



City of Bethel

P.O. Box 1388

Bethel, Alaska 99559

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Regular City Council Meeting

Tuesday, May 8, 2018

6:30 P.M.

Council Chambers; Bethel, Alaska



**City Council Meeting Agenda
Regularly Scheduled Meeting
May 8, 2018 – 6:30 pm
City Hall 300 State Highway, Bethel, AK
City of Bethel Council Chambers**

Rick Robb
Mayor
Term Expires 2018
rrobb@cityofbethel.net

Fred Watson
Vice-Mayor
Term Expires 2018
fwatson@cityofbethel.net

Leif Albertson
Council Member
Term Expires 2019
labertson@cityofbethel.net

Mark Springer
Council Member
Term Expires 2018
msprigner@cityofbethel.net

Naim Shabani
Council Member
Term Expires 2019
nshabani@cityofbethel.net

Thor Williams
Council Member
Term Expires 2019
twilliams@cityofbethel.net

Mitchell Forbes
Council Member
Term Expires 2019
mforbes@cityofbethel.net

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

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

Patty Burley
City Attorney

- 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) *4-21-2018 Special Meeting Minutes p.5
 - b) *4-24-2018 Regular Meeting Minutes p.6
- VII. REPORTS OF STANDING COMMITTEE**
- VIII. SPECIAL ORDER OF BUSINESS**
- IX. UNFINISHED BUSINESS**
 - a) Public Hearing of Budget Ordinance 17-28(k): Amending the Adopted Annual FY 2018 Budget-Streets and Roads- Sewer Lagoon- Police Department- E 911 Fund (City Manager Williams) p.17
 - b) Public Hearing of Ordinance 18-09: Amending 5.30.100 (F) Of The Bethel Municipal Code – Striking GPS Requirements for Taxicab, River Taxi, Limousine and Bus Permits (Public Safety and Transportation Commission) p.21
 - c) Public Hearing of Budget Ordinance 17-28(l): Amending The Adopted Annual FY 2018 Budget- Streets And Roads (City Manager Williams) p.23
- X. NEW BUSINESS**
 - a) *Introduction of Ordinance 18-10: Amending Bethel Municipal Code 5.08, Alcoholic Beverages To Prohibit The Sale Of Alcohol With An Alcohol By Volume Percentage Higher Than 20% In The City Of Bethel (Council Member Albertson) p.26
 - b) *Introduction of Budget Ordinance 17-28(m): Change To IT Dept. Other Professional Services (City Manager Williams) p.44
 - c) *Resolution 18-11: Supporting The Cama-I Dance Festival By Waiving The Requirement To Collect Sales Taxes At The Event (City Manager Williams) p.47
 - d) AM 18-35: Acceptance Of Council Member Naim Shabani’s Resignation Effective May 9, 2018 And Establishing A Process For The Council’s Consideration Of Qualified Candidates To Fill The Vacancy (Mayor Robb) p.49
 - e) *AM 18-36: Appointment of Juan Delgado, Jeff Sanders, Ryan Butte to Public Works Committee; Amber Jones to Community Action Grant Technical Review Board (Mayor Robb) p.51

Agenda posted on May 2, 2018 at City Hall, AC Co., Swanson’s, and the Post Office.

Kevin Morgan, Asst. City Clerk

(Items on the agenda noted with an asterisk (*) are considered the consent agenda.

All Resolutions noted with an asterisk (*) will automatically be adopted on the consent agenda unless removed from the consent agenda by Council. Ordinances introduced with an asterisk (*) on the consent agenda will automatically be introduced and set for **Public Hearing May 22, 2018**.

The Council may, after 12:00am, and only by a unanimous consent vote to Fix the Time to Which To Adjourn for the following day at 6:30 p.m.



**City Council Meeting Agenda
Regularly Scheduled Meeting
May 8, 2018 – 6:30 pm
City Hall 300 State Highway, Bethel, AK
City of Bethel Council Chambers**

- f) AM 18-37: Direct The City Clerk's Office To Create And Post To Social Media And The City's Website, The Identified Harm Reduction Campaign Ideas Once A Week For The Next Six Months (Mayor Robb) p.52
- g) Chief Of Police, Burke Waldron To Address The Council On Staffing Levels, Open Positions, And General Operations At The Police Department (Council Member Albertson)
- h) Appointment Of Port Commission Council Representative (Mayor Robb)
- i) Council's Consideration Of The City Clerk's Salary Increase Between Zero And 3% Based Off Of The Satisfactory Employment Evaluation Completed On April 24th (Mayor Robb)
- j) *Leave Request For City Attorney, June 8 To June 22, 2018 (Mayor Robb)

XI. MAYOR'S REPORT

XII. MANAGER'S REPORTS

XIII. CLERK'S REPORT

XIV. COUNCIL MEMBER COMMENTS

XV. EXECUTIVE SESSION

XVI. ADJOURNMENT

Agenda posted on May 2, 2018 at City Hall, AC Co., Swanson's, and the Post Office.

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Approval of the Meeting Minutes

I. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on April 21, 2018 at 10:00 a.m., in the council chambers, Bethel, Alaska.

Mayor Richard Robb called the meeting to order at 10:00 a.m.

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

A quorum of the body was not established, the following members were present:	
Mayor Rick Robb	
Council Member Leif Albertson	
Council Member Naim Shabani	
Members Absent:	
Council Member Williams	Council Member Springer
Vice-Mayor Watson	Council Member Forbes
Also in attendance were the following:	
City Manager Pete Williams	City Clerk Lori Strickler

Council adjourned at 10:10 a.m.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

I. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on April 24, 2018 at 6:30 p.m., in the council chambers, Bethel, Alaska.

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

II. PLEDGE OF ALLEGIANCE

III. ROLL CALL

Comprising a quorum of the Council, the following members were present:	
Mayor Rick Robb	Council Member Mark Springer
Vice-Mayor Fred Watson	Council Member Leif Albertson
Council Member Thor Williams	
Members Absent:	
Council Member Naim Shabani	Council Member Mitchell Forbes
Also in attendance were the following:	
City Manager Pete Williams	City Clerk Lori Strickler
City Attorney Patty Burley	

IV. PEOPLE TO BE HEARD

Cezary Maczynski-

Stated the Liquor License transfer from Bethel Spirits to Caribou Traders should have to go through a Conditional Use Permit process.

Provided an explanation of concern of issues brought up in the Alcohol Task Force Meeting.

David E. Trantham Jr. –

Stated that he is very concerned about the City of Bethel. Explained that the Mayor should provide a report to the people of Bethel.

V. APPROVAL OF THE CONSENT AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Watson Albertson Springer Williams
Opposed: -0

Removal from

Consent: Removal of Introduction of Budget Ordinance 17-28 (I)

Moved by: Williams

Removal from

Consent: Removal of Introduction of Ordinance 18-09.

Moved by: Albertson

**Primary
Amendment:**

Amend to move New Business Item H to be before Unfinished Business Item A.

Moved by: Williams
Seconded by: Springer
Action: Motion carries by a vote of 5-0
In favor: Robb Watson Albertson Springer Williams
Opposed: -0

VI. APPROVAL OF THE MEETING MINUTES

Item A – 4-10-2018 Regular Meeting Minutes

VII. REPORTS OF STANDING COMMITTEES

Public Safety and Transportation Commission -

No one available to provide a report.

Port Commission -

A meeting was held.

Planning Commission -

A meeting was held.

Parks, Recreation, Aquatic Health and Safety Center Committee –

A meeting has not been held since the last meeting.

Finance Committee -

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

Energy Committee -

A meeting has not been held due to a continued lack of a quorum.

Public Works Committee -

A meeting has not been held due to a continued lack of a quorum.

