to date.

# City of Bethel
## Committees and Commissions

# Recommendation to City Council

Committees and Commissions that wish to make a recommendation to City Council should turn this form in to the City Clerk or to the City Council representative on the committee or commission.

| | |
|---|---|
| **Committee/Commission:** **Parks & Recreation** | **Chairman:** **Minnie Sallison-Fritts** |
| **Date Submitted:** | **Council Rep:** |

***Issue:***

The community has been asking for an off leash dog park. The City 2035 Comprehensive Plan lists a dog park as a community improvement goal. (see page 9-32 in comp plan)

***Recommendation:***

The Parks & Recreation Committee, after reviewing all three sites, recommends that council approve the proposed option 2 "riverside bluff park" as the site for a dog park. The committee feels that the cost at this site will be minimal for the purpose, the location has easy access, required labor to make the improvements is minimal, and no need to displace BSAR.

***Other: attachments Dog Park Options 1-3.***

*Received by:* _____
*Date:* 10/16/14

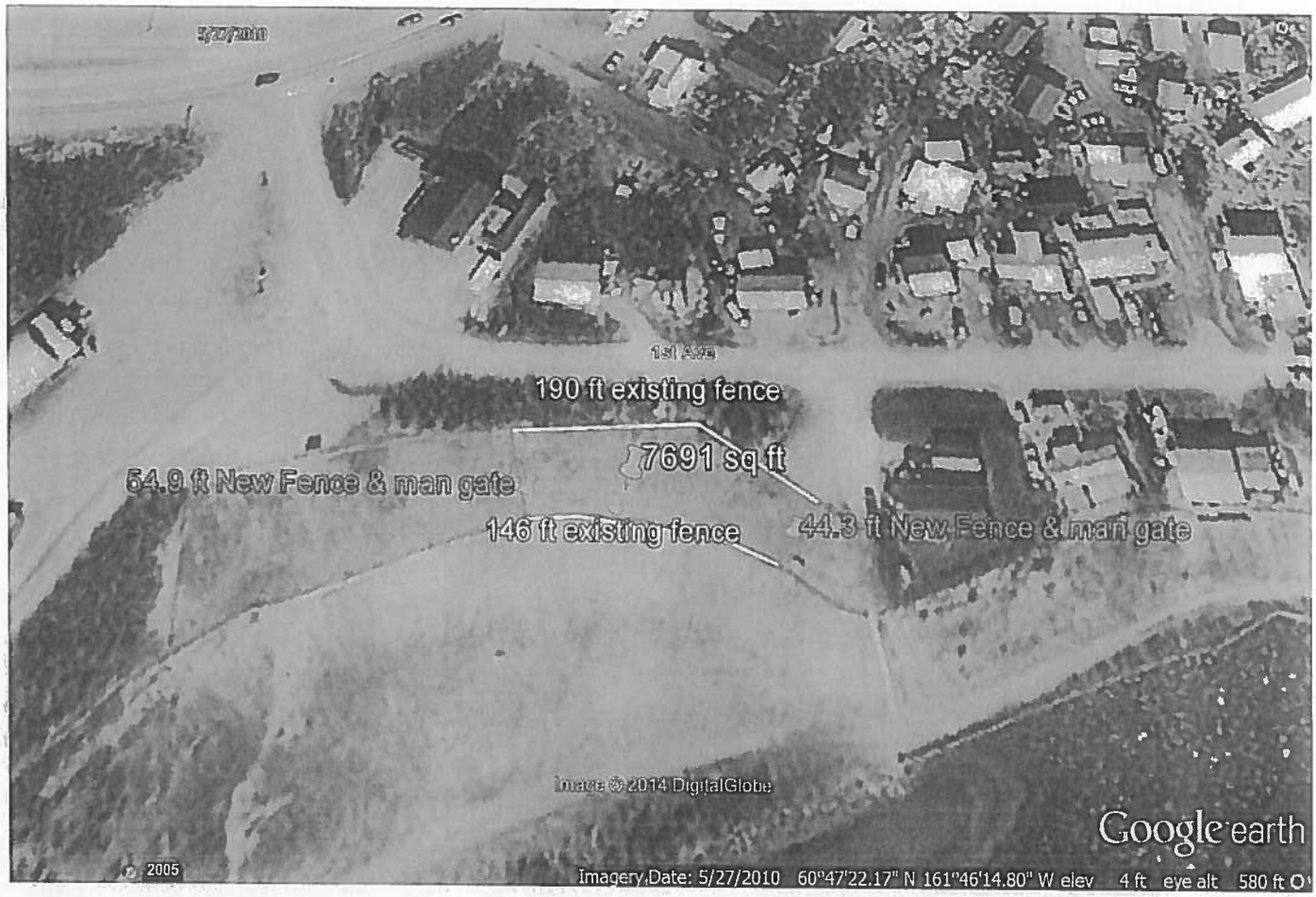
120A

# Dog Park Option 1: "Bus Barn"


For the Dog Park next to the bus barn we would have to get the Bethel Search and Rescue building moved out of the area. Then there would be 512 Ft of fencing that would need to be installed with one man gate and the installation of the Dog Park equipment. Estimation of labor is 160 hours for two employee workers with two to three volunteers. Once everything is in place then we will need in plant grass and fertilizer.

| | | |
|---|---|---|
| Equipment | Dog Park Structures | $5,873.00 |
| Fencing | 512ft 1 man gate | $5,120.00 |
| Labor | Installment | $2,771.20 |
| Building removal | Search & Rescue | $0.00 |
| Landscaping | Fertilizer & Grass seed | $1,420.00 |
| TOTAL | | $15,184.20 |

# Dog Park Option 2: "Riverside Bluff Park"




For the dog park on the river side bluff we will install dog equipment and will only need 100 feet of fencing and two man gates to be installed. It will take two employees 40 hours each to install.

| | | |
|---|---|---|
| Equipment | Dog Park Structures | $5,873.00 |
| Fencing | 100ft of Fencing | $1,000.00 |
| Labor | 80 hours to Install | $2,942.00 |
| | TOTAL | $9,815.00 |

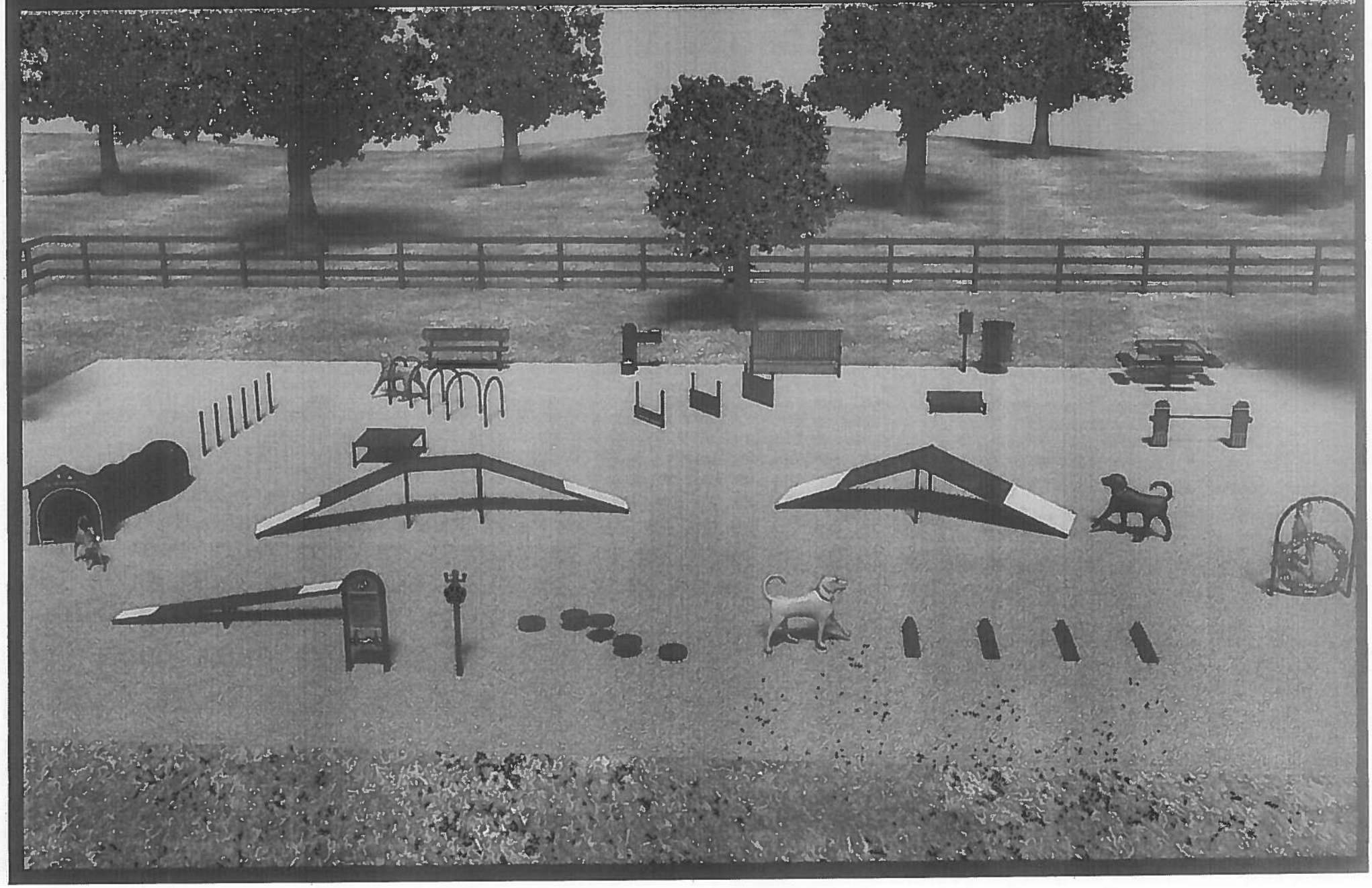
# Dog Park Option 3: "Senior Center Park"


For the Dog Park next to the Senior Center we need 420 Ft of fencing that would need to be installed with one man gate and the installation of the Dog Park equipment. Estimation of labor is 160 hours for two employee workers with two to three volunteers. Once everything is in place then we will need in plant grass and fertilizer.

| | | |
|---|---|---|
| Equipment | Dog Park Structures | $5,873.00 |
| Fencing | 420 ft of fencing 1 man gate | $4,200.00 |
| Labor | Installment/ tree Removal | $4,245.60 |
| Dirt | atleast 20 loads or more ? | $2,800.00 |
| Landscaping | Fertilizer & Grass seed | $2,840.00 |
| Parking lot | 5 loads ? | $700.00 |
| TOTAL | | $20,658.60 |

# Complete System

Dog-On-it-Parks
626 128th St SW #104A ❁ Everett, WA 98204
877-FIT-DOGS ❁ www.dog-on-it-parks.com



Register | Log In | Request Quote (7)

My Account VERIFIED & SECURED

Seek Fetch

## This Is Your Request-For-Quote Form

Please complete Steps 1 and 2 below. Our staff will provide a quote within 24 hours that includes shipping.
Error...Our quote system was not able to complete your quote automatically.
Error...Our quote system was not able to complete your quote automatically.
Error...Our quote system was not able to complete your quote automatically.
Error...Our quote system was not able to complete your quote automatically.
Error...Our quote system was not able to complete your quote automatically.

| Remove | Product(s) | Price | Qty. | Shipping Charge | Total |
|---|---|---|---|---|---|
| ☐ | DOI Roll-Bag Dispenser | $70.00 | 1 | $15.00 | $85.00 |
| ☐ | DOI Single-Pull Bags | $35.00 | 1 | $15.00 | $50.00 |
| ☐ | Castle Wall | $856.00 | 1 | | $856.00 |
| ☐ | Dog Park Rules Sign | $778.00 | 1 | | $778.00 |
| ☐ | Weave Poles | $769.00 | 1 | | $769.00 |
| ☐ | Agility Walk | $851.00 | 1 | | $851.00 |
| ☐ | Dog Walk Ramp | $2,484.00 | 1 | | $2,484.00 |

Discount Code

Apply coupon

Update Product List Items  Continue Shopping

Sub-Total: $5,843.00
Shipping Charges: $30.00
Total: $5,873.00

Update Shipping Charge

### Step 1: Please Make Choices Below

1. If you are working with one of our dealers, please select their name from the drop-down list below.

   Dog-ON-It-Parks

2. Check below if you would like to ship to a project site or other address, if not the same as contact information. Then, please fill in the "Ship To" information in item #5 to the right.

   ☑ **Ship To Alternate Address**

3. Please let us know the payment method you expect to use. Note: No credit card information is collected for quote purposes.