VIII. SPECIAL ORDER OF BUSINESS

Item A – Heathfitness Monthly Report.

IX. UNFINISHED BUSINESS

NEW BUSINESS Item H – MOA With The Department Of Transportation- Maintenance Of Chief Eddie Hoffman Highway Recycled Asphalt/ MOU Maintenance Of Gravel Portion Of Chief Eddie Hoffman Highway And Part Of Ridgecrest.

Item A – Public Hearing of Ordinance 18-08: Amending Chapter 2.52.025 Of The Bethel Municipal Code, Committees To Combine The Energy Committee With The Public Works Committee And Redefining Duties Of The Newly Revised Committee.

*Mayor Robb opened the Public Hearing.
No one present to be heard.
Mayor Robb closed the Public Hearing.*

Main Motion:	Adopt Ordinance 18-08.
Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams
Opposed:	-0

Item B – Introduction of Budget Ordinance 17-28(k): Amending the Adopted Annual FY 2018 Budget-Streets and Roads- Sewer Lagoon- Police Department- E 911 Fund.

Main Motion:	Motion to Introduce was made on 4-10-2018.
Moved by:	Springer
Seconded by:	Forbes
Action:	Motion carries by a vote of 4-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer
Opposed:	<input checked="" type="checkbox"/> Williams

Primary Amendment: Strike Budget Modification (a) Gravel in the amount of \$50,000.
This amendment was made on 4-10-2018 and postponed.

Moved by: Williams
Seconded by: Watson
Action: Motion carries by a vote of 4-1
In favor: Watson Albertson Springer Williams
Opposed: Robb

Main Motion: Reconsider the Primary Amendment to Strike Budget Modification (a) Gravel in the Amount of \$50,000.

Moved by: Albertson
Seconded by: Springer
Action: Motion does not carry by a vote of 3-2
In favor: Robb Albertson Springer
Opposed: Watson Williams

X. NEW BUSINESS

Item A – Introduction of Ordinance 18-09: Amending 5.30.100 (F) Of The Bethel Municipal Code – Striking GPS Requirements for Taxicab, River Taxi, Limousine and Bus Permits.

Main Motion: Introduce Ordinance 18-09.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Watson Albertson Springer Williams
Opposed: -0

Item B – Introduction of Budget Ordinance 17-28(l): Amending The Adopted Annual FY 2018 Budget- Streets And Roads-Changes To Park Development Fund.

Main Motion: Introduce Budget Ordinance 17-28(l).

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Watson Albertson Springer Williams
Opposed: -0

Item C – AM 18-31: Direct Administration To Prepare And Submit A 2018 Application For Planning Project Funding To The State Of Alaska, Village Safe Water Program, To Request \$25,000 To Update The Preliminary Engineer Report For Water Loops A, B, & C.

Main Motion: Approve AM 18-31.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Watson Albertson Springer Williams
Opposed: -0

Item D – AM 18-32: Direct Administration To Prepare And Submit A 2018 Application For Planning Project Funding To The State Of Alaska, Village Safe Water Program, To Request \$75,000 To Pay An Engineer To Prepare A Preliminary Engineering Report To Evaluate The Replacement Of The Sewer System In Bethel Heights.

Main Motion: Approve AM 18-32.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Watson Albertson Springer Williams
Opposed: -0

Item E – AM 18-33: Authorize City Manager To Negotiate And Execute Level-Funded Health Care Plan Through Premera Blue Cross/Blue Shield.

Main Motion: Approve AM 18-33.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 4-1
In favor: Robb Watson Albertson Springer
Opposed: Williams

Subsidiary Motion: Suspend the rules to hear from the Human Resources Manager.

Moved by: Springer
Seconded by: Albertson
Action: Motion carries by a vote of 5-0
In favor: Robb Watson Albertson Springer Williams
Opposed: -0

Item F – Review Administrative Report For The Transfer Of Bethel Spirits Inc. Liquor License #5547 to UCI, LLC - dba as Caribou Traders Liquor, LLC.- 750 Front Street, Bethel, AK.

Item G – AM 18-34: Approve the Special Budget Meeting dates for May, and June, 2018 to begin at 6:30p and end at 9:30p.

Main Motion:	Approve AM 18-34.
Moved by:	Springer
Seconded by:	Watson
Action:	Motion carries by a vote of 4-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer
Opposed:	<input checked="" type="checkbox"/> Williams
Primary Amendment:	Amend to hold budget meetings on Tuesday and Thursday with the exception of the 15 th .
Moved by:	Albertson
Seconded by:	Springer
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams
Opposed:	∅
Primary Amendment:	Amend to strike the June special budget meetings.
Moved by:	Springer
Seconded by:	
Action:	Motion does not carry due to a lack of a second.
Primary Amendment:	Strike the schedule listing the budget descriptions.
Moved by:	Albertson
Seconded by:	Springer
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams
Opposed:	∅

Item H – MOA With The Department Of Transportation- Maintenance Of Chief Eddie Hoffman Highway Recycled Asphalt/ MOU Maintenance Of Gravel Portion Of Chief Eddie Hoffman Highway And Part Of Ridgecrest.

Considered previously in the meeting.

Item I – Update On The Courthouse RFP And Finances Related To The Amended Lease Agreement.

Item J – IM-18-06: DCCED Requirement for Submission of Monthly Financial Report to the City Council and Financial Report for Eight Months Ending February 28, 2018.

Item K – Personal Leave Request For The City Attorney: May 3, 4, 25 and 29. July 17 to August 3, 2018.

Passed on the Consent Agenda

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

Mayor Richard Robb –
Women's self-defense class will be provided at the Fitness Center.
Wished the best of luck to the Bethel Wrestlers for Freestyle State.

Vice-Mayor Fred Watson –
Bethel Search and Rescue advises no travel on the river.
Wished Carol Watson, his granddaughter, a very happy first birthday.

Council Member Leif Albertson –
Wished his son, Atlas Eirik Albertson, a very happy fourth birthday.

Council Member Mark Springer –
Congratulated KYUK for their individual and Organizational awards received from the Alaska Press Club.

Council Member Thor Williams–
Attended an Election Meeting last week related to the upcoming State elections, and provided a summary of the meeting.

XV. EXECUTIVE SESSION

Item A – In Accordance With AS 44.62.310(c)2: Subjects That Tend To Prejudice The Reputation And Character Of Any Person, Provided The Person May Request A Public Discussion - Evaluation, City Clerk.

Item B – In Accordance with AS 44.62.310(b), Providing Direction To The City Attorney Regarding The Handling Of The Alcohol Beverage Control Board's Review of Pending Liquor Licenses.

Item C – In Accordance With AS 44.62.310(c)1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity- Potential Litigation- LKSD.

Move into Executive Session-

Item A – In Accordance With AS 44.62.310(c)2: Subjects That Tend To Prejudice

Main Motion: The Reputation And Character Of Any Person, Provided The Person May Request A

Public Discussion - Evaluation, City Clerk. Those attending Item A were: Council and City Clerk.

Item B – In Accordance with AS 44.62.310(b), Providing Direction To The City Attorney Regarding The Handling Of The Alcohol Beverage Control Board's Review of Pending Liquor Licenses. Those attending Item B were: Council, City Clerk, City Manager, City Attorney.

Item C – In Accordance With AS 44.62.310(c)1: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity- Potential Litigation- LKSD. Those attending Item C were Council, City Clerk, City Manager, City Attorney.

Moved by:	Springer
Seconded by:	Albertson
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams
Opposed:	-0

*Mayor Robb ruled Council Member Williams has a conflict of interest because of his position on the Lower Kuskokwim School Board.
Council Member Williams did not take part in Executive Session Item C and left the Chambers.*

XVI. ADJOURNMENT

Main Motion: Adjournment.