   ○ **Credit Card**
   ◉ **Purchase Order from Government Agency**
   ○ **Check/Money Order/Wire Transfer**

   **NOTE:** Customers are responsible for paying their own local and state taxes.

*We care about your dog's safety—and yours. Please consult your physician and veterinarian before beginning any exercise program.*

### Step 2: Contact Information

4. Please fill in your contact information below (valid email required). Contact address will be used for billing and delivery, unless an alternate address is included in item #5 for shipping below.

| | |
|---|---|
| Email Address: * | rsargent@cityofbethel.net |
| Full Name: * | RONDA SARGENT |
| Phone Number: | 9075437711 |
| Address: * | PO BOX 1388 |
| Address 2: | |
| City: * | BETHEL |
| State: * | Alaska |
| Zip: * | 99559 |
| Country: * | United States |

5. Ship To: Please let us know where items will be shipped to, if not the same as contact information:

| | |
|---|---|
| Project Name: | BETHEL DOG PARK |
| Full Name: * | RONDA SARGENT |
| Address: * | 519 MISSION DR |
| Address 2: | |
| City: * | BETHEL |
| State: * | Alaska |
| Zip: * | 99559 |
| Country: * | United States |

Submit Your Request

# New Business

Introduced by: Mayor Richard Robb
Date: November 11, 2014
Action:
Vote:

# *CITY OF BETHEL, ALASKA*

## Resolution # 14-15

**A RESOLUTION BY THE BETHEL CITY COUNCIL SUPPORTING COUNCILMAN MARK SPRINGER AS A CANDIDATE FOR THE ALASKA MUNICIPAL LEAGUE 1ST VICE PRESIDENT**

**WHEREAS,** Councilman Mark Springer is District 9 representative to Alaska Municipal League (AML);

**WHEREAS,** Councilman Mark Springer has expressed his intention to run for 1st Vice President of AML;

**WHEREAS,** Councilman Mark Springer has extensive knowledge of local and regional issues;

**WHEREAS,** a position of leadership in AML would benefit Bethel and our region;

**WHEREAS,** the 1st Vice President will succeed the current president of AML

**NOW, THEREFORE, BE IT RESOLVED,** the City of Bethel supports Councilman Mark Springer as a candidate for AML 1st Vice President

**ENACTED THIS 11 DAY OF NOVEMBER 2014 BY A VOTE OF 0 IN FAVOR AND 0 OPPOSED.**

_____
Richard Robb, Mayor

ATTEST:

_____
Lori Strickler, City Clerk

# City of Bethel Action Memorandum

| | | | |
|---|---|---|---|
| Action memorandum No. | 14-68 | | |
| Date action introduced: | 11-11-2014 | Introduced by: | Mayor Robb |
| Date action taken: | | ▒ Approved | ▒ Denied |
| Confirmed by: | | | |

SUBJECT/ACTION: *Approve Mayor's appointment of Wade Ferdia to the Public Works Committee as an Alternate Member.*

| Route to: | Department/Individual: | Initials: | Remarks: |
|---|---|---|---|
| X | Public Works Director | | |
| | | | |

Attachment(s): Application

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

*Action memorandum 14-68 is sponsored by the Mayor at the request of the City Clerk.*

*Wade Ferdia has requested appointment to the Public Works Committee. If appointed, he would be appointed to a term of three years with a term expiration of December 31, 2017 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
X Public Works Committee
__ Port Commission
__ Public Safety and Transportation Commission
__ Planning Commission

*All Planning Commissioners are required to provide a Financial Disclosure Statement to the City Clerk's Office within 30 days of appointment. Commissioners are also required to update those statements only when changes occur that would require an amendment to their statement.*

**NAME:** WADE FERDIG

**MAILING ADDRESS:** PO BOX BETHEL 99559

**RESIDENCE ADDRESS:** BETHEL 99559

**HOME PHONE:**

**WORK PHONE:**

**CELL PHONE:** 907

**E-MAIL:**

**OCCUPATION:** Self Employed

**EMPLOYER:**

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.

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? X Yes __ No If so, for how long? 6 mo

5. Does your schedule permit you to regularly attend required meetings: X 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: [illegible] Date: 10/27/14

**FOR OFFICE USE ONLY**

Date Received: 10/27/14

Date of Council Approval: Action Memorandum Number: 14-68

Date Applicant Notified:

Term Expiration:

Registered voter of the City __Yes __ No

**Return completed application to the Office of the City Clerk.**

# Bethel Public Transit System Fund Summary

| | FY 2011 Actuals | FY 2012 Actuals | FY 2013 Actuals | FY 2014 Approved Budget | FY 2014 Revised Budget | FY 2015 Approved Budget |
|---|---|---|---|---|---|---|
| **Operating Revenues:** | 447,535 | 452,396 | 326,956 | 373,840 | 373,840 | 366,890 |
| **Operating Expenses for Services:** | 447,535 | 451,696 | 250,100 | 362,936 | 362,936 | 386,996 |
| *Excess of Revenues over Operating Expenses for Services* | 0 | 700 | 76,856 | 10,904 | 10,904 | (20,106) |
| **Operating Expenses for Non-Services:** | - | - | - | - | - | - |
| *Excess of Revenues over Svs. & Non-Svs. Expenses* | 0 | 700 | 76,856 | 10,904 | 10,904 | (20,106) |
| **Capital Expenses** | - | - | - | - | - | 63,000 |
| *Excess of Rev. over Svs. & Non-Svs., & Project Expenses* | 0 | 700 | 76,856 | 10,904 | 10,904 | (83,106) |
| **NET FUND INCOME (LOSS) BEFORE NON-CASH EXPENSES** | 0 | 700 | 76,856 | 10,904 | 10,904 | (83,106) |
| **Non-Cash Expenses:** | | | | | | |
| Depreciation and Amortization | 20,421 | 30,276 | 32,643 | 17,646 | 17,646 | 17,646 |
| TOTAL NON-CASH EXPENSES | 20,421 | 30,276 | 32,643 | 17,646 | 17,646 | 17,646 |
| *Excess Revenues over All Expenses* | (20,421) | (29,576) | 44,213 | (6,742) | (6,742) | (100,752) |

| | | | | | | |
|---|---|---|---|---|---|---|
| **Total Fund Revenues:** | 447,535 | 452,396 | 326,956 | 373,840 | 373,840 | 366,890 |
| Less Total Fund Expenses less Depr. & Amort. | (447,535) | (451,696) | (250,100) | (362,936) | (362,936) | (449,996) |
| Less Total Fund Non-Cash Expenses | (20,421) | (30,276) | (32,643) | (17,646) | (17,646) | (17,646) |
| **NET ASSETS - GAIN/ (LOSS)** | (20,421) | (29,576) | 44,213 | (6,742) | (6,742) | (100,752) |

# BETHEL PUBLIC TRANSIT SYSTEM REVENUES

| Revenue Sources: | | FY 2011 Actuals | FY 2012 Actuals | FY 2013 Actuals | FY14 Approved Budget | FY14 Revised Budget | FY15 Approved Budget |
|---|---|---|---|---|---|---|---|
| **Local Sources:** | | | | | | | |
| 40-408 | Contributed Support by ONC | 125,243 | 89,304 | 67,693 | 105,000 | 105,000 | 60,000 |
| | Total | 125,243 | 89,304 | 67,693 | 105,000 | 105,000 | 60,000 |
| **Federal Sources:** | | | | | | | |
| 41-410 | PERS on Behalf Payment | 17,193 | 23,843 | 16,908 | 23,844 | 23,844 | 16,908 |
| 41-412 | Rural Transportation Assistance Program | 255,862 | 5,681 | - | 3,000 | 3,000 | - |
| 41-413 | Section 5311 Grant | 5,499 | 265,667 | 214,192 | 210,796 | 210,796 | 251,882 |
| | Total | 278,555 | 295,191 | 231,100 | 237,640 | 237,640 | 268,790 |
| **State of Alaska:** | | | | | | | |
| 42-414 | State Transit Match Grant | - | 18,675 | - | - | - | - |
| | Total | - | 18,675 | - | - | - | - |
| **Charges for Services:** | | | | | | | |
| 43-420 | Charges for Services | - | - | - | - | - | - |
| 43-422 | Bus Fares | 34,218 | 36,261 | 17,439 | 18,500 | 18,500 | 18,900 |
| 43-423 | Bus Fares - Prepaid | 8,567 | 12,265 | 10,024 | 12,000 | 12,000 | 18,500 |
| | Total | 42,785 | 48,526 | 27,463 | 30,500 | 30,500 | 37,400 |
| **Miscellaneous:** | | | | | | | |
| 49-484 | Donations | 953 | 668 | 29 | 500 | 500 | 500 |
| 49-495 | Miscellaneous Revenue | - | 125 | (7) | 200 | 200 | 200 |
| | Total | 953 | 700 | 700 | 700 | 700 | 700 |
| | **TOTAL REVENUES** | 447,535 | 452,396 | 326,956 | 373,840 | 373,840 | 366,890 |

| Bethel Public Transit System (56-50) | | FY 2011 Actuals | FY 2012 Actuals | FY 2013 Actuals | FY 2014 Approved Budget | FY 2014 Revised Budget | FY 2015 Approved Budget |
|---|---|---|---|---|---|---|---|
| **PERSONNEL:** | | | | | | | |
| | Salaries, Benefits & Taxes minus EGHB | 300,146 | 296,057 | 125,050 | 225,826 | 225,826 | 230,413 |
| | Overtime | 3,183 | 5,404 | 5,727 | 3,000 | 3,000 | - |
| | Employee Group Health Benefits | 39,528 | 33,250 | 24,000 | 28,800 | 28,800 | 26,400 |
| | **Total Personnel** | 342,857 | 334,711 | 154,777 | 257,626 | 257,626 | 256,813 |
| **MATERIALS, SUPPLIES, & SERVICES** | | | | | | | |
| 545 | Training/Travel | 4,701 | 5,953 | 192 | 5,000 | 5,000 | - |
| 561 | Supplies | 3,689 | 2,501 | 4,109 | 2,000 | 2,000 | 2,300 |
| 600 | Tires/Wheels/Chains | 4,566 | 6,473 | 773 | 5,000 | 5,000 | 2,750 |
| 602 | Gasoline/Diesel/Oil | 21,265 | 51,746 | 31,569 | 34,500 | 34,500 | 36,225 |
| 621 | Electricity | 3,832 | 2,657 | 3,067 | 2,800 | 2,800 | 18,000 |
| 622 | Telephone | 844 | 778 | 473 | 457 | 457 | 457 |
| 623 | Heating Fuel | 6,920 | 2,839 | 3,281 | 3,100 | 3,100 | 15,000 |
| 626 | Water/Sewer/Garbage | 1,566 | 245 | 240 | 1,600 | 1,600 | 1,600 |
| 646 | Drug Testing/Background Checks | 130 | 1,806 | 928 | 2,000 | 2,000 | 2,000 |
| 661 | Vehicle Maint/Repair (Int. Svc. Fund 57) | 31,871 | 18,275 | 24,813 | 20,733 | 20,733 | 19,983 |
| 664 | IT Services (Internal Service Fund) | 7,814 | - | - | - | - | - |
| 669 | Other Purchased Services | 6,003 | 520 | 3,220 | 1,500 | 1,500 | 1,725 |
| 683 | Minor Equipment | - | 2,080 | - | 2,500 | 2,500 | 2,875 |
| 721 | Insurance | 10,566 | 8,419 | 7,256 | 9,000 | 9,000 | 9,000 |
| 722 | Insurance -Ded Exp & Other | - | - | - | - | - | - |
| 724 | Dues & Subscriptions | 250 | 300 | 1,250 | 250 | 250 | 300 |
| 727 | Advertising | - | 870 | 42 | 500 | 500 | 1,500 |
| 799 | Miscellaneous | 661 | 20 | 40 | 300 | 300 | 300 |
| 996 | I.T. Services Charges | - | 11,503 | 14,070 | 14,069 | 14,069 | 16,168 |
| | **Total MS&S** | 104,678 | 116,985 | 95,323 | 105,310 | 105,310 | 130,183 |
| | **Total Operating Expenses** | 447,535 | 451,696 | 250,100 | 362,936 | 362,936 | 386,996 |
| **DEBT PAYMENTS:** | | | | | | | |
| | **Total Debt Payments** | | | | - | - | - |
| **CAPITAL EXPENSES (56-50-69X)** | | | | | | | |
| 690 | Capital Expenditures | | | | | | 63,000 |
| | **Total Capital Expenses** | | | | - | - | 63,000 |
| | **Total Operating, Debt, Projects & Capital** | 447,535 | 451,696 | 250,100 | 362,936 | 362,936 | 449,996 |

# Bethel Public Transit System 56-50

| | | | FY 2014 Budget | FY 2015 Budget |
|---|---|---|---|---|
| PERSONNEL | | | | |
| R6I | 29101 | Transit Manager | 67,092 | 67,092 |
| R4 | 29102 | Bus Driver | 40,866 | 40,866 |
| R4 | 29103 | Bus Driver | - | - |
| R4 | 29201 | Bus Driver- Part-Time (25 hours/week) | 25,545 | 25,545 |
| R4 | 29202 | Bus Driver- Part-Time (20 hours/week) | - | - |
| R4 | 29901 | Bus Driver- On Call (budgeted at 12 hours/week) | 10,589 | 10,589 |
| | | **SALARIES** | 144,092 | 144,092 |
| | | Annual Increase | - | 3,338 |
| | | Overtime | 3,000 | - |
| | | **Subtotal** | 3,000 | 3,338 |
| | | Leave Cashout/Payout (5% of Base Salary) | 9,366 | 7,205 |
| | | Social Security (6.2% of Temp Salary) | 3,168 | 3,168 |
| | | Medicare (1.45% of Salary) | 2,133 | 2,089 |
| | | Employee Group Benefits ($1,100 per month x 12 months x 2 FTE) | 26,400 | 26,400 |
| | | Unemployment (0.80% of Salary) | 1,177 | 1,153 |
| | | Workers' Compensation | 15,000 | 15,000 |
| | | PERS On Behalf Of Contribution | 23,844 | 16,908 |
| | | PERS (22.00% of Salary ) | 30,031 | 30,105 |
| | | Utility Benefit ($305 per month x 12 months x 3 FTE/PTE * 67%) | 7,357 | 7,357 |
| | | **BENEFITS & TAXES** | 118,474 | 109,384 |
| | | **TOTAL PERSONNEL** | 265,566 | 256,813 |

**Memorandum of Agreement**

**Between the City of Bethel and Orutsararmiut Native Council**

**Regarding the Initiation, Operation and Maintenance of the Bethel Public Transit System**

**Parties to this Agreement**

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

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

**Contacts for this Agreement**

Don W. Baird, City Manager
City of Bethel
907-543-1373

Michael Samuelson, Executive Director
Orutsararmiut Native Council
907-543-2608

**Purpose**

This Memorandum of Agreement (MOA) between the City of Bethel (City) and Orutsararmiut Native Council (ONC) is intended to define a partnership arrangement that allows for the initiation, operation, and maintenance of the Bethel Public Transit System. The two parties agree to share organizational resources, meet regularly, make decisions, and participate actively to ensure the success of the transit system.

The City will own and operate the Bethel Public Transit System. The transit vehicles will be owned by the City of Bethel with the grantor holding title for five years from the beginning of each grant period. Transit system employees will be City of Bethel employees.

**Background**

The City of Bethel was awarded a grant from the Alaska Mental Health Trust Authority that was used to pay transportation consultants to develop the *City of Bethel Public Transportation Plan* in October 2004. The plan documented the need for a public transit system in Bethel and recommended three fixed routes to serve the community. ONC was awarded a grant from the Community Transportation Association of America that was used to pay consultants to develop *Technical Memorandum #1: Draft Implementation Plan.* This implementation plan recommends starting small, with one to two routes using 14-passenger buses, and growing the system as demand increases. The City and ONC intend to follow the steps and act on recommendations contained in the implementation plan.

The Bethel City Council and ONC Council signed a Memorandum of Agreement which established the Bethel Transit System Advisory Committee. The Committee contains one Council member and one administrator from each organization and one community member. The Committee meets monthly

One new gasoline van/bus was delivered to Bethel in September 2007. Once insured, registered, and inspected, it will be placed into service as the first Bethel Public Transit System vehicle.

The City of Bethel ordered two standard body cutaway buses with four-wheel drive conversion. After being custom-made, the two vehicles will be delivered to Bethel in August 2008.

A transit manager was hired on March 11, 2008 by ONC. The transit manager will become a City of Bethel employee once this MOA becomes effective. The Transit Manager will work in the ONC office building. This will allow ONC administrators and Council members to have access to the manager while the supervisory responsibility remains with the City.

**Current Funding**

Over the last few years, the City of Bethel and Orutsararmiut Native Council were awarded grants to purchase transit vehicles and pay operating and maintenance costs. Table 1 shows the grants currently under administration.

**Table 1**
**Grant Funding for Public Transit System**

| Budget Category | Status | Grant Program | Recipient | Amount |
|---|---|---|---|---|
| One 8-passenger van/bus | Delivered | FTA Section 5310 | City | $51,562 |
| | | FY 2006 IRR | ONC | $17,132 |
| Two 14-passenger buses | Ordered; delivery Aug. 2008 | FTA Section 5310 | City | $120,000 |
| | | FY 2006 IRR | ONC | $79,679 |
| Training | Current | FY 08 RTAP | City | $3,000 |
| Operating | Current | FTA Section 5311 | City | $180,938 |
| Operating | Current | FY 2006 IRR | ONC | $49,827 |
| Operating | Current | FY 2007 IRR | ONC | $74,733 |
| Operating | Current | FY 2008 IRR | ONC | $74,733 |
| Operating | Current | FY 06 Tribal Transit | ONC | $105,193 |
| Operating | Current | FY 07 Tribal Transit | ONC | $136,370 |
| | | | **Total** | **$893,167** |
| **Expected Formula Grants (Recurring Annually)** | | | | |
| Operating | Expected | FTA Section 5311 | City | $180,938 |
| Operating | Expected | IRR | ONC | $74,733 |
| Training | Expected | RTAP | City | $3,000 |
| | | | **Total** | **$258,671** |

Key: IRR – Indian Reservation Roads Grant sponsored by Bureau of Indian Affairs.
RTAP – Rural Transportation Assistance Program, FTA training grant funds.

Note: Annual amount of IRR grant funds assigned to transit system will be maximum amount allowable.

**Future Funding**
The City of Bethel expects the transit manager to be responsible for obtaining funds to support and operate the transit system. Grants are expected to be a key funding source. Grants are available to provide funding for capital, operating, and administration costs. The City of Bethel and Orutsararmiut Native Council do not have discretionary funds available to support the public transit system. The City and ONC agree that non-grant cash contributions to the public transit system will not exceed $30,000 per fiscal year, per entity. Requests for cash contributions must be brought before City Council and ONC Council respectively.

**Transit System Operation**

City of Bethel
The City of Bethel agrees to own, operate, and maintain the Bethel Public Transit System. Specifically, the City will:

1. Own and possess all transit vehicles. Vehicle title may rest with grantor for a period of years before officially being transferred to City.
2. Manage the transit system by hiring and supervising a Transit Manager.
3. Recruit, hire, train, and supervise transit system employees. Includes incorporating new positions into City's Administration Department and into the City's three-year union contract to begin July 1, 2008.
4. Account for all revenue and expenses related to the initiation, operation, and maintenance of the Bethel Transit System.
5. Accept receipt of grant funds and other cash and in-kind donations made by ONC and other agencies, businesses, and individuals.

New positions at the City of Bethel will be created for Bethel Public Transit System employees. Each transit system employee will have the same rights, duties, and privileges afforded other City employees.

All Bethel Public Transit System employees will be represented by the labor union: Alaska Public Employees Association/AFT (AFL-CIO), City of Bethel Local #6055. Employees do not have to join the union, but will have the equivalent amount of union dues withdrawn from their paycheck each pay period, as with all non-union City employees.

The City will obtain sufficient insurance to cover the transit system and all related equipment and vehicles through its insurance company: Alaska Public Entity Insurance. The City's current insurance policy will be rewritten to include liability coverage of the Bethel Public Transit System. Existing insurance policy language will be extended to cover transit vehicles and transit employee compensation.

Orutsararmiut Native Council

The Orutsararmiut Native Council will assist the City in the initiation, operation, and maintenance of the Bethel Public Transit System. Specifically, ONC will:

1. Hire Transit Manager and place on ONC payroll with full benefits.
2. Assist the City in transferring Transit Manager position to the City, when appropriate.
3. Assist the Transit Manager and/or other City personnel in the preparation, submission, and administration of grants available to tribal entities that can and will provide funding to the transit system.
4. Make transit grant funds awarded to ONC available to the City of Bethel Transit Manager. ONC will assist in drawdown of grant funds to cover transit expenses.
5. Provide office space for Transit Manager and transit system operations in new ONC Office building located at 117 Alex Hately in Bethel.
6. Provide office supplies and access to telephone, photocopier, fax machine, and other standard office equipment as in-kind contribution or grant-funded expense.
7. Provide office furniture (e.g., desk, chair, shelves, file cabinets) in the Transit Manager's office.

Specialized equipment, such as a personal computer and software, will be purchased with grant funds.

**MOA Renegotiation**

Either party to this MOA may request renegotiation of the terms described herein. Both parties agree to meet and negotiate in good faith.

**Cessation**

If it is determined by mutual agreement between both parties that the Bethel Public Transit System no longer becomes a viable enterprise, there will be a division of transit system assets between the two parties. The division of assets, if permitted by grantors, will be done according to the grant agreements signed by grantor and grantee that funded the purchase of the assets. All City, State, and Federal laws will be followed.

In case a division of assets occurs, ONC will be given one or more transit system vehicle(s) for use in the provision of senior services, an ongoing social responsibility ONC intends to uphold.

**Supersession**

This MOA supersedes the MOA between the City and ONC titled *Bethel Transit System Advisory Committee Policy Joint Task Force* signed on October 10, 2006. The Transit System Committee will still operate as specified in the previous MOA, but this MOA must supersede the previous MOA to insure the operational responsibilities described herein are accepted and actions related thereto undertaken.

**Signatures**

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

**City of Bethel**

04-07-2008

Highest Elected Official Date

4-7-08

Highest Ranking Administrator Date

**Orutsararmiut Native Council**

4-7-08

Highest Elected Official Date

4-7-08

Highest Ranking Administrator Date

BETHEL TRANSIT SYSTEM

November 1, 2014

Bethel Public Transit System Daily / Weekly Schedule

There are currently three employees in the Bethel Transit System:

- Bill Ferguson: Bethel Transit Manager, 8 hours per day/5 days per week.
- Brenda George: Full Time Bus Driver, 8 hours per day / 5 days per week. Acting Transit Manager when the Transit Manager is gone.
- Christina David: Bus Driver, 5 hours per day / 5 days per week. May work longer hours per day if the full time bus driver is on PTO.
- We currently operate two bus routes, Monday through Friday, a **Green Line and Red Line.** When all the buses are "working". The **Green Line** runs from 6:30am to 10:30am, off from 10:30am to 11:30am for lunch, and from 11:30am to 6:15pm. The **Red Line** runs from 9:00am to 12:00n and from 1:00pm to 3:00pm. We're down one bus (Bus #437) and the Saturday Route is not running yet. When the new bus arrives and/or Bus #437 I'd like to start the Saturday Route. It would run from 9:30am to 2:30pm, using the Green Route Schedule. This gives the community the opportunity to visit the Post Office, time to shop and go to the "Saturday Market" if it's open and get back home.

Work Day of.....

- Transit Manager: I come to work between 4:00-5:00am. From 4:00 and 6:30am I do daily paper work ( Change the money vaults in the buses, tally the ridership v.s the money/tickets collected, record this information in the computer file and then file the hard copies, in the filing cabinet. On the early morning bus #436 (Green Line) I check the lug nuts on the wheels (they've come loose in the past and we've lost the rear wheels a couple of times), check the oil / power steering/brake fluid/and window washing fluid, and if the buses need washing (depends on how much it's rained and the muddy roads) I wash them. From 6:30-7:00am, I check and answer email /email Tundra Drums if I have changes in the bus schedules, check the internet weather for Bethel, and etc. I'm off from 7:00-8:00 I take my

grandchildren to school. From 8:00 to 8:30am I take the money that's collect the day before and turn it into the finance department. While at City Hall I check the mail and check the other departments to see if they have any questions concerning the Transit System. From about 8:30 to 9:00 I get the second bus ready; check the lug nuts /oil/washer fluid/brake fluid /power steering fluid and make sure the bus check list (passenger-maintenance) are done and ready for the day. From 9:00 to 12:00n (because of budget reductions) I drive the Red Line from 9-12. I eat lunch sometime between 12:15-12:45 or 1:00, depending when I get time. From 1:00(+-) to 3:00pm I work on some of the following.....developing new bus brochures, making posters to put up around town, make daily passes, make daily tickets, make monthly passes, check the City Shop to see if a bus is ready, get oil / anti-freeze from the shop for the buses, and when there is down time I try to think of ways to increase the ridership.....In past, because of the lack funding, when the bus ran on Saturday I drove it, 5 hours. I did not put time down for it. However if and when we start it up this year I'm trying to figure out a way where the part time driver can drive it instead or we may need to hire an On-Call driver.

- Full Time Driver: Currently, Brenda George works 8 hours per day. Comes to work at 6:30am and drives until 10:30am, breaks for lunch, and then drives from 11:30am to 3:30pm. She also fills in as acting Transit Manager when I'm gone. I take very little leave from 1st of August to the end of May. I usually take about 4-5 weeks off during the summer.
- Part Time Driver: Currently, Christina David works 3-5 hours per day depending on whether or not all the buses are running. When both the Green Line and Red Line are running she comes to work at 1:00pm and drives the Red Line until 3:00pm, cleans the Red Line bus from 3:00-3:30, then she drives the Green Line from 3:30 to 6:15pm and cleans the Green Line from 6:15 to 6:30pm. If we're only running the Green Line then she only works from 3:30pm to 6:30pm.