Moved by:	Albertson
Seconded by:	Watson
Action:	Motion carries by a vote of 5-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Williams
Opposed:	-0

Council adjourned at 11:32 p.m.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

Reports of Standing Committees

Special Order of Business

Unfinished Business

Introduced by: City Manager Williams
 Introduction Date: April 10, 2018
 April 24, 2018
 Public Hearing: May 8, 2018
 Action:
 Vote:

CITY OF BETHEL, ALASKA

ORDINANCE # 17-28 (k)

An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2018 Budget

Be it Enacted by the Bethel City Council that the FY2018 Annual Budget be amended as follows:

Section 1. The following sums of money may be needed or deemed necessary to provide for increased expenses and liabilities of the City of Bethel are hereby appropriated for the corporate purposes and objects of the City hereinafter specified for Fiscal Year 2018 (July 1, 2017 to June 30, 2018).

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

STREETS & ROADS

- WHEREAS,** the City of Bethel, Public Works Department, Division of Streets & Roads, applied gravel to the streets in Bethel throughout the 2017-18 winter for maintenance and repairs;
- WHEREAS,** the Streets & Roads Division is facing a severe shortage of gravel at the present time;
- WHEREAS,** the Streets & Roads Division needs \$50,000 in its FY 2018 budget in order to purchase the approximately 833 tons of gravel it needs to make it to the next budget cycle.
- WHEREAS,** the Public Works Department recently discovered that it must pay the State of Alaska an annual sewer lagoon permit fee;
- WHEREAS,** the annual fee paid in March 2018 was \$5,220;
- WHEREAS,** the permit fee amount was not accounted for in the FY 2018 Budget and must be added now;

Budget modification (a)

Account #	Increases	Amount
10-66-771	GRAVEL	50,000
	Total Increases	50,000
	Decreases	
10-10100	CENTRAL TREASURY	(50,000)
	Total Decreases	(50,000)
TOTAL	Net Change to Streets & Roads Appropriations	0 — \$50,000

SEWER LAGOON

WHEREAS, This budget modification is necessary to cover the cost of the lagoon permit fees.

Budget modification (b)

Account #	Increases	Amount
51-87-724	DUES & SUBSCRIPTIONS	5,220
	Total Increases	5,220
	Decreases	
82-10100 51-86-683	CENTRAL TREASURY MINOR EQUIPMENT	5,220
	Total Decreases	(5,220)
TOTAL	Net Change to General Fund Appropriations	0

POLICE DEPARTMENT

WHEREAS, To fund Police overtime budget.

Budget modification (c)

Account #	Increases	Amount
10-61-502	OVERTIME	30,000
	Total Increases	30,000
	Decreases	
10-61-501	WAGES	30,000
	Total Decreases	(30,000)
TOTAL	Net Change to General Fund Appropriations	0

POLICE DEPARTMENT

WHEREAS, The City did not receive premium notices from Alaska Public Entity Insurance until June 30, 2017.

Budget modification (d)

Account #	Increases	Amount
10-61-721	INSURANCE	37,000
	Total Increases	37,000
	Decreases	
10-61-602	GASOLINE	20,000
10-61-623	HEATING FUEL	8,000
10-61-683	MINOR EQUIPMENT	9,000
	Total Decreases	(37,000)
TOTAL	Net Change to General Fund Appropriations	0

E-911 FUND

WHEREAS, This will be to fund increases in wages and professional services and to budget for E-911 phone lines.

Budget modification (e)

Account #	Increases	Amount
41-50-501	SALARIES	3,000
41-50-502	OVERTIME	2,000
41-50-622	911 PHONE LINES	1,700
41-50-669 41-50-649	OTHER PROFESSIONAL SERVICES	500
	Total Increases	7,200
	Decreases	
41-50-512	EMPLOYEE GROUP BENEFITS	5,000
41-50-669	OTHER PURCHASED SERVICES	2,200
	Total Decreases	(7,200)
TOTAL	Net Change to General Fund Appropriations	0

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

PASSED AND APPROVED THIS ___ DAY OF ___ 2018 BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

ATTEST:

Lori Strickler, City Clerk

Richard Robb, Mayor

Note: These Suggested Amendments were considered by Council at the April 10th Meeting. Amendments which passed have been Applied to the Ordinance.

Suggested amendments to Ordinance 17-28 (k) from Administration.

Amendment #1: Insert "\$50,000" in the bottom total box for the line "Net Change to Streets & Roads Appropriations.

The net change to the Streets and Roads Budget is \$50,000, not zero.

STREETS & ROADS

Budget modification (a)

Account #	Increases	Amount
10-66-771	GRAVEL	50,000
	Total Increases	50,000
	Decreases	
10-10100	CENTRAL TREASURY	(50,000)
	Total Decreases	(50,000)
		0
TOTAL	Net Change to Streets & Roads Appropriations	50,000

Amendment #2: In Sewer Lagoon Budget modification (b), insert *Whereas Statement* to read: "this budget modification is necessary to cover the cost of lagoon permit fees."

This change provides more detail to the account being increased and the reason why.

Amendment #3: In Sewer Lagoon Budget modification (b), add a *Whereas Statement* to read: "the Piped Sewer line item to be decreased is Minor Equipment."

This amendment provides more detail to the account being decreased.

WHEREAS, this budget modification is necessary to cover the cost of lagoon permit fees.

WHEREAS, the Piped Sewer line item to be decreased is Minor Equipment.

SEWER LAGOON

Budget modification (b)

Account #	Increases	Amount
51-87-724	DUES & SUBSCRIPTIONS	5,220
	Total Increases	5,220
	Decreases	
51-86-683	PIPED SEWER	5,220
	Total Decreases	(5,220)
TOTAL	Water and Sewer Utility Fund	0

Amendment #4: Insert the following second *Whereas Statement* above Budget modification (d): “the City did not receive premium notices from APEI until June 30, 2017.”

This *Whereas Statement* helps explain the reason for the budget mod.

WHEREAS, this modification will fund Police Insurance that was under budgeted.

WHEREAS, the City did not receive premium notices from APEI until June 30, 2017.

POLICE DEPARTMENT

Budget modification (d)

Account #	Increases	Amount
10-61-721	INSURANCE	37,000
	Total Increases	37,000
	Decreases	
10-61-602	GASOLINE	20,000
10-61-623	HEATING FUEL	8,000
10-61-683	MINOR EQUIPMENT	9,000
	Total Decreases	(37,000)
TOTAL	Net Change to General Fund Appropriations	0

Amendment #5: In Budget modification (e), strike “669” from the fourth account # and insert “649”

The account number (41-50-649) is appropriate for “professional services”

Amendment #6: In Budget modification (e), strike “Other” from “Other Professional Services” so that it reads “Professional Services”

This change is necessary to keep “Professional Services” separate and distinct from a similar line item, “Other Purchased Services.”

WHEREAS, this budget modification funds increases in wages and professional services and budgets for E-911 phone lines.

E-911 FUND

Budget modification (e)

Account #	Increases	Amount
41-50-501	SALARIES	3,000
41-50-502	OVERTIME	2,000
41-50-622	911 PHONE LINES	1,700
41-50-669	OTHER PROFESSIONAL SERVICES	500
41-50-649	PROFESSIONAL SERVICES	500
	Total Increases	7,200
	Decreases	
41-50-512	EMPLOYEE GROUP BENEFITS-INSURANCE PREMIUMS	5,000
41-50-669	OTHER PURCHASED SERVICES	2,200
	Total Decreases	(7,200)
TOTAL	Net Change to General Fund Appropriations	0

CITY OF BETHEL, ALASKA

Ordinance # 18-09

AN ORDINANCE AMENDING 5.30.100 (F) OF THE BETHEL MUNICIPAL CODE

WHEREAS, the taxicab industry provides a valuable service to the community of Bethel 24 hours a day, seven days a week;

WHEREAS, the global positioning system was never used since put in the Bethel Municipal code

NOW, BE IT ORDAINED, the City Council amends the Bethel Municipal Code, Section 5.30.100(F), by amending the language for requiring a global positioning system.