Problems in the Bethel Transit System:

- Bus down Time: Bus 437 was down for 3 months. The parts were here but the mechanics kept telling me they just didn't have time to work on it. Bus #436 has been up and down with brake problems, power steering problems, and alternator problems. Each time it's been in the shop for 3-5 days, waiting for parts and/or time for the mechanics to work on it. With the arrival of the new bus it has helped to reduce the down time because of bus problems and we are scheduled to get another new bus on the 2015 summer barge, this will help greatly.

- Budget Reduction (cuts): In the past ONC (Native Corporation) has provided the match funds ($105,000.00 for the past 3 years) for the State/Federal Grant. This year, FY15, they (ONC) reduced the match from $105,000 to $60,000, which resulted in a reduction of the total grant of about $150,000.
- Lack of Transit Drivers....on leaves (sick leave, personal leave, and etc.) We haven't been able to hire an On-Call Driver, it seems no one wants to work 10-15 hours per week, and may be not at all depending on the need. We really need two full time drivers and a part-time or on-call driver all the time.

I greatly appreciate any new ideas you might have in increasing the ridership, and/or making the Transit System more efficient.

Bill Ferguson Transit Manager

BETHEL TRANSIT SYSTEM

Impact of Bethel Transit System Budget Reduction

The Bethel Transit System is funded by State and Federal Grants. The amount of these grants is determined by several factors, one being the local match. The local match has been given by ONC since the Transit System began on November 10, 2008. In years FY 11/ FY 12/FY13/FY14, ONC contributed $105,000 each year. For FY 2015 ONC reduced their contribution to $60,000. This resulted in a reduction of State and Federal Grants. For FY 2015 the budget for the Bethel Transit System was reduced by approximately $150,000. This reduction will have a large impact on the service that the Transit System can offer and will result in a reduction in ridership.

The following is a comparison of the ridership in FY 12 to FY 14 and the reductions that occurred prior to the funding reduction made for FY 2015. Under the current FY 2015 budget I'm sure the ridership will continue to decline.

| Passenger Type | Fiscal Year 2012 | Fiscal Year 2014 | Difference |
|---|---|---|---|
| Elders | 6,175 | 4,477 | **1,698** |
| Disabled | 887 | 1,194 | 307 |
| Youth/Student | 3,223 | 1,443 | **1,780** |
| Gen. Public | 16,036 | 8,894 | **7,142** |
| Total Passengers | 26,321 | 14,809 | **11,512** |

Over all, the reduction in the match dollars ($105,000 to $60,000) has resulted in almost a 50% reduction in the amount of service the Transit System can offer and consequently passengers have had to result to other means of transportation, mostly cabs.

Bill Ferguson, Transit Manager

# Mayor's Report

Ayaprun Elitnaurvik
PO Box 1468
Bethel, Alaska 99559
(907) 543-1645

To Whom It May Concern:

The Ayaprun Elitnaurvik Native Youth Olympics program has been in existence for more than five years, and our school has been successful delivering the mental and phyiscal aspect of the sport to the kids and the community of Bethel.

Our kids would love to gain your support to enhance the NYO program at Ayaprun Elitnaurvik and spread the importance of the Yupik Culture to the region and the state. We are requesting cash donations to maintain the program. Our kids and community will greatly appreciate your kind donation and support.

Our school will be happy to work with you to spread your services in the region and beyond. If you have any specific questions, contact Mike Smith at 543-1645.

Sincerely,

Norman Ayagalria

INUIT

October 14, 2014

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

Dear Joseph Klejka,

On behalf of the Alaska Board of Directors and Inuit Circumpolar Council (ICC) Executive Council, thank you for supporting ICC-Alaska's participation in the General Assembly (GA) held in Inuvik, NWT, Canada, July 21-24, 2014.

We are happy to report that the GA was a great success and with your financial assistance, Alaskan Inuit were well represented in all aspects of the gathering. Over 130 Alaskans, including delegates, cultural performers, speakers, observers and staff represented Alaskan Inuit in Inuvik.

The GA concluded successfully with the signing of the Kitigaaryuit Declaration. The Declaration represents Inuit concerns at the international level and sets the work plan for ICC for the 2014-2018 term. I am enclosing a copy of the Declaration and a summary report of the GA for your information. Also enclosed is our quarterly newsletter that provides highlights of the GA.

We look forward to continuing our relationship with your organization in the future. Please do not hesitate to contact me if you would like further information about ICC and/or the General Assembly.

Respectfully,

James F. Stotts

James Stotts,
ICC Alaska President

ICC ALASKA

3900 Arctic Boulevard Suite #203 • Anchorage, AK 99503 • Phone: (907) 274-9058 • Fax: (907) 274-3861 • www.iccalaska.org

**KUIMARVIK BOARD MEETING**
**Yuut Elitnaurviat Conference Room**
Friday October 24, 2014- 1:30pm

I. CALL TO ORDER
II. ROLL CALL

| | Present/Absent/Excused | | Present/Absent/Excused |
|---|---|---|---|
| Gene Peltola Sr | | Zack Brink, ONC | |
| Michelle DeWitt, BCSF/ | | Andrew Thom Leonard, Calista Corp. | |
| Kurt Kuhne, Yuut Elitanaurviat | | Cathy Baldwin | |
| Mary Pete, UAF-Kuskokwim Campus | | Jacob Jensen, LKSD | |
| Mary Sattler | | Bev Hoffman | |
| Myron Naneng or Mike Hoffman, AVCP Inc. | | Rick Robb, COB | |
| Dan Winkelman, YKHC | | Ron Hoffman, AVCP RHA | |

III. APPROVAL OF AGENDA

IV. APPROVAL OF MEETING MINUTES-
V. PUBLIC COMMENTS AND CONCERNS

VI. REPORTS
  A. Kuimarvik tax exempt status
VII. BUSINESS:
  A. Y/K Aquatic Center Fees
  B. November 1 Grand Opening
VIII. BOARD MEMBER COMMENTS

IX. DATE FOR NEXT MEETING

X. ADJOURNMENT

September 24, 2014

Kuimarvik meeting notes

Meeting call to order at 1:30
Present:
Gene Peltola, Chair
Bev Hoffman
Michelle DeWitt
Laura Ellsworth
Pat Samson
Thom Leonard
Mark Charlie

Absent:
Jacob Jensen,Myron Naneng, Dan Winkleman, Kurt Kuhne, Kathy Baldwin

**One agenda item**
A. Budget and operation plan

Last week , Kurt,Michelle, Martha went over some cost reductions.

Pro-dev and COB asked Kuimarvik to look at/approve the operation plan so they can forward it to COB Council

Martha confirmed Michelle's report and walked Kuimarvik partners through the adjusted budget.

USA POOLS put together a start up budget which was approved by the council

Michelle questioned if fees for programs fee were throughout the entire session of class

Mary asked about swim suits. Swimsuit, towel and pass packages available for youth and adults.

Question on pool hours. USA pools experience was the reason for hours but it will be adjusted as needed. Martha commented that their information came from the McDowell report and other pools around the state. Block of time on Mondays off purchased.

Pool hours discussion: Michelle talked about her contact with other folks. Kevin wondered about the fitness center and weight room having longer hours

Mary wondered about kids coming with out parents. What age?

Code of conduct will be posted.

Raunika Ray and Brandon Close the newly hired program director will be developing marketing, advertising and contacting folks.

Power cost equalization questions.

Cost of living allowance explained by Martha, USA pools. Most people are fine with it. No advantage to do it this way.

Fee's questioned. Kevin asked if they can have one flat fee for using fitness center and pool.

Special contract for organizations like school swim teams, etc . Need to work on that with Bob Ellsworth

Michelle DeWitt made the motion to approve the operations plan and proposed budget to COB council. 2nd it by Mary Sattler with directon to Martha and USA Pools to have healthy food option priced to encourage custormer to make selections. Laura 2nd the amendment . Amendment approved. Motion passed unanimously

**Board member discussion**: Pat Samson wanted to make sure there would be a dedicated parking for snow machines /ATV Martha said they included a budget to work on additional signage needed.

Smoke and drug free facility.

Went over grand opening: Bev and Lyman Master of Ceremonies
Will work with Raunika and Brandon

Motion made by bev 2nd by Mary to adjourn at 2:50

Next meeting at call of Chair.

# Manager's Report

# Management Team Reports

**MEMORANDUM**

DATE: November 4th, 2014

TO: Pete Williams, Acting City Manager

FROM: Bill Howell, Acting Fire Chief

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

## Programs/Divisions

- Career and Volunteer members of the Department participated in our annual Fill the Boot fundraiser on October 4th from 11am-2pm at Watsons Corner and at Saturday market on the 11th and Swanson's on the 18th. Our members raised approximately $4900.00 for the Muscular Dystrophy Association. These funds are used for research and treatment of Muscular Dystrophy. We are proud to be a part of this program and will continue to support it.
- Smoke detector testing and free battery replacement was conducted at Saturday Market on the 11th of October and at Swanson's on the 18th of October. Firefighters and EMT's tested and replaced batteries on 30 smoke detectors and sold 20 smoke and carbon monoxide alarms.
- The Department invited children from Bethel schools to the Fire Department to receive education in fire prevention and tour the Bethel Fire Station. A total of 636 children attended fire prevention classes. Children ranged in age from 5 to 11 years old.
- We are reviewing a draft MOU/MOA with YKHC regarding clinical experience of our EMS staff and volunteers in the Hospital. The MOU has been forwarded to the City Attorney for review. We anticipate an update from the City Attorney soon.
- The Department is preparing an RFP for new Self Contained Breathing Apparatus (SCBA). We anticipate issuance of the RFP sometime in November. The total budget provided by FEMA's Assistance to Firefighters Grant Program is approximately 104,000.
- A new VOIP phone system was installed in the Department by GCI. We are working out many kinks in the new phone system and hope to have it fully operation by the end of November.

## Responses

- The Department responded to 98 medical calls for service In October.

  On 10-29-14 at 7:01 P.M. the Bethel Fire Department responded to a report of a person falling through the ice at the mouth of Brown Slough. Upon arrival fire fighters found footsteps in fresh snow leading to an approximately 150' L X 60' W open lead at the mouth of the Slough. Firefighters attempted to rescue the victim using an Ice Rescue Sled and retrieval hooks. Incident commanders at the scene also activated Bethel Search and Rescue moments after arrival. Firefighters and Bethel Search and Rescue personnel searched the opening in the ice for nearly 2-1/2 hours before successfully retrieving the victim from a depth of approximately 20 feet. The victim, was pronounced dead at the Yukon Kuskokwim Regional Hospital shortly after retrieval. The Bethel Police Department is investigating the incident.

- The Department responded to 18 fire and rescue calls for service in October.

  On 10-28-14 at 8:19 p.m. Bethel Firefighters responded to the construction site of the Yukon-Kuskokwim Health Corporation's new Alcohol Treatment Center building for a report of a fire. Upon arrival, heavy fire and smoke were observed throughout most of the 15,900 square foot facility. A total of 14 Bethel Firefighters responded to the call in one Pumper, one Tender, eight city water trucks, two Ambulances and a Ladder Truck. Bethel Firefighters were able to contain the fire to the building of origin, no other structures were damaged. Firefighters cleared the scene at 5:26 a.m. An investigation of the cause and origin of the fire is ongoing.

  On 10-09-14 at 8:16 p.m. Firefighters responded to an area one mile Northeast of the City Landfill for a report of a tundra fire. Upon arrival, a 75' x 150' area of brush grass and tundra was found involved in fire. Firefighters responded on foot and by four-wheeler to the scene and extinguished the blaze.

- The Department is continuing to cooperate with Bethel Po0lice Department and the State Fire Marshalls office, to determine cause and origin of several Bethel Fires. Investigations include: The New PATC building fire, Pentecostal Church Fire, a car fire in Crows Pit and two separate suspicious trash fires.

## Staffing

- The department is working with the Manager to hire a temporary Firefighter-EMT for up to six months to fill in staffing shortages and assist with administrative duties. Unexpended salary funds will be used to pay for the position.

- The Department is currently advertising for the position of Fire Chief.

- The Department has one FF/EMT position that is currently defunded.

## Training

- Acting Chief Howell attended and successfully completed a Fire Officer One course. The training was hosted by the Central Matsu Fire Department in Wasilla and held from the 20th through 25th of October. This course trains fire officers to manage employees during emergency and non emergency activities. The department plans on sending two more members to this course in the near future.

- The Department is hosting and teaching an EMT class which started on the 22nd of September. There are currently six students in the class that hope to become probationary volunteer Emergency Medical Technicians. The class will be completed on December 6th.