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

SECTION 2. Amendments. Bethel Municipal Code Section 5.30.100(F) is amended as follows: (new language is underlined and old language is stricken):

5.30.100 Taxicab, River Taxi, Limousine and Bus Permits- Required Equipment

F. Every regulated vehicle shall be equipped at all times with a video camera surveillance system ~~and have global positioning system capability~~. The surveillance and ~~GPS systems~~ system shall be capable of recording and storing the data of at least seventy-two (72) hours of in-service operations. The recorded data shall be stored on board the taxicab or transmitted for storage. The stored data for the immediately preceding seventy-two (72) hours of recording shall not be altered or manipulated by any person, and shall be made available for review and inspection by the transportation inspector for purposes of enforcement of Chapters [5.20](#) and [5.40](#) BMC and this chapter or by a peace officer as defined in AS [1.10.060](#) upon request. For good cause, the transportation inspector may order retention of recorded data of specific dates, trips, or incidents for up to two (2) years.

1. The video camera surveillance system shall have the capability to operate twenty-four (24) hours a day, record video only, and be compatible with surveillance during both daytime and nighttime. The surveillance system shall

Introduced by: Public Safety and
Transportation Commission
Introduction Date: April 24, 2018
Public Hearing: May 8, 2018
Action:

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

~~2. The global positioning system capability of any regulated vehicle shall either have continuous operation or be activated by a self-initiating device which does not require the specific decision or action by the chauffeur to activate the global positioning system. The global positioning system in taxicabs must be capable of alerting the monitoring station of emergencies. The dispatch company or a company within the municipality approved by the transportation inspector will be the monitoring station for a taxicab's global positioning system. [Ord. 15-21 § 2; Ord. 01-02 § 3.]~~

SECTION 3. Effective date. This ordinance shall become effective ninety (90) days after passage by the Bethel City Council.

ATTEST:

Richard Robb, Mayor

Lori Strickler, City Clerk

Action:
 Vote:

CITY OF BETHEL, ALASKA
ORDINANCE # 17-28(I)

An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2018 Budget

Be it Enacted by the Bethel City Council that the FY 2018 Annual Budget be amended as follows:

Section 1. That the following sums of money as may be needed or deemed necessary to provide for increased expenses and liabilities of the City of Bethel are hereby appropriated for the corporate purposes and objects of the City hereinafter specified for Fiscal Year 2018, July 1, 2017 to June 30, 2018.

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

WHEREAS, On September 26, 2017 the City of Bethel passed Ordinance # 17-28 (b), approving the expenditure of \$200,000 for a gravel purchase and that amount was recorded into account 10-14000, Gravel Inventory

WHEREAS, The purchase of gravel inventory has been used, it is to now be expensed, removing it from inventory and expensing it into account 10-66-771, Gravel Expense.

STREETS & ROADS

CHANGE TO PARK DEVELOPMENT FUND

ACCOUNT #	Increases	
10-66-771	GRAVEL EXPENSE	200,000
	Total Increases	200,000
Decreases		
10-14000	GRAVEL INVENTORY	(200,000)
	Total Decreases	(200,000)
	TOTAL	0

	TOTAL CHANGE TO GENERAL FUND APPROPRIATIONS	
	Total Increases	0
	Total Decreases	0
	Cumulative Change to APPROPRIATIONS	0

	TOTAL CHANGE TO GENERAL FUND BALANCE	
	Change to General Fund Revenues	0
	Change to General Fund Appropriations	0
	Cumulative Increase/Decrease to Fund Balance	0

TOTAL CHANGE TO OVERALL CITY BUDGET

	Change to Revenues Increase/(Decrease)	0
	Change to Appropriations Increase/(Decrease)	0
	These changes INCREASE↑ the overall expenditures/expenses of the City by	0

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

PASSED AND APPROVED THIS ___ DAY OF DECEMBER 2017 BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

ATTEST:

 Richard Robb, Mayor

Lori Strickler, City Clerk

New Business

CITY OF BETHEL, ALASKA

Ordinance # 18-10

AN ORDINANCE AMENDING BETHEL MUNICIPAL CODE 5.08, ALCOHOLIC BEVERAGES TO PROHIBIT THE SALE OF ALCOHOL WITH AN ALCOHOL BY VOLUME PERCENTAGE HIGHER THAN 20% IN THE CITY OF BETHEL

WHEREAS, State law provides the City authority to regulate alcohol sales within the City's jurisdiction and the Bethel City Council finds it necessary to do so to reduce excessive alcohol consumption and its related harms;

WHEREAS, *Alaska Statutes (AS) 04.21.010, Municipal Regulation and taxation,* states:
(a) A municipality may adopt ordinances governing the importation, barter, sale, and consumption of alcoholic beverages within the municipality and may ban possession of alcoholic beverages under 04.11.491 (a) (5) (Local Options);

WHEREAS, in the YK Delta it is widely understood that alcoholic beverages with an Alcohol by Volume (ABV) above 20% (hard liquor) are the primary types of alcohol associated with public intoxication, ambulance and police responses, Search and Rescue missions, bootlegging and crimes such as domestic violence and sexual assault;

WHEREAS, the Police Department's total calls for service increased from 17,052 in 2015 when sales were not legal, to 20,634 in 2017, when sales were legal this represents a total increase of 19% between 2015 and 2017;

WHEREAS, the Fire Department's Emergency Medical Services total calls for service in the community have increase from 1,172 in 2015, to 1,734 in 2017 - this represents a total increase of 38% between 2015 and 2017;

WHEREAS, public safety and public health concerns such as motor vehicle injuries and deaths, violence-related and other injuries, and bootlegging, coupled with undesirable community conditions, and an increased burden on a number of social services and agencies around the region have made it difficult for the City Council to ignore the significant impacts alcohol has had;

WHEREAS, the Bethel City Council members have a vested interest in preserving the quality of life for our citizens and want to improve the current situation by minimizing the amount of hard alcohol that is available in the region;

- 44 **WHEREAS,** AS 04.21.010 gives the Council authority to regulate alcohol, the City Council
45 believes that by prohibiting the purchase of alcohol with an ABV higher than
46 20%, the negative effects associated with alcohol will be reduced;
47
- 48 **WHEREAS,** the prohibition to sell ABV in excess of 20% would not prevent people
49 residing in Bethel from submitting written orders to vendors in Anchorage to
50 purchase alcohol containing ABV of 21% and higher;
51
- 52 **WHEREAS,** *Alaska Administrative Code (AAC) 304.645 Written orders for alcoholic*
53 *beverages; other transporting of alcohol beverages; local governing body*
54 *authority,* would require the purchaser to list their physical residence
55 address, which must be within an area that has not restricted the sale,
56 importation, or possession of alcoholic beverages under AS 04.11.491;
57
- 58 **WHEREAS,** with written orders being the only way to legally obtain alcohol with an ABV
59 over 20%, people residing in a community that has restricted the sale,
60 importation, or possession of alcoholic beverages would not be able to place
61 an order through a vendor in Anchorage;
62
- 63 **WHEREAS,** 3 AAC 304.645 would also require a package store licensee who sells
64 alcoholic beverages in response to a written order to provide notice to the
65 Alcohol Beverage Control Board of any customer who engages in a regular
66 practice of ordering large quantities of alcoholic beverages;
67
- 68 **WHEREAS,** these written order requirements should reduce the number of people able
69 to access hard alcohol and would provide the State with a mechanism to
70 better track high quantity purchases to better identify who is engaging in
71 illegal sales;
72
- 73 **WHEREAS,** by prohibiting ABV of 21% and higher the City is able to uphold the decision
74 of the voters while still establishing a certain amount of control over the
75 distribution of hard alcohol in the community and the region;
76
- 77 **WHEREAS,** these actions are in line with one of the very purposes of Title 4 as stated in
78 the legislative history
79
- 80 **WHEREAS,** the legislative history of Title 4 demonstrates a legislative focus to (a) allow
81 for more municipal input and oversight and (b) protect the public health,
82 safety and welfare of the people of the State of Alaska
83
- 84 **WHEREAS,** the protection of the public health, safety and welfare of the people was
85 codified throughout Title 4 with the authority of the Board to deny licenses,
86 permits, transfers and renewals because they are not in the best interests

87 of the public: AS 04.11.320(b)(1), AS 04.11.330(c)(1), AS 04.11.340(1), AS
88 04.11.360(1) and AS 04.11.370(a)(6);

89
90 **WHEREAS,** this action by the City Council accomplishes the legislative goals and protects
91 the people of not just Bethel, but also the YK Delta.
92

93 Chapter 5.08

94 ALCOHOLIC BEVERAGES

95 Sections:

- 96 5.08.010 Definitions.
- 97 5.08.020 Procedure for administrative review of license applications.
- 98 5.08.030 City council review of license.
- 99 5.08.040 Council action on liquor license applications.
- 100 5.08.050 Recordkeeping required of all sellers.
- 101 5.08.060 Conditional use permit required.
- 102 5.08.070 Licensee responsible for employees' actions on premises.
- 103 5.08.080 Hours and days of operation.
- 104 5.08.090 Obligation to enforce restrictions within licensed premises.
- 105 5.08.100 Alcohol server training course requirement.
- 106 5.08.110 Operation of licensed premises.
- 107 5.08.120 Restrictions on purchase and sale of alcoholic beverages.
- 108 5.08.130 Sale to intoxicated persons.
- 109 5.08.140 Eviction of patrons.
- 110 5.08.150 Open container.
- 111 5.08.160 Transportation of alcohol.
- 112 5.08.170 Inspection of premises.
- 113 5.08.180 Access for enforcement.
- 114 5.08.190 Alcohol offenses.
- 115 5.08.200 Penalties.

116 **5.08.010 Definitions.**

117 A. "Alcoholic beverages" means all spirituous, vinous, malt or other fermented or
118 distilled beverages whatever the origin, that are intended for human consumption as a
119 beverage and that contain one-half of one (1) percent or more of alcohol by volume,
120 whether produced commercially or privately.

121
122 B. "Alcohol by volume" means the number of milliliters (ml) of pure ethanol present in
123 100 ml of solution at 68 °F.

124 B. "Board" means the Alcoholic Beverage Control Board established under AS
125 04.06.010.

126 C. "Intoxicated person" means a person whose physical or mental conduct is
127 substantially impaired as a result of the introduction of an alcoholic beverage into the
128 person's body and who exhibits those plain and easily observed or discovered outward
129 manifestations of behavior commonly known to be produced by the overconsumption of
130 alcoholic beverages.

131 D. "Licensed premises" means any or all designated portions of a building or structure,
132 rooms or enclosures in the building or structure, or real estate leased, used, controlled,
133 or operated by a licensee in the conduct of business for which the licensee is licensed
134 by the ABC Board and the city at the specific address for which the license is issued.

135 E. "Liquor license" means any of the licenses or permits described in AS 04.11.080

136 F. "Open containers" means any original container or package without the Internal
137 Revenue Service strip stamp intact upon such container or package; any container or
138 package that has been opened at least once since purchase or manufacture; or any
139 container or package containing an alcoholic beverage other than the original container
140 or package.

141 G. "Person" means an individual, partnership, cooperative, association, joint venture,
142 corporation, estate trust, business, receiver, or any entity, group or combination acting
143 as a unit.

144 **5.08.020 Procedure for administrative review of license applications.**

145 A. Upon receipt of notice from the Board of an application for the issuance, renewal,
146 transfer of location or transfer to another person of a liquor license for a license location
147 in the city, the clerk shall as soon as practicable distribute copies of the notice to the
148 city manager, the city council and the city attorney.

149 B. The city manager shall immediately refer the application for review as follows:

150 1. To the planning director or their designee to determine if the applicant has
151 complied with the conditional use provision of the Bethel Municipal Code;

152 2. To the finance director or their designee to determine whether the licensee or
153 license transferee is delinquent in paying to the city any tax, assessment, business
154 license fee, or fee or charge for utility service for the business and/or affiliate (as
155 defined in 3 AAC 304.990) that operates or will operate, under the liquor license.

156 3. To the police and fire chiefs to determine whether, in their opinion, there have
157 been excessive calls for service, excessive numbers of convictions or arrests for
158 unlawful activity at the license location, police or ambulance reports, reports of
159 unlawful activity at the license location, or police, fire or ambulance dispatches to
160 the license location.

161 C. The fire chief, police chief, planning director and finance director shall forward
162 written statements to the city manager within fourteen (14) calendar days after the
163 application was referred by the city manager.

164 D. The city manager shall provide a written report to the city council, with a copy to the
165 applicant, listing any objections to the Board's issuance of the application. The city
166 manager's report is due within twenty (20) days after the date of receipt of notice from
167 the city clerk.

168 E. An applicant who believes the city manager's report contains factual errors shall file a
169 written protest outlining, with specifics, the sections of the report believed to be
170 factually incorrect. Such protest must be filed to the city manager not later than ten
171 (10) calendar days after issuance of the city manager report.

172 F. The city manager shall investigate the applicant's protest and shall issue a written
173 decision no later than ten (10) calendar days after receipt of the protest.

174 G. The city clerk shall place the matter of the application upon the city council agenda
175 not less than thirty (30) and not more than forty (40) calendar days after the date of
176 receipt from the Board.

177 **5.08.030 City council review of license.**

178 The city council shall determine whether to protest or recommend with conditions, the
179 issuance, renewal or transfer of a liquor license application and shall consider the
180 following factors it believes are pertinent. Such factors shall include, but not be limited
181 to:

182 A. City records indicating whether the applicant and/or transferor is in violation of the
183 city sales tax ordinances or regulations, has failed to comply with any of the filing,
184 reporting or payment provisions of the city ordinances or regulations, or has any unpaid
185 balance due on tax accounts for which the applicant and/or transferor is liable;

186 B. The character and public interests of the surrounding neighborhood;

187 C. Actual law enforcement problems with supporting data;

188 D. The concentration of other licenses of the same and other types in the area;

189 E. The adequacy of parking facilities;

190 F. The safety of ingress to and egress from the premises;

191 G. Compliance with state and local fire, health and safety codes;

192 H. The degree of control the licensee has or proposes to have over the conduct of the
193 licensed business. In determining the applicant's demonstrated ability to maintain order
194 and prevent unlawful conduct, the city council may consider police reports, the
195 appearance of a readily identifiable pattern or practice of recurring violent acts or

196 unlawful conduct on the licensed premises, testimony presented before the council,
197 written comments, or other evidence deemed to be reliable and relevant to the purpose
198 of this subsection;

199 I. Whether the applicant can demonstrate prospective or continued compliance with
200 operations procedures for licensed premises set forth in BMC 5.08.110;

201 J. The proximity to a school or alcohol inpatient or outpatient treatment;

202 K. Any history of convictions of the applicants and affiliates of the applicants for:

203 1. Any violation of AS Title 4;

204 L. Any other factor the city council determines is relevant to a particular application.

205 **5.08.040 Council action on liquor license applications.**

206 A. If a city council member wishes to protest the application, a resolution shall be
207 prepared and introduced at the next regularly scheduled council meeting or earlier if
208 necessary to meet the requirements of AS 04.11.480.