- An EMT Meeting was held on October 7th 2014. Medics were trained in bleeding and shock prevention, followed by focused discussion in shock treatment of pediatric patients

- A combined EMT/Fire Meeting, BVESA elections was held on October 21st 2014 in the evening at the fire station. Department personnel were given required/needed vaccinations, HIV and TB tests.

- A Fire Meeting was held on October 2nd 2014. Firefighters and V&E mechanics reviewed the operation and maintenance of the new fire engine with representatives of General Fire from Spokane, WA.

- The next EMT Meeting is scheduled for November 4th 2014.

- The next Fire Meeting is scheduled for November 13th 2014.\

- A staff meeting was held on the 3rd of October. Department management distributed the new City Vehicle policy. Internal matters were discussed.

- A Staff Meeting was held on October 31st th 2014. Internal matters were deliberated upon. Sam Blankenship from the City IT department conducted training on the new phone system.

## Vehicles

- Engine 4 our new Rosenbauer Fire Engine is undergoing outfitting for service as of the end of October it is approximately 60% ready for service. Mounting brackets for equipment, some new pieces of response gear and compartment floor linings are on order and should be arriving soon. Vehicle manuals have been distributed to Department staff for study, in preparation for a final written test.

- Engine 3 suffered from significant breakdowns at the new PATC fire. The pump packing, priming system and the pressure relief system failed. A new pressure relief valve was ordered. E-3 has been out of service since the 28th due to these repairs. Tom McCallson of the V&E department should have the vehicle operational in early November. Engine three still has many leaks that need to be addressed as soon as Engine 4 is fully online.

- Due to failure of Engine-3's pump system Engine-4 has been brought online temporarily prior to completion of its outfitting. It will return to standby service as soon as E-3 is available.

- Our frontline Ambulance, Medic 5, had its brakes repaired by ED's auto. We were unable to get this scheduled at the City Shop due to staffing shortages in V& E and a backup of repairs needed in the V&E department

- Our in-service "wet-down" ceremony for Engine-4 has been rescheduled for the afternoon of November 15th. More details will be posted soon.

## Budget/Financial

- The Department is operating within its current budgetary constraints

- The Department seeks approval of its plan to hire a temporary employee to fill in staffing shortages.

**MEMORANDUM**

**DATE:** **11/01/2014**
**TO:** **Pete Williams, Interim City Manager**
**FROM:** **Muzaffar Lakhani, Public Works Director**
**SUBJECT:** **Manager's Report**

**Programs/Divisions**

**Public Works Director:**

There was no Public Works Committee Meeting this month due to lack of quorum. WE have been working to winterize the vehicles & equipments in different divisions. Cleaned up two hydraulic oil spills, due to hose failure on the water/sewer trucks. V&E division is extremely busy and is hardly catching up with the work load. Community service workers have been helping our crews. The court house carpet replacement was completed. The Department has started holding monthly staff safety meetings. The Department sent out the RFP for the Design services of the Institutional Corridor piped water services and in response to that RFP four engineering firms' representatives visited the site and have demonstrated the interest in the project. We received three proposals on the due date of 10/31/2014 in response to this above RFP.

One CDL Driver came back to work after being on FMLA for about 5 ½ months. We were able to fill out three CDL positions in Utilities division this month. Continue to perform daily building checks of the city owned buildings.

Responded to the fire event at PATC building on 10/27/2014 with eight water trucks and man power.

**Utility Maintenance:**

We finished up with the fall discharge at the lagoon we pumped a total of 24 days and 120,000,000 gallons, had two different water pipes brake at the BHWTP, we have been repairing water leaks on the pipe system in Bethel Heights also working on the sewer lines to put the right grade back to the lines, also had four frozen sewer lines this month

**Hauled Utilities:**

Due to my absence for most of the month of October and the lack of drivers, and broken trucks, nobody has been keeping up with the figures for water, sewer and garbage. However, the norm would be nearly 3,000,000 million gallons of water, 2.6 m gallons of sewer, and around 3000-4000 cubic yards of garbage. We have hired a couple new drivers and have had a couple of drivers return from either

medical or rehired. We should be pretty set for drivers for a while. We will also be implementing a 10 hour 4 day schedule.

**Property Maintenance:**

The Eddie Hoffman Senior Center was turned over to us and we changed locks and we are now maintaining an additional building. We are still finishing our summer projects. One being Court House roof drains, we finished up in up due to additional job tasks and unforeseen problems. To be continued next week…

**Road Maintenance:**

Streets and Roads, is done with the salt sand mixing for the road sand pile on the north side of the city shop to used in the road sander trucks. This is what we been using on the roads when the roads are slippery.

Streets and Roads, has been chaining up heavy equipment that we use this winter for plowing or sanding roads. The road sander truck, loader, and grader, we chain up, and on the grader, we also change the strait blades to serrated blades to use for scarifying the roads.

Streets and Roads, also added a stop sign at the new swimming pool parking lot where it meets the road, and also we change the yield sign on Akiachak Ave. to a two way stop at the intersession of Akiak Dr., and Akiachak St... This should help with the additional vehicles that will be traveling, to and from the swimming pool parking lot.

Streets and Roads put cones and road close sign up on both ends of, H-Marker Lake, to keep vehicles, from driving across the lake while still the ice is not thick enough. Last year we had vehicles drive across by driving around or running over the signs. We will remove the signs when the ice is two feet thick, and plow the road over the lake with the grader.

**Vehicles and Equipment:**

This department is still extremely behind with the number of breakdowns, due to the age of the fleet, and shortage of skilled mechanics. They have been working feverishly to keep the trucks on the road and operating. It has certainly been a challenge. We need some new equipment, as most of this fleet is at least 10 years old and well used.

**Transit System:**

The week of Oct. 13, 2014 was challenging to say the least. The part-time driver was on holiday leave and PTO for three days. The full time drive was on sick leave Monday and Tuesday and was just barely able to come back to work on Wednesday. I drove the Green Line on Monday and Tuesday, 6:30am to 6:30pm and did the paper work from 4:40am to 6:30am. It made for long days but we were able to keep the Green Line running. Wednesday, 10-15-2014, we were back to "normal" until the Green Line Bus backed into a utility pole and we had to go through the accident process……there was no damage to the utility pole but bent the rear bumper on the new bus. We had to shut down the Red Line so the Part-Time Driver could fill in, for the Green Line, while the full-time driver and I went through the accident reporting process.

For the month of October we continued to offer incentives to the passenger in hopes of increasing the ridership. The drivers handed out raffle tickets each time a passenger got on the bus and then on Friday we had a drawing for two "FREE WEEKLY PASS". And then on Election Day, October 7th, those riders that display or show "I voted today" stickers rode free. We will do this again on Election Day in November.

I ordered 6 new snow /studded tires and wheels for the new bus. The six tires are about $1200 and the wheels another $950.00 for a total of about $2200 plus freight. We'll need to order an extension, flip down, for the driver's visor, the driver seat is too low, maybe the drivers are too short, but when the sun is low on the horizon it's blinding and hard for the drivers to see. Otherwise the new bus is great and the passengers have made comments that it's easier to get in and out of, not so high off the ground.

The FY 15 Grant has funding for a new bus and I think we'll just duplicate this one; add snow tires and a couple other items. We need to get this order ASAP as the EK Sales, where we bought the last new bus, said that the State of Washington Contract, for bidding, ends the last of November and the price may go up. We also additional funds under the "Ladder of Opportunity Grant", $85,000(+-), for the purchase of Bus Stop Shelters and we'll need to order them so they will arrive on the first barge next summer.

Bethel Transit System goal for the FY 2015 will be to show a 20-25 percent increase in ridership / revenue. I think we can do this by providing **better and more dependable / reliable service** for our passengers.

If you have questions and concerns please feel free to contact me anytime. Stop by the office and we can share a cup of coffee.

Bill Ferguson, BTS Manager

**Landfill / Recycle Center:**

The landfill has been hard at work improving the landfill to make more room. Streets and roads continue to bring cover sand so that in the spring we will have lots of cover before we have our inspection.

We were unable to do our water sampling outside of the landfill at the first of October according to our landfill permit due to everything frozen. I spoke with Doug Huntman from DEC and he understood and we decided next fall we will do it earlier so this won't happen again.

**Staffing Issues/Concerns/Training:**

**Budget/Financial:**

See each Department.

# CITY OF BETHEL

## Technology Department

Post Office Box 1388
Bethel, Alaska 99559
Voice: 907-543-2358
Fax: 907-543-1395

November 3, 2011

**From:** Samuel Blankenship, IT Manager

**To:** City of Bethel

**Subject:** IT Manager's Report for October, 2014

Listed below are a summary of activities the Information Technology Department has done, for the period of October, 2014.

**Administration**
**Trouble Ticket Tasks**
25
**Non-trouble Ticket Tasks**
14
**Finance**
**Trouble Ticket Tasks**
15
**Non-trouble Ticket Tasks**
5
**Fire**
**Trouble Ticket Tasks**
4
**Non-trouble Ticket Tasks**
4
**Port**
**Trouble Ticket Tasks**
6
**Non-trouble Ticket Tasks**
0

**Public Works / Planning**
**Trouble Ticket Tasks**
25
**Non-trouble Ticket Tasks**
21

**Parks and Recreation**
**Trouble Ticket Tasks**
11
**Non-trouble Ticket Tasks**
12
-
**Police**
**Trouble Ticket Tasks**
24
**Non-trouble Ticket Tasks**
13
-

**Notes:**
-There were 51 computers that had maintenance and cleaning in the month of October 2014.
-There were 179 trouble tickets started and resolved in the month of October 2014.
Arctic IT and GCI was in Bethel for phone and networking equipment installation in the City buildings and at the Aquatic Center. The City IT Department assisted as needed with the installation.

# Clerk's Report

# City of Bethel, Alaska

## City Clerk's Office

**Council Meetings and Events**
November 17-21, 2014 Alaska Municipal League Conference
November 25, 2014 Regular City Council Meeting

**Elections**
Much of the City Clerk's time over the past few months have focused on the three elections held this year. Wrap up of the General Election took place November 5, 2015.

**BMC Rewrite Chapter 2.40, Access to Public Records and 2.44, Records Management**
Although old, our current Chapters 2.40 and 2.44 are still in compliance with the AAC and AS however the City Clerk's Office believes there could be more clear direction to the City Staff, Clerk's Office as well as the public on the laws that directly relate to Public Records disclosure. It is our goal to have this ordinance presented to the Council by the last meeting in October.

The City Clerk is preparing a short training for City staff on the requirements and procedures of public records and the disclosure of those records.

**City Clerk Out of the Office**
The City Clerk will be out of the office November 13 through November 21, 2014. The Office will be closed during this time period.

# Additional Information

# City of Bethel
# Finance Department

# Monthly City Council
# Financial Report

## Period thru Sept 30, 2014

**Note 1:** When reviewing this report it is important to remember that sales tax revenues, including transient lodging tax and gaming fees, are due the month following the period collected; therefore, these revenues always appear to be lagging behind budget until the after the end of the fiscal year, when June revenue is remitted to the City in July.

**Note 2:** This report represents recorded revenues, expenditures, budget modifications and line items transfers with balance sheet account balances through September 30, 2014. It is possible that not all of the September 30, 2014 aforementioned transactions may be recorded by the date of this report. The un-audited figures in this report, especially the balance sheet accounts are subject to further modification and correction by the Finance Department, if necessary, and should not be considered final.

PLEASE, if you have any questions, contact Finance Director Hansel L Mathlaw, (907) 543-1376, hmathlaw@cityofbethel.net

# CITY OF BETHEL
# FINANCIAL REPORT

Bank & Investment Accounts
As of September 30, 2014

## A. Introduction

The City of Bethel operates under a central treasury. A central treasury concentrates cash in order to maximize the return on the investments and to provide adequate liquidity for planned cash flows. Therefore, cash accounts do not correspond to "funds" in the City's financial records. All transactions between funds are accounted for in interfund receivables and payables which are also called "Due To" and "Due From" accounts.

Cash and investments accounts marked with an asterisk are not part of the central treasury. These accounts are legally restricted from being part of the central treasury or segregated because of policy or purpose.

Investments in the Bethel Endowment Fund are physically segregated by ordinance. The assets of this fund are invested in accounts with Piper Jaffray Investments.

All investments are categorized as "Category 1" for credit risk according the categories described in Governmental Accounting Standards Board Statement No. 3, *Deposits with Financial Institutions, Investments [Including Repurchase Agreements], and Reverse Repurchase Agreements*. This means that the City's investments are either insured or registered, or that the securities are held by the City or its agent in the City's name. Category 1 investments contain less credit risk than other categories; therefore, City funds are invested with the lowest reasonable credit risk. The City's investments are earning a competitive yield.