209 B. At least seven (7) calendar days prior to the council meeting, the city clerk shall
210 provide the applicant with:

211 1. A copy of the proposed resolution; and

212 2. Notice of the date and time when council will consider the resolution; and

213 3. Notice the applicant will have an opportunity, pursuant to 3 AAC 304.145(d), to
214 appear before the council to defend the application.

215 C. A protest by the council under this section cannot be based in whole or in part on
216 police reports or other written materials available to the city but which were not
217 provided to the affected applicant before the public hearing on that protest.

218 D. At the conclusion of the public hearing, and any deliberation of the council, the
219 council may choose to:

220 1. Pass the resolution protesting to the Board the issuance, transfer or renewal of
221 the liquor license application; or

222 2. Recommend the license be approved with conditions; or

223 3. Take no action on the application.

224 **5.08.050 Recordkeeping required of all sellers.**

225 A. Premises licensed under AS 04.11 shall keep and preserve suitable records of all
226 sales made by the seller and such other books or accounts as may be necessary to
227 determine the amount of tax which it is obliged to collect, including records of the gross
228 daily sales, together with invoices of purchases and sales, bills of lading, bills of sale or

229 other pertinent records and documents as will substantiate and prove the accuracy of a
230 tax return.

231 B. "Suitable records of all sales made" as used in subsection A of this section shall mean
232 at a minimum a daily "Z" or "Z-total" report or equivalent (a "Z" or "Z-total" report is
233 the report generated by the cash register at the end of each business day, which
234 calculates, at least, the totals for each department key, total sales and total receipts –
235 although some cash registers have more detailed "Z" or "Z-total" reports). Whatever
236 records are kept must reflect the total daily purchases of taxable items. If no taxable
237 sales are made on a business day, the records kept shall so reflect "zero" sales on that
238 day. Records must also be kept to substantiate any claimed deductions or exclusions
239 authorized by law. Records may be written, stored on data processing equipment or
240 may be in any form that the city may readily examine.

241 C. All sellers within the city who sell alcoholic beverages must have a cash register and
242 must record each retail sale on a cash register that provides, at a minimum, a daily "Z"
243 or "Z-total" report, or equivalent.

244 D. Records shall be kept in a systematic manner conforming to accepted accounting
245 methods and procedures. Such records include:

246 1. The books of accounts ordinarily maintained by a prudent business person.
247 Records and accounting information stored on computers must be provided to the
248 city in a readable form when requested by the city.

249 2. Documents of original entry such as original source documents, pre-numbered
250 sequential source documents, pre-numbered sequential receipts, cash register
251 tapes, sales journals, invoices, job orders, contracts, or other documents of original
252 entry that support the entries in the books of accounts.

253 3. All schedules or working papers used to prepare gross and taxable sales results,
254 including receipts or invoices showing exempt sales.

255 E. Records must show:

256 1. Gross receipts and amounts due from all taxable and exempt sales; and

257 2. The total purchase price of all goods and other property purchased for sale,
258 resale, consumption, or lease.

259 F. Every seller shall preserve suitable records of sales for a period of three (3) years
260 from the date of the return reporting such sales, and shall preserve for a period of
261 three (3) years all invoices of goods and merchandise purchased for resale, and all such
262 other books, invoices and records as may be necessary to accurately determine the
263 amount of taxes which the seller was obliged to collect under this chapter.

264 G. The city finance department may examine and audit any relevant books, papers,
265 records, returns or memoranda of any seller, may require the attendance of any seller,
266 or any officer or employee of a seller, at a meeting with the finance director or his or
267 her designee, and may require production of all relevant business records, in order to
268 determine whether the seller has complied with this chapter.

269 **5.08.060 Conditional use permit required.**

270 Unless exempt, any use that includes the retail sale or dispensing of alcoholic beverages
271 is permitted only by a conditional use permit. The conditional use requirement applies
272 only to the retail sale or dispensing of alcoholic beverages and not to related principal
273 or accessory uses.

274 **5.08.070 Licensee responsible for employees' actions on premises.**

275 A. A licensee may neither knowingly allow agents or employees to violate this chapter
276 or AS Title 4 or regulations adopted thereunder, or to recklessly or with criminal or civil
277 negligence fail to act in accordance with the duties prescribed under AS 04.21.030 with
278 the result that an agent or employee of the licensee violates a law, regulation or
279 ordinance.

280 B. The licensee shall be responsible for all acts or omissions of the licensee's employees
281 on the licensed premises. The licensee may be cited and prosecuted for all acts or
282 omissions of employees which are committed on the licensed premises and which are in
283 violation of this chapter; provided, however, that the prosecution of the licensee shall
284 not prohibit the prosecution of the employee for acts or omissions committed by the
285 employee in violation of any provision of this chapter.

286 **5.08.080 Hours and days of operation.**

287 A. Premises licensed under AS 04.11.080 for the service and consumption of alcoholic
288 beverages shall be closed for the sale, service and consumption of alcoholic beverages
289 between the hours of 1:00 a.m. and 11:00 a.m. Monday through Friday, and between
290 the hours of 2:00 a.m. and 11:00 a.m. on Saturday or Sunday or on a legal holiday
291 recognized by the state under AS 44.12.010 with the exception of New Year's Day
292 during which the establishment shall close by 3:00 a.m.

293 B. All other retail premises licensed under AS 04.11.080 shall be closed for the sale of
294 alcoholic beverages between the hours of 11:00 p.m. and 11:00 a.m.

295 C. A person may not sell, offer for sale, give, furnish, deliver or consume an alcoholic
296 beverage on premises licensed under AS 04.11 during the hours of closure set forth in
297 this section.

298 D. A licensee, an agent, or employee may not permit a person to consume alcoholic
299 beverages on the licensed premises between the hours of closure set forth in this
300 section.

301 E. As authorized by AS 04.16.070(b), the sale of alcoholic beverages on state and/or
302 city election days is not prohibited.

303 **5.08.090 Obligation to enforce restrictions within licensed premises.**

304 A licensee, their agent or employee may not permit the consumption of alcoholic
305 beverages by any person within the licensed premises unless it is permitted by the
306 license.

307 **5.08.100 Alcohol server training course requirement.**

308 A. A licensee, their agent or employees may not sell or dispense alcoholic beverages to
309 the public prior to the successful completion of a liquor server awareness training
310 program approved by the Board.

311 B. Licensees, their agents and employees who sell or dispense alcoholic beverages must
312 be able to show proof of completion of a liquor server awareness training program
313 approved by the Board upon request by a peace officer, the city manager (or their
314 designee) or the Board.

315 **5.08.110 Operation of licensed premises.**

316 A. Except as otherwise provided in this section, the operations procedures set forth in
317 subsection B of this section shall apply to all persons seeking the issuance, renewal or
318 transfer of any license issued by the Board by virtue of AS Title 4 and other applicable
319 provisions of law allowing the sale or service of alcoholic beverages. Subsection (B)(~~1-2~~)
320 of this section shall not apply to persons seeking the issuance, transfer or renewal of
321 licenses issued under AS Title 4 which do not authorize the sale or service of alcoholic
322 beverages for consumption on the premises licensed.

323 B. Persons seeking the issuance, transfer or renewal of licenses issued by the Board
324 under AS Title 4 and other applicable provisions of law shall comply with the following
325 operations procedures:

326 1. Prohibited Sales. Licensed premises may not sell or offer to sell alcoholic
327 beverages of which the alcohol by volume content is twenty-one (21%) percent or
328 greater.

329 ~~1- 2.~~ Happy Hours. The city adopts AS 04.16.015, Pricing and marketing of alcoholic
330 beverages.

331 ~~2- 3.~~ Public Transportation. Licensees shall make available to their patrons access to
332 means of public transportation or permit patrons to make arrangements for
333 transportation off the premises.

334 ~~3- 4.~~ Notice of Penalties. Operators shall place, at conspicuous locations within
335 licensed premises, a clear and legible sign describing applicable penalties for driving
336 under the influence, and for service or sale of alcoholic beverages to minors or
337 intoxicated persons.

338 4. 5. Availability of Nonalcoholic Drinks. Operators shall have nonalcoholic drinks
339 available for their patrons.

340 ~~5.~~ 6. Compliance Determination. In order to determine whether applicants seeking
341 the issuance, renewal or transfer of alcoholic beverage licenses have complied with
342 the provisions of this chapter, applicants shall, at the request of the city, submit to
343 the city manager (or their designee) an alcoholic beverage licensee compliance
344 form. Upon request, operators shall also provide the city manager with certificates
345 from all current employees demonstrating that those employees have successfully
346 completed a liquor service awareness training program such as the program for
347 techniques in alcohol management (T.A.M.) as approved by the Board.

348 ~~6.~~ 7. Warning Signs for Impoundment and Forfeiture of Vehicles Seized Pursuant to
349 an Arrest for or Charge of Driving under the Influence or Refusal to Submit to
350 Chemical Tests. Upon adoption of a municipal code allowing for the forfeiture,
351 operators shall display at conspicuous places in licensed premises two (2) signs
352 warning that vehicles are seized in cases of driving under the influence or refusal to
353 submit to chemical tests. One of these warning signs shall be at least eleven (11)
354 inches by fourteen (14) inches in size, and must read, in lettering at least one-half
355 (1/2) inch high and in contrasting colors or black and white, "DRIVE UNDER THE
356 INFLUENCE – LOSE YOUR CAR." The sign described in the preceding sentence must
357 carry a logo or illustration approved by the chief of police or their designee which
358 shows an automobile being towed. The second warning sign shall be at least eleven
359 (11) inches by fourteen (14) inches and must read, in letters at least one-quarter
360 (1/4) inch high and in contrasting colors or black and white:

361 WARNING: IF YOU DRIVE UNDER THE INFLUENCE OR LET ANYONE
362 DRIVE YOUR VEHICLE UNDER THE INFLUENCE, YOU WILL LOSE
363 YOUR VEHICLE. The police SEIZE cars and trucks driven by intoxicated
364 drivers. A vehicle will be IMPOUNDED for 30 days for the driver's first
365 DUI offense. A vehicle will be FORFEITED if the driver has been
366 convicted of DUI in the past ten (10) years.

367 ~~7.~~ 8. Warning Signs Required Other. The city adopts AS 04.21.065(b).

368 9. Warning stickers. Package Store License holders shall place a health warning
369 sticker on each single alcohol bottle or case of beer sold stating: "HEALTH
370 WARNING Drinking alcohol and driving increases the risk of injury or death." This
371 sticker shall also contain the name of the store selling the alcohol.

372 C. Mandatory Identification Check in the Retail Sale of Alcoholic Beverages. Licensee or
373 licensee's employee or agent shall require any purchaser (and anyone accompanying
374 the purchaser) of alcoholic beverages to produce a current government-issued
375 identification with birth date and photograph for identification check prior to any on-
376 premises sale. The purpose of the identification check is to verify age and eligibility to
377 purchase alcoholic beverages. Failure to conduct the mandatory identification check

378 required by this section is a violation of code and the licensee or licensee's employee or
379 agent failing to conduct the mandatory identification check shall be subject to the civil
380 penalty provisions of this chapter. For purposes of mandatory identification check
381 required by this section:

382 1. "Current government-issued" means a state, federal or foreign government
383 picture identification in force and effect for a specified period stated within the
384 identification, when presented prior to expiration of the period stated. A state
385 government identification with birth date and photograph issued by any state of the
386 United States is included within the meaning of "current government-issued" if the
387 period of validity is specified and the identification is presented prior to expiration of
388 the period stated.

389 2. The subsequent invalidation of the identification as a bona fide government-
390 issued identification does not invalidate the compliance.

391 3. An ongoing pattern of noncompliance with the mandatory identification check
392 required by this code may result in review of the conditions of use or may result in
393 the revocation of a special use permit previously approved by the city council.
394 Action by the city council on licensee's special use permit under this section shall be
395 in addition to any criminal or civil penalty applicable to the individual making the
396 sale without performing the mandatory identification check.

397 D. Security Personnel. Each premises licensed under AS 04.11.090, Beverage
398 dispensary license, shall employ at least one (1) person who shall be on duty between
399 8:00 p.m. and the closing hour of the licensed premises. This person shall not be the
400 bartender on duty, and shall be on duty for the express purpose of maintaining order
401 within the establishment and assuring compliance, by the clientele, with the provisions
402 of this chapter.

403 E. Security Cameras. At least one (1) twenty-four- (24-) hour time-lapse security
404 camera is required to be installed and properly maintained in the interior of the building
405 at all locations licensed under AS 04.11.150, Package store license. The cameras must
406 be able to capture all sales transactions. To the extent allowed by law, the
407 establishment operators may be required to provide any tapes or other recording media
408 from the security camera to the police department.

409 F. Premises to Be Cleared upon Closing. Upon closing, licensees shall clear alcoholic
410 beverage establishment of all persons, other than necessary employees, within fifteen
411 (15) minutes after the closing hours.

412 G. Age Limit Signs to Be Exhibited. All licensees shall cause to remain displayed upon
413 the premises and in the entrance to the premises of their establishments a conspicuous
414 sign in a prominent place visible from outside the establishment, which shall in
415 substance state: "No person under the age of twenty-one (21) years permitted. Any
416 such person will be prosecuted to the full extent of the law." Excepting that licensed

417 establishments regularly serving meals may modify the sign in accordance with the
418 provisions of this chapter and AS Title 4.

419 **5.08.120 Restrictions on purchase and sale of alcoholic beverages.**

420 A. A person licensed under AS 04.11.090 (Beverage Dispensary License), 04.11.100
421 (Restaurant or Eating Place), 04.11.110 (Club License), or 04.11.150 (Package Store)
422 may not purchase, sell, or offer for sale an alcoholic beverage unless the alcoholic
423 beverage being purchased, sold, or offered for sale was obtained from a person
424 licensed under:

425 1. AS 04.11.160 (wholesale licenses) as a primary source of supply for the alcoholic
426 beverage being purchased, sold, or offered for sale;

427 2. AS 04.11.150 (package store) and the alcoholic beverage being purchased, sold,
428 or offered for sale was obtained from a person licensed under AS 04.11.160
429 (wholesale) as a primary source of supply; or

430 3. AS 04.11.130 (licensed brewery), 04.11.140 (licensed winery), or 04.11.170
431 (licensed distillery).

432 **5.08.130 Sale to intoxicated persons.**

433 A. A licensee, his agent or employee may not knowingly or negligently:

434 1. Sell, give or barter alcoholic beverages to an intoxicated person;

435 2. Allow another person to sell, give or barter an alcoholic beverage to an
436 intoxicated person within the licensed premises;

437 3. Allow an intoxicated person to enter and remain within the licensed premises or
438 to consume an alcoholic beverage within the licensed premises; or

439 4. Permit an intoxicated person to sell or serve alcoholic beverages.