### Summary of Cash and Investments as of September 30, 2014

#### *1. Cash, Deposits, and Certificates of Deposit*

| Description | Balance 8/30/2014 | Balance 9/30/2014 | Year-to-Date Increase (Decrease) |
|---|---|---|---|
| Wells Fargo-General/Sweep Accounts | $6,490,485 | $4,286,412 | $ (2,204,073) |
| Wells Fargo-Payroll Account | 423,660 | 7,392 | (416,268) |
| Wells Fargo-Asset Forfeiture Account (Police) * | 2,381 | 2,361 | (20) |
| Wells Fargo-Evidence Holding Account (Police) * | 8,671 | 8,671 | (0) |
| First National Bank CD (Lease Revenue Bond Reserve) * | 415,258 | 415,258 | - |
| Petty Cash-Finance | 150 | 150 | - |
| Petty Cash-Police | 300 | 300 | - |
| Petty Cash-Port | 100 | 100 | - |
| Petty Cash-Youth Center | 260 | 260 | - |
| Petty Cash-Recycling | 50 | 50 | - |
| Petty Cash-Public Works | - | - | - |
| ***Total*** | ***$7,341,315*** | ***$4,720,954*** | ***($2,620,361)*** |

* - Restricted Funds

## 2. *Investments held in the Central Treasury:*
**As of September 30, 2014**

| | Description | Market Value 8/31/2014 | Market Value 9/30/2014 | Year-to-Date Increase (Decrease) |
|---|---|---|---|---|
| *01-12700* | Wells Fargo Investments | $772,076 | $772,089 | $13 |
| *01-12800* | Wells Fargo Investments (Lease Revenue Bond Pmt Acct) | $319,157 | $319,163 | 6 |
| *01-12900* | Time Value Investments | $1,267,950 | $1,269,044 | 1,094 |
| *01-12500* | Alaska Municipal League Investment Pool | $154,780 | $154,783 | 3 |
| | ***Total*** | ***$2,513,963*** | ***$2,515,078*** | ***$1,115*** |

## 3. *Restricted Accounts **
**As of September 30, 2014**

| | Description | Market Value 8/31/2014 | Market Value 9/30/2014 | Year-to-Date Increase (Decrease) |
|---|---|---|---|---|
| *90-12600* | Piper Jaffray Investments * | $ 1,862,185 | $ 1,857,955 | $ (4,230) |
| *40-12200* | BATH Center Account * | 4,321,486 | 4,321,551 | 65 |
| *52-12300* | Deferred Seawall Maintenance Account * | 1,437,506 | 1,440,698 | 3,192 |
| *52-12500* | Pro Equities - Dock Deferred Maintenance * | 479,770 | 479,929 | 159 |
| | ***Total*** | ***8,100,947*** | ***8,100,133*** | ***(814)*** |

## *TOTAL BANK AND INVESTMENT FUNDS ON HAND*
**As of September 30, 2014**

| Description | Balance 8/31/2014 | Balance 9/30/2014 | Year-to-Date Increase (Decrease) |
|---|---|---|---|
| Cash, Deposits, and Certificates of Deposit | $7,341,315 | $4,720,954 | ($2,620,361) |
| Investments | $2,513,963 | $2,515,078 | $1,115 |
| Restricted Accounts | 8,100,947 | 8,100,133 | ($814) |
| ***Total*** | ***$17,956,225*** | ***$15,336,165*** | ***($2,620,059)*** |

| | |
|---|---|
| ***Total Central Treasury and Unrestricted Funds as of September 30, 2014:*** | ***$ 6,809,743*** |
| ***Total Restricted Funds as of September 30, 2014:*** | ***8,526,423*** |
| | ***$ 15,336,165*** |

* - Restricted Funds

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

GENERAL FUND

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| **REVENUE** | | | | | |
| TAXES | 28,088.25 | 11,721.64 | 8,132,000.00 | 8,120,278.36 | .1 |
| STATE & FEDERAL REVENUES | .00 | 1,267,760.50 | 1,763,960.00 | 496,199.50 | 71.9 |
| CHARGES FOR SERVICES | 36,669.14 | 44,623.72 | 247,500.00 | 202,876.28 | 18.0 |
| RENTAL INCOME | 205.00 | 195.00 | 10,000.00 | 9,805.00 | 2.0 |
| LICENSES, PERMITS & FEES | 11,474.20 | 38,348.45 | 782,650.00 | 744,301.55 | 4.9 |
| OTHER FINANCING SOURCES | .00 | .00 | 62,949.00 | 62,949.00 | .0 |
| MISCELLANEOUS | 11,645.99 | 17,670.13 | 51,650.00 | 33,979.87 | 34.2 |
| TOTAL FUND REVENUE | 88,082.58 | 1,380,319.44 | 11,050,709.00 | 9,670,389.56 | 12.5 |
| **EXPENDITURES** | | | | | |
| ADMINISTRATION | 35,201.39 | 96,354.03 | 553,979.00 | 457,624.97 | 17.4 |
| CITY CLERKS OFFICE | 14,365.41 | 46,387.39 | 179,792.00 | 133,404.61 | 25.8 |
| FINANCE | 52,360.19 | 167,521.56 | 728,869.00 | 561,347.44 | 23.0 |
| PLANNING | 18,190.15 | 53,832.09 | 276,440.00 | 222,607.91 | 19.5 |
| TECHNOLOGY DEPARTMENTS | 33,079.22 | 134,718.47 | 528,145.00 | 393,426.53 | 25.5 |
| CITY ATTORNEY'S OFFICE | 12,395.08 | 43,014.09 | 241,787.00 | 198,772.91 | 17.8 |
| FIRE DEPARTMENT | 59,454.02 | 239,872.37 | 1,128,079.00 | 888,206.63 | 21.3 |
| POLICE | 173,684.31 | 550,655.93 | 2,875,778.00 | 2,325,122.07 | 19.2 |
| PUBLIC WORKS-ADMIN | 18,425.47 | 45,696.93 | 227,989.00 | 182,292.07 | 20.0 |
| PW-STREETS & ROADS | 93,564.58 | 326,852.87 | 1,710,855.00 | 1,384,002.13 | 19.1 |
| PROPERTY MAINTENANCE | 45,979.70 | 123,044.95 | 748,205.00 | 625,160.05 | 16.5 |
| PARKS & REC/BYC | 31,604.20 | 95,765.95 | 606,371.00 | 510,605.05 | 15.8 |
| COMMUNITY SERVICE | 427.14 | 1,449.43 | 112,813.00 | 111,363.57 | 1.3 |
| IN KIND MATCH & TRANFERS | .00 | .00 | 1,131,605.00 | 1,131,605.00 | .0 |
| TOTAL FUND EXPENDITURES | 588,730.86 | 1,925,166.06 | 11,050,707.00 | 9,125,540.94 | 17.4 |
| NET REVENUE OVER EXPENDITURES | ( 500,648.28) | ( 544,846.62) | 2.00 | 544,848.62 | (27242 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

LAND PLANNING AND DEVELOPMENT

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| **REVENUE** | | | | | |
| TRANSFERS IN | .00 | .00 | 35,000.00 | 35,000.00 | .0 |
| TOTAL FUND REVENUE | .00 | .00 | 35,000.00 | 35,000.00 | .0 |
| **EXPENDITURES** | | | | | |
| DEPARTMENT 50 | .00 | 2,349.00 | 35,000.00 | 32,651.00 | 6.7 |
| TOTAL FUND EXPENDITURES | .00 | 2,349.00 | 35,000.00 | 32,651.00 | 6.7 |
| NET REVENUE OVER EXPENDITURES | .00 | ( 2,349.00) | .00 | 2,349.00 | .0 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

PARKS DEVELOPMENT FUND

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEXPENDED | PCNT |
|---|---|---|---|---|---|
| EXPENDITURES | | | | | |
| PARKS DEVELOPMENT | .00 | .00 | 73,277.00 | 73,277.00 | .0 |
| TOTAL FUND EXPENDITURES | .00 | .00 | 73,277.00 | 73,277.00 | .0 |
| NET REVENUE OVER EXPENDITURES | .00 | .00 | ( 73,277.00) | ( 73,277.00) | .0 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

YK REG AQUA HLTH & SAFETY CTR

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| **REVENUE** | | | | | |
| TRANSFERS IN | .00 | .00 | 583,100.00 | 583,100.00 | .0 |
| MISCELLANEOUS | 31.97 | 97.72 | 1,000.00 | 902.28 | 9.8 |
| TOTAL FUND REVENUE | 31.97 | 97.72 | 584,100.00 | 584,002.28 | .0 |
| **EXPENDITURES** | | | | | |
| LOCAL FUNDED EXPENDITURES | 91,760.31 | 214,333.31 | .00 | ( 214,333.31) | .0 |
| STATE FUNDED EXPENDITURES | 62,949.08 | 690,409.48 | .00 | ( 690,409.48) | .0 |
| TOTAL FUND EXPENDITURES | 154,709.39 | 904,742.79 | .00 | ( 904,742.79) | .0 |
| NET REVENUE OVER EXPENDITURES | ( 154,677.42) | ( 904,645.07) | 584,100.00 | 1,488,745.07 | (154.9) |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

E-911 SYSTEM/SURCHARGE

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| REVENUE | | | | | |
| E-911 SURCHARGE | 15,535.82 | 41,572.76 | 218,000.00 | 176,427.24 | 19.1 |
| TOTAL FUND REVENUE | 15,535.82 | 41,572.76 | 218,000.00 | 176,427.24 | 19.1 |
| EXPENDITURES | | | | | |
| E-911 SERVICES | 15,716.36 | 26,117.85 | 168,001.00 | 141,883.15 | 15.6 |
| TOTAL FUND EXPENDITURES | 15,716.36 | 26,117.85 | 168,001.00 | 141,883.15 | 15.6 |
| NET REVENUE OVER EXPENDITURES | ( 180.54) | 15,454.91 | 49,999.00 | 34,544.09 | 30.9 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

SOLID WASTE SERVICES

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| REVENUE | | | | | |
| STATE AND FEDERAL SOURCES | .00 | 75.00 | 59,510.00 | 59,435.00 | .1 |
| SOLID WASTE & RECYLING | 108,024.03 | 323,813.90 | 1,125,000.00 | 801,186.10 | 28.8 |
| TOTAL FUND REVENUE | 108,024.03 | 323,888.90 | 1,184,510.00 | 860,621.10 | 27.3 |
| EXPENDITURES | | | | | |
| HAULED REFUSE | 13,537.76 | 43,103.68 | 326,910.00 | 283,806.32 | 13.2 |
| LANDFILL OPERATIONS | 48,429.13 | 99,984.72 | 513,581.00 | 413,596.28 | 19.5 |
| RECYCLING OPERATIONS | 11,345.11 | 20,214.21 | 144,463.00 | 124,248.79 | 14.0 |
| TOTAL FUND EXPENDITURES | 73,312.00 | 163,302.61 | 984,954.00 | 821,651.39 | 16.6 |
| NET REVENUE OVER EXPENDITURES | 34,712.03 | 160,586.29 | 199,556.00 | 38,969.71 | 80.5 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

WATER & SEWER SERVICES

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| REVENUE | | | | | |
| STATE FUNDING | .00 | .00 | 270,048.00 | 270,048.00 | .0 |
| WATER | 255,799.71 | 765,644.30 | 3,108,300.00 | 2,342,655.70 | 24.6 |
| SEWER | 200,319.16 | 604,018.22 | 2,440,000.00 | 1,835,981.78 | 24.8 |
| MISCELLANEOUS | 15,498.72 | 46,542.93 | 192,800.00 | 146,257.07 | 24.1 |
| MISCELLANEOUS | 935.55 | 2,307.68 | 200.00 | ( 2,107.68) | 1153.8 |
| TOTAL FUND REVENUE | 472,553.14 | 1,418,513.13 | 6,011,348.00 | 4,592,834.87 | 23.6 |
| EXPENDITURES | | | | | |
| UTILITY BILLING | 8,794.40 | 29,199.71 | 137,369.00 | 108,169.29 | 21.3 |
| HAULED WATER | 74,934.55 | 223,371.85 | 1,621,970.00 | 1,398,598.15 | 13.8 |
| PIPED WATER | 26,001.13 | 67,505.26 | 463,776.00 | 396,270.74 | 14.6 |
| BETHEL HTS WTR TREATMENT | 34,888.08 | 105,476.50 | 800,867.00 | 695,390.50 | 13.2 |
| CITY SUB WTR TREATMENT | 38,434.00 | 97,777.13 | 731,948.00 | 634,170.87 | 13.4 |
| HAULED SEWER | 94,084.41 | 323,502.81 | 1,681,537.00 | 1,358,034.19 | 19.2 |
| PIPED SEWER | 31,392.29 | 77,018.92 | 756,803.00 | 679,784.08 | 10.2 |
| SEWER LAGOON | 6,179.66 | 18,515.78 | 134,580.00 | 116,064.22 | 13.8 |
| TOTAL FUND EXPENDITURES | 314,708.52 | 942,367.96 | 6,328,850.00 | 5,386,482.04 | 14.9 |
| NET REVENUE OVER EXPENDITURES | 157,844.62 | 476,145.17 | ( 317,502.00) | ( 793,647.17) | 150.0 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

MUNICIPAL DOCK

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| **REVENUE** | | | | | |
| INTEREST & PENALITIES | .00 | 1,914.37 | .00 | ( 1,914.37) | .0 |
| CHARGES FOR SERVICES | 594.00 | 11,755.20 | .00 | ( 11,755.20) | .0 |
| LEASE REVENUE | .00 | 200.00 | .00 | ( 200.00) | .0 |
| MISCELLANEOUS | 200.00 | 3,050.04 | .00 | ( 3,050.04) | .0 |
| MISCELLANEOUS | ( 12.88) | 4,172.59 | .00 | ( 4,172.59) | .0 |
| TOTAL FUND REVENUE | 781.12 | 21,092.20 | .00 | ( 21,092.20) | .0 |
| **EXPENDITURES** | | | | | |
| DOCK EXPENDITURES | 49,851.22 | 215,035.49 | 805,035.00 | 589,999.51 | 26.7 |
| TOTAL FUND EXPENDITURES | 49,851.22 | 215,035.49 | 805,035.00 | 589,999.51 | 26.7 |
| NET REVENUE OVER EXPENDITURES | ( 49,070.10) | ( 193,943.29) | ( 805,035.00) | ( 611,091.71) | ( 24.1) |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

LEASED PROPERTIES

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| REVENUE | | | | | |
| LEASE INCOME | 31,920.98 | 155,116.01 | 734,098.00 | 578,981.99 | 21.1 |
| MISCELLANEOUS | .00 | 4,789.33 | 14,000.00 | 9,210.67 | 34.2 |
| TOTAL FUND REVENUE | 31,920.98 | 159,905.34 | 748,098.00 | 588,192.66 | 21.4 |
| EXPENDITURES | | | | | |
| LEASED PROPERTIES-MISC | 214.54 | 863.22 | 23,900.00 | 23,036.78 | 3.6 |
| LEASED PROP-COURT COMPLEX | 42,074.45 | 144,158.60 | 569,787.00 | 425,628.40 | 25.3 |
| TOTAL FUND EXPENDITURES | 42,288.99 | 145,021.82 | 593,687.00 | 448,665.18 | 24.4 |
| NET REVENUE OVER EXPENDITURES | ( 10,368.01) | 14,883.52 | 154,411.00 | 139,527.48 | 9.6 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

EMPLOYEE GROUP HEALTH BEN.

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| REVENUE | | | | | |
| EMP GROUP BENEFITS REVENUES | 95,475.27 | 284,145.08 | 1,482,680.00 | 1,198,534.92 | 19.2 |
| TOTAL FUND REVENUE | 95,475.27 | 284,145.08 | 1,482,680.00 | 1,198,534.92 | 19.2 |
| EXPENDITURES | | | | | |
| EMPLOYEE GROUP HEALTH BENEFITS | 180,596.47 | 702,857.98 | 1,482,680.00 | 779,822.02 | 47.4 |
| TOTAL FUND EXPENDITURES | 180,596.47 | 702,857.98 | 1,482,680.00 | 779,822.02 | 47.4 |
| NET REVENUE OVER EXPENDITURES | ( 85,121.20) | ( 418,712.90) | .00 | 418,712.90 | .0 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

BETHEL PUBLIC TRANSIT SYSTEM

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| **REVENUE** | | | | | |
| LOCAL SOURCES | .00 | .00 | 60,000.00 | 60,000.00 | .0 |
| FEDERAL SOURCES | 6,327.83 | 35,487.39 | 268,790.00 | 233,302.61 | 13.2 |
| SOURCE 42 | 15,259.94 | 15,259.94 | .00 | ( 15,259.94) | .0 |
| CHARGES FOR SERVICES | 2,867.00 | 9,009.00 | 400.00 | ( 8,609.00) | 2252.3 |
| MISC REVENUE | .00 | .00 | 700.00 | 700.00 | .0 |
| TOTAL FUND REVENUE | 24,454.77 | 59,756.33 | 329,890.00 | 270,133.67 | 18.1 |
| **EXPENDITURES** | | | | | |
| TRANSIT SYSTEM EXPENDITURES | 21,952.09 | 61,051.51 | 449,998.00 | 388,946.49 | 13.6 |
| TOTAL FUND EXPENDITURES | 21,952.09 | 61,051.51 | 449,998.00 | 388,946.49 | 13.6 |
| NET REVENUE OVER EXPENDITURES | 2,502.68 | ( 1,295.18) | ( 120,108.00) | ( 118,812.82) | ( 1.1) |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

VEHICLES & EQUIP MAINTENANCE

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| **REVENUE** | | | | | |
| STATE AND FEDERAL FUNDING | .00 | .00 | 58,203.00 | 58,203.00 | .0 |
| CHARGES FOR SERVICES | 64,020.53 | 220,800.90 | 1,218,238.00 | 997,437.10 | 18.1 |
| TOTAL FUND REVENUE | 64,020.53 | 220,800.90 | 1,276,441.00 | 1,055,640.10 | 17.3 |
| **EXPENDITURES** | | | | | |
| VEHICLE & EQUIP MAINT | 87,424.92 | 226,042.66 | 1,276,440.00 | 1,050,397.34 | 17.7 |
| TOTAL FUND EXPENDITURES | 87,424.92 | 226,042.66 | 1,276,440.00 | 1,050,397.34 | 17.7 |
| NET REVENUE OVER EXPENDITURES | ( 23,404.39) | ( 5,241.76) | 1.00 | 5,242.76 | (52417 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

FLEET REPLACEMENT FUND

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| REVENUE | | | | | |
| LOCAL SOURCES | .00 | .00 | 105,000.00 | 105,000.00 | .0 |
| TOTAL FUND REVENUE | .00 | .00 | 105,000.00 | 105,000.00 | .0 |
| NET REVENUE OVER EXPENDITURES | .00 | .00 | 105,000.00 | 105,000.00 | .0 |

CITY OF BETHEL
FUND SUMMARY
FOR THE 3 MONTHS ENDING SEPTEMBER 30, 2014

BETHEL ENDOWMENT FUND

| | PERIOD ACTUAL | YTD ACTUAL | BUDGET | UNEARNED | PCNT |
|---|---|---|---|---|---|
| REVENUE | | | | | |
| TRANSFERS | .00 | .00 | 8,400.00 | 8,400.00 | .0 |
| MISCELLANEOUS | ( 5,160.46) | ( 3,261.50) | 12,000.00 | 15,261.50 | ( 27.2) |
| TOTAL FUND REVENUE | ( 5,160.46) | ( 3,261.50) | 20,400.00 | 23,661.50 | ( 16.0) |
| NET REVENUE OVER EXPENDITURES | ( 5,160.46) | ( 3,261.50) | 20,400.00 | 23,661.50 | ( 16.0) |

# Joint Task Force Meeting Agenda

## 11-10-2014, 6:30 p.m. ONC Council Chambers

Orutsararmuit Native Council and City of Bethel Council

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**Orutsararmuit Native Council**

Gloria Simeon

Henry Hunter

Walter Jim

Thaddeus Tikiun

Glen Watson

Gregory Hoffman

Robert Lekander

**City Council**

Rick Robb

Leif Albertson

Mark Springer

Heather Pike

Chuck Herman

Zach Fansler

Byron Maczynski

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. PEOPLE TO BE HEARD**

**IV. APPROVAL OF AGENDA**

**V. NEW BUSINESS**

**a) Introductions**
**b) City of Bethel, ONC Joint Transit System**

**VI. COMMENTS**

**VII. ADJOURNMENT**

Posted on November 5, 2014 at City Hall, AC Co., Post Office, and ONC Building.

City Clerk's Office

| | Bethel Public Transit System (56-50) | FY 2011 Actuals | FY 2012 Actuals | FY 2013 Actuals | FY 2014 Approved Budget | FY 2014 Revised Budget | FY 2015 Approved Budget |
|---|---|---|---|---|---|---|---|
| **PERSONNEL:** | | | | | | | |
| | Salaries, Benefits & Taxes minus EGHB | 300,146 | 296,057 | 125,050 | 225,826 | 225,826 | 230,413 |
| | Overtime | 3,183 | 5,404 | 5,727 | 3,000 | 3,000 | - |
| | Employee Group Health Benefits | 39,528 | 33,250 | 24,000 | 28,800 | 28,800 | 26,400 |
| | **Total Personnel** | 342,857 | 334,711 | 154,777 | 257,626 | 257,626 | 256,813 |
| **MATERIALS, SUPPLIES, & SERVICES** | | | | | | | |
| 545 | Training/Travel | 4,701 | 5,953 | 192 | 5,000 | 5,000 | - |
| 561 | Supplies | 3,689 | 2,501 | 4,109 | 2,000 | 2,000 | 2,300 |
| 600 | Tires/Wheels/Chains | 4,566 | 6,473 | 773 | 5,000 | 5,000 | 2,750 |
| 602 | Gasoline/Diesel/Oil | 21,265 | 51,746 | 31,569 | 34,500 | 34,500 | 36,225 |
| 621 | Electricity | 3,832 | 2,657 | 3,067 | 2,800 | 2,800 | 18,000 |
| 622 | Telephone | 844 | 778 | 473 | 457 | 457 | 457 |
| 623 | Heating Fuel | 6,920 | 2,839 | 3,281 | 3,100 | 3,100 | 15,000 |
| 626 | Water/Sewer/Garbage | 1,566 | 245 | 240 | 1,600 | 1,600 | 1,600 |
| 646 | Drug Testing/Background Checks | 130 | 1,806 | 928 | 2,000 | 2,000 | 2,000 |
| 661 | Vehicle Maint/Repair (Int. Svc. Fund 57) | 31,871 | 18,275 | 24,813 | 20,733 | 20,733 | 19,983 |
| 664 | IT Services (Internal Service Fund) | 7,814 | - | - | - | - | - |
| 669 | Other Purchased Services | 6,003 | 520 | 3,220 | 1,500 | 1,500 | 1,725 |
| 683 | Minor Equipment | - | 2,080 | - | 2,500 | 2,500 | 2,875 |
| 721 | Insurance | 10,566 | 8,419 | 7,256 | 9,000 | 9,000 | 9,000 |
| 722 | Insurance -Ded Exp & Other | - | - | - | - | - | - |
| 724 | Dues & Subscriptions | 250 | 300 | 1,250 | 250 | 250 | 300 |
| 727 | Advertising | - | 870 | 42 | 500 | 500 | 1,500 |
| 799 | Miscellaneous | 661 | 20 | 40 | 300 | 300 | 300 |
| 996 | I.T. Services Charges | - | 11,503 | 14,070 | 14,069 | 14,069 | 16,168 |
| | **Total MS&S** | 104,678 | 116,985 | 95,323 | 105,310 | 105,310 | 130,183 |
| | **Total Operating Expenses** | 447,535 | 451,696 | 250,100 | 362,936 | 362,936 | 386,996 |
| **DEBT PAYMENTS:** | | | | | | | |
| | **Total Debt Payments** | | | | - | - | - |
| **CAPITAL EXPENSES (56-50-69X)** | | | | | | | |
| 690 | Capital Expenditures | | | | | | 63,000 |
| | **Total Capital Expenses** | | | | - | - | 63,000 |
| | **Total Operating, Debt, Projects & Capital** | 447,535 | 451,696 | 250,100 | 362,936 | 362,936 | 449,996 |

# Bethel Public Transit System 56-50

| | | | FY 2014 Budget | FY 2015 Budget |
|---|---|---|---|---|
| PERSONNEL | | | | |
| R6I | 29101 | Transit Manager | 67,092 | 67,092 |
| R4 | 29102 | Bus Driver | 40,866 | 40,866 |
| R4 | 29103 | Bus Driver | - | - |
| R4 | 29201 | Bus Driver- Part-Time (25 hours/week) | 25,545 | 25,545 |
| R4 | 29202 | Bus Driver- Part-Time (20 hours/week) | - | - |
| R4 | 29901 | Bus Driver- On Call (budgeted at 12 hours/week) | 10,589 | 10,589 |
| | | **SALARIES** | 144,092 | 144,092 |
| | | Annual Increase | - | 3,338 |
| | | Overtime | 3,000 | - |
| | | **Subtotal** | 3,000 | 3,338 |
| | | Leave Cashout/Payout (5% of Base Salary) | 9,366 | 7,205 |
| | | Social Security (6.2% of Temp Salary) | 3,168 | 3,168 |
| | | Medicare (1.45% of Salary) | 2,133 | 2,089 |
| | | Employee Group Benefits ($1,100 per month x 12 months x 2 FTE) | 26,400 | 26,400 |
| | | Unemployment (0.80% of Salary) | 1,177 | 1,153 |
| | | Workers' Compensation | 15,000 | 15,000 |
| | | PERS On Behalf Of Contribution | 23,844 | 16,908 |
| | | PERS (22.00% of Salary ) | 30,031 | 30,105 |
| | | Utility Benefit ($305 per month x 12 months x 3 FTE/PTE * 67%) | 7,357 | 7,357 |
| | | **BENEFITS & TAXES** | 118,474 | 109,384 |
| | | **TOTAL PERSONNEL** | 265,566 | 256,813 |

# Bethel Public Transit System Fund Summary

| | FY 2011 Actuals | FY 2012 Actuals | FY 2013 Actuals | FY 2014 Approved Budget | FY 2014 Revised Budget | FY 2015 Approved Budget |
|---|---|---|---|---|---|---|
| **Operating Revenues:** | 447,535 | 452,396 | 326,956 | 373,840 | 373,840 | 366,890 |
| **Operating Expenses for Services:** | 447,535 | 451,696 | 250,100 | 362,936 | 362,936 | 386,996 |
| *Excess of Revenues over Operating Expenses for Services* | 0 | 700 | 76,856 | 10,904 | 10,904 | (20,106) |
| **Operating Expenses for Non-Services:** | - | - | - | - | - | - |
| *Excess of Revenues over Svs. & Non-Svs. Expenses* | 0 | 700 | 76,856 | 10,904 | 10,904 | (20,106) |
| **Capital Expenses** | - | - | - | - | - | 63,000 |
| *Excess of Rev. over Svs. & Non-Svs., & Project Expenses* | 0 | 700 | 76,856 | 10,904 | 10,904 | (83,106) |
| **NET FUND INCOME (LOSS) BEFORE NON-CASH EXPENSES** | 0 | 700 | 76,856 | 10,904 | 10,904 | (83,106) |
| **Non-Cash Expenses:** | | | | | | |
| Depreciation and Amortization | 20,421 | 30,276 | 32,643 | 17,646 | 17,646 | 17,646 |
| TOTAL NON-CASH EXPENSES | 20,421 | 30,276 | 32,643 | 17,646 | 17,646 | 17,646 |
| *Excess Revenues over All Expenses* | (20,421) | (29,576) | 44,213 | (6,742) | (6,742) | (100,752) |

| | | | | | | |
|---|---|---|---|---|---|---|
| **Total Fund Revenues:** | 447,535 | 452,396 | 326,956 | 373,840 | 373,840 | 366,890 |
| Less Total Fund Expenses less Depr. & Amort. | (447,535) | (451,696) | (250,100) | (362,936) | (362,936) | (449,996) |
| Less Total Fund Non-Cash Expenses | (20,421) | (30,276) | (32,643) | (17,646) | (17,646) | (17,646) |
| **NET ASSETS - GAIN/ (LOSS)** | (20,421) | (29,576) | 44,213 | (6,742) | (6,742) | (100,752) |

# BETHEL PUBLIC TRANSIT SYSTEM REVENUES

| Revenue Sources: | | FY 2011 Actuals | FY 2012 Actuals | FY 2013 Actuals | FY14 Approved Budget | FY14 Revised Budget | FY15 Approved Budget |
|---|---|---|---|---|---|---|---|
| **Local Sources:** | | | | | | | |
| 40-408 | Contributed Support by ONC | 125,243 | 89,304 | 67,693 | 105,000 | 105,000 | 60,000 |
| | Total | 125,243 | 89,304 | 67,693 | 105,000 | 105,000 | 60,000 |
| **Federal Sources:** | | | | | | | |
| 41-410 | PERS on Behalf Payment | 17,193 | 23,843 | 16,908 | 23,844 | 23,844 | 16,908 |
| 41-412 | Rural Transportation Assistance Program | 255,862 | 5,681 | - | 3,000 | 3,000 | - |
| 41-413 | Section 5311 Grant | 5,499 | 265,667 | 214,192 | 210,796 | 210,796 | 251,882 |
| | Total | 278,555 | 295,191 | 231,100 | 237,640 | 237,640 | 268,790 |
| **State of Alaska:** | | | | | | | |
| 42-414 | State Transit Match Grant | - | 18,675 | - | - | - | - |
| | Total | - | 18,675 | - | - | - | - |
| **Charges for Services:** | | | | | | | |
| 43-420 | Charges for Services | - | - | - | - | - | - |
| 43-422 | Bus Fares | 34,218 | 36,261 | 17,439 | 18,500 | 18,500 | 18,900 |
| 43-423 | Bus Fares - Prepaid | 8,567 | 12,265 | 10,024 | 12,000 | 12,000 | 18,500 |
| | Total | 42,785 | 48,526 | 27,463 | 30,500 | 30,500 | 37,400 |
| **Miscellaneous:** | | | | | | | |
| 49-484 | Donations | 953 | 668 | 29 | 500 | 500 | 500 |
| 49-495 | Miscellaneous Revenue | - | 125 | (7) | 200 | 200 | 20[illegible] |
| | Total | 953 | 700 | 700 | 700 | 700 | 70[illegible] |
| | **TOTAL REVENUES** | 447,535 | 452,396 | 326,956 | 373,840 | 373,840 | 366,890 |

**FY 2016 Transit System Budget for FTA Section 5311 Grant**

**Operating Expenses**

| | | | | |
|---|---|---|---|---|
| Labor & Benefits | | 153843 | | |
| Gasoline & Diesel | | 37312 | | |
| Vehicle Maintenance | | 19983 | | |
| Minor Equipment | | 2875 | | |
| Tires/Wheels/Chains | | 2750 | | |
| | $ | 216,763 | | 43.14% |
| Less Passenger Fares & Donations | $ | 39,100 | | Match |
| Net Operating Expenses | $ | 177,663 | $ | 76,644 |

**Administrative Expenses**

| | | | | |
|---|---|---|---|---|
| Transit Manager Salary & Benefits | | 111825 | | |
| Supplies | | 2300 | | |
| Electricity | | 16380 | | |
| Telephone | | 457 | | |
| Heating Fuel | | 15450 | | |
| Water/Sewer/Garbage | | 5976 | | |
| Drug Testing | | 2000 | | |
| IT Services | | 16168 | | |
| Other Purchased Services | | 1725 | | |
| Insurance | | 9000 | | |
| Dues & Subscriptions | | 300 | | |
| Advertising | | 1500 | | 9.03% |
| Miscellaneous | | 300 | | Match |
| Total | $ | 183,381 | $ | 16,559 |

| | | | | |
|---|---|---|---|---|
| **Capital** | | | | 9.03% |
| | | | | Match |
| New Bus | | 63000 | $ | 5,689 |
| Total | $ | 424,044 | $ | 98,892 |

BETHEL TRANSIT SYSTEM

Impact of Bethel Transit System Budget Reduction

The Bethel Transit System is funded by State and Federal Grants. The amount of these grants is determined by several factors, one being the local match. The local match has been given by ONC since the Transit System began on November 10, 2008. In years FY 11/ FY 12/FY13/FY14, ONC contributed $105,000 each year. For FY 2015 ONC reduced their contribution to $60,000. This resulted in a reduction of State and Federal Grants. For FY 2015 the budget for the Bethel Transit System was reduced by approximately $150,000. This reduction will have a large impact on the service that the Transit System can offer and will result in a reduction in ridership.

The following is a comparison of the ridership in FY 12 to FY 14 and the reductions that occurred prior to the funding reduction made for FY 2015. Under the current FY 2015 budget I'm sure the ridership will continue to decline.

| Passenger Type | Fiscal Year 2012 | Fiscal Year 2014 | Difference |
|---|---|---|---|
| Elders | 6,175 | 4,477 | **1,698** |
| Disabled | 887 | 1,194 | 307 |
| Youth/Student | 3,223 | 1,443 | **1,780** |
| Gen. Public | 16,036 | 8,894 | **7,142** |
| Total Passengers | 26,321 | 14,809 | **11,512** |

Over all, the reduction in the match dollars ($105,000 to $60,000) has resulted in almost a 50% reduction in the amount of service the Transit System can offer and consequently passengers have had to result to other means of transportation, mostly cabs.

Bill Ferguson, Transit Manager

BETHEL TRANSIT SYSTEM

November 1, 2014

Bethel Public Transit System Daily / Weekly Schedule

There are currently three employees in the Bethel Transit System:

- Bill Ferguson: Bethel Transit Manager, 8 hours per day/5 days per week.
- Brenda George: Full Time Bus Driver, 8 hours per day / 5 days per week. Acting Transit Manager when the Transit Manager is gone.
- Christina David: Bus Driver, 5 hours per day / 5 days per week. May work longer hours per day if the full time bus driver is on PTO.
- We currently operate two bus routes, Monday through Friday, a **Green Line and Red Line.** When all the buses are "working". The **Green Line** runs from 6:30am to 10:30am, off from 10:30am to 11:30am for lunch, and from 11:30am to 6:15pm. The **Red Line** runs from 9:00am to 12:00n and from 1:00pm to 3:00pm. We're down one bus (Bus #437) and the Saturday Route is not running yet. When the new bus arrives and/or Bus #437 I'd like to start the Saturday Route. It would run from 9:30am to 2:30pm, using the Green Route Schedule. This gives the community the opportunity to visit the Post Office, time to shop and go to the "Saturday Market" if it's open and get back home.

Work Day of…….

- Transit Manager: I come to work between 4:00-5:00am. From 4:00 and 6:30am I do daily paper work ( Change the money vaults in the buses, tally the ridership v.s the money/tickets collected, record this information in the computer file and then file the hard copies, in the filing cabinet. On the early morning bus #436 (Green Line) I check the lug nuts on the wheels (they've come loose in the past and we've lost the rear wheels a couple of times), check the oil / power steering/brake fluid/and window washing fluid, and if the buses need washing (depends on how much it's rained and the muddy roads) I wash them. From 6:30-7:00am, I check and answer email /email Tundra Drums if I have changes in the bus schedules, check the internet weather for Bethel, and etc. I'm off from 7:00-8:00 I take my

grandchildren to school. From 8:00 to 8:30am I take the money that's collect the day before and turn it into the finance department. While at City Hall I check the mail and check the other departments to see if they have any questions concerning the Transit System. From about 8:30 to 9:00 I get the second bus ready; check the lug nuts /oil/washer fluid/brake fluid /power steering fluid and make sure the bus check list (passenger-maintenance) are done and ready for the day. From 9:00 to 12:00n (because of budget reductions) I drive the Red Line from 9-12. I eat lunch sometime between 12:15-12:45 or 1:00, depending when I get time. From 1:00(+-) to 3:00pm I work on some of the following.....developing new bus brochures, making posters to put up around town, make daily passes, make daily tickets, make monthly passes, check the City Shop to see if a bus is ready, get oil / anti-freeze from the shop for the buses, and when there is down time I try to think of ways to increase the ridership.....In past, because of the lack funding, when the bus ran on Saturday I drove it, 5 hours. I did not put time down for it. However if and when we start it up this year I'm trying to figure out a way where the part time driver can drive it instead or we may need to hire an On-Call driver.

- Full Time Driver: Currently, Brenda George works 8 hours per day. Comes to work at 6:30am and drives until 10:30am, breaks for lunch, and then drives from 11:30am to 3:30pm. She also fills in as acting Transit Manager when I'm gone. I take very little leave from 1st of August to the end of May. I usually take about 4-5 weeks off during the summer.
- Part Time Driver: Currently, Christina David works 3-5 hours per day depending on whether or not all the buses are running. When both the Green Line and Red Line are running she comes to work at 1:00pm and drives the Red Line until 3:00pm, cleans the Red Line bus from 3:00-3:30, then she drives the Green Line from 3:30 to 6:15pm and cleans the Green Line from 6:15 to 6:30pm. If we're only running the Green Line then she only works from 3:30pm to 6:30pm.

Problems in the Bethel Transit System:

- Bus down Time: Bus 437 was down for 3 months. The parts were here but the mechanics kept telling me they just didn't have time to work on it. Bus #436 has been up and down with brake problems, power steering problems, and alternator problems. Each time it's been in the shop for 3-5 days, waiting for parts and/or time for the mechanics to work on it. With the arrival of the new bus it has helped to reduce the down time because of bus problems and we are scheduled to get another new bus on the 2015 summer barge, this will help greatly.

- Budget Reduction (cuts): In the past ONC (Native Corporation) has provided the match funds ($105,000.00 for the past 3 years) for the State/Federal Grant. This year, FY15, they (ONC) reduced the match from $105,000 to $60,000, which resulted in a reduction of the total grant of about $150,000.
- Lack of Transit Drivers....on leaves (sick leave, personal leave, and etc.) We haven't been able to hire an On-Call Driver, it seems no one wants to work 10-15 hours per week, and may be not at all depending on the need. We really need two full time drivers and a part-time or on-call driver all the time.

I greatly appreciate any new ideas you might have in increasing the ridership, and/or making the Transit System more efficient.

Bill Ferguson Transit Manager