440 **5.08.140 Eviction of patrons.**

441 The licensee and employees of the licensee are expressly permitted to evict any person
442 suspected of being under the age of twenty-one (21) or intoxicated and failure of such
443 person to leave after oral request is unlawful and an offense on the part of that person.

444 **5.08.150 Open container.**

445 A. It shall be unlawful to consume an open container of alcoholic beverages on the
446 public streets, sidewalks, alleys, parks, or other public places throughout the city. Open
447 containers of alcoholic beverages may be carried in a vehicle in a locked truck or other
448 secured location inaccessible to the driver and passengers within the vehicle.

449 B. Open containers are permitted on private residential property, with the consent of
450 the owner or legal occupant of the property.

451 **5.08.160 Transportation of alcohol.**

452 The transportation of alcoholic beverages by common carrier or commercial carrier
453 within the city of Bethel to a residential home or nonlicensed alcohol distribution facility
454 is strictly prohibited except as expressly authorized by AS Title 4.

455 **5.08.170 Inspection of premises.**

456 A. The premises of licensees authorized to sell or distribute intoxicating liquor shall be
457 easily accessible for inspection by police officers during all regular hours of the
458 transaction of business upon the premises, and at any other time with reasonable
459 notice by the officer.

460 B. The police department may inspect any premises with an alcoholic beverage license
461 for compliance with conditions on the license. Upon discovering a violation of such
462 conditions, the police department shall submit a written report of the violation to the
463 city clerk for review by the city council and provide a copy thereof to the licensee.

464 C. If at any time there appears to be a readily identifiable pattern or practice of
465 recurring violent acts or unlawful conduct in a licensed premises, the city may send
466 notice of possible protest to the licensee that he or she must submit and implement a
467 plan for remedial action or be in jeopardy that a protest will be filed to any renewal,
468 transfer of location or transfer of ownership sought by the licensee.

469 D. Upon receiving a report of conditions violation, the city council may:

470 1. Revoke the premises' conditional use permit;

471 2. Protest the issuance, renewal, transfer, relocation or continued operation of the
472 license;

473 3. Recommend imposition of conditions on the state liquor license pursuant to AS
474 04.11.480(c); or

475 4. Notify the Board that a licensee has violated conditions and request that an
476 accusation pursuant to AS 04.11.370 be brought against the licensee.

477 E. Prior to taking any of the actions listed in subsection (D) of this section, the city shall
478 give the permittee or licensee notice and an opportunity to be heard on the
479 accusation(s) at a publicly noticed council meeting.

480 **5.08.180 Access for enforcement.**

481 A. The public entrance of licensed alcoholic beverage establishments shall be open and
482 unlocked before and after the closing hour of such establishment if there are any
483 patrons in the establishment.

484 B. Licensees of licensed alcoholic beverage establishments, their employees and all
485 patrons in such establishments shall permit and aid the entry of any law enforcement

486 officer during all hours of operation and at any other time when there are two or more
 487 persons in such licensed alcoholic beverage establishment.

488 C. Lack of knowledge, lack of intent and absence from the premises shall not be
 489 defenses to any action brought under this section against any such employee in charge
 490 of such establishment or such licensee.

491 D. Licensees shall provide the police chief with their current hours of operation. Any
 492 changes to the hours of operation shall be communicated, in writing, to the police chief,
 493 at least three (3) business days prior to the change being implemented.

494 **5.08.190 Alcohol offenses.**

495 A. Violation of any section of this chapter shall be an infraction.

496 B. The Bethel police department shall have the authority to write and serve citations for
 497 violations of the provisions of any portion of this chapter.

498 **5.08.200 Penalties.**

499

Offense	BMC Section	Mandatory Court Appearance	Penalty Amount
Premises open during non permissible hours	5.08.080(A) & (B)	No	1st Offense: \$150 2nd Offense: \$300 3rd & subsequent offenses: \$700
Selling, offering for sale, giving, furnishing, delivering or consuming alcohol on premises during hours of closure	5.08.080(C)	No	\$300
Allowing person to consume alcohol on premises during hours of closure	5.08.080(D)	No	\$300
Allowing consumption on premises in violation of license	5.08.090	No	\$500
Selling or dispensing alcohol prior to successful completion of a liquor server	5.08.100(A)	Yes	\$1,000

Offense	BMC Section	Mandatory Court Appearance	Penalty Amount
awareness training program			
Allowing employee to sell or dispense alcohol prior to their successful completion of a liquor server awareness training program	5.08.100(A)	Yes	\$1,000
Failure to show proof of successful completion of a liquor server awareness training program	5.08.100(B)	Correctable	\$300
<u>Prohibited sales</u>	<u>5.080.110 (B) (1)</u>	<u>Yes</u>	<u>\$1,000</u>
Violation of happy hour rules	5.08.110(B)(12)	No	\$300
Failure to provide access to means of public transportation to patrons or to arrange for transportation off premises	5.08.110(B)(23)	No	\$500
Failure to properly post signs	5.08.110(B)(34), (6), (7)	No	\$250
Failure to have nonalcoholic drinks available	5.08.110(B)(45)	No	\$150
Failure to submit an alcoholic beverage compliance form upon request	5.08.110(B)(56)	No	\$300
<u>Failure to post warning signs and apply warning stickers.</u>	<u>5.08.110 (B) (7,9)</u>	<u>No</u>	<u>\$300</u>

Offense	BMC Section	Mandatory Court Appearance	Penalty Amount
Failure to check identification of purchaser	5.08.110(C)	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Acceptance of nonconforming identification for purchase of alcoholic beverage	5.08.110(C)	Yes	1st offense: \$150 2nd offense: \$300 3rd & subsequent offenses: \$700
Failure to have security personnel on premises as required	5.08.110(D)	No	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Failure to install or maintain security equipment	5.08.110(E)	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Interior camera not positioned to capture sales transactions	5.08.110(E)	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Failure to clear premises after closing	5.08.110(F)	No	1st offense: \$150 2nd offense: \$300 3rd & subsequent offenses: \$700
Failing to post age limit signs	5.08.110(G)	No	\$300
Sale of alcoholic beverages improperly obtained	5.08.120	Yes	\$700
Sale of alcohol to an intoxicated person	5.08.130	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Providing alcohol to an intoxicated person	5.08.130	Yes	1st offense: \$500 2nd offense: \$700

Offense	BMC Section	Mandatory Court Appearance	Penalty Amount
			3rd & subsequent offenses: \$1,000
Allowing another person to sell or provide alcohol to an intoxicated person	5.08.130(A)(2)	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Allowing an intoxicated person to enter and remain within licensed premises	5.08.130(A)(3)	Yes	1st offense: \$150 2nd offense: \$300 3rd & subsequent offenses: \$700
Permitting intoxicated person to consume alcoholic beverage within a licensed premises	5.08.130(A)(3)	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Permitting an intoxicated person to sell or serve an alcoholic beverage	5.08.130(A)(4)	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Carrying, possessing or consuming an open container in public	5.08.150	No	1st offense: \$150 2nd offense: \$300 3rd & subsequent offenses: \$700
Transportation of alcohol by common carrier	5.08.160	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Transportation of alcohol by commercial carrier	5.08.160	Yes	1st offense: \$500 2nd offense: \$700 3rd & subsequent offenses: \$1,000
Failure to make premises easily accessible for inspection by police officers	5.08.170(A)	Yes	\$700

Offense	BMC Section	Mandatory Court Appearance	Penalty Amount
Failing to maintain premises unlocked while patrons are on premises	5.08.180(A)	Yes	\$1,000
Failure to permit or aid the entry of law enforcement during hours of operation	5.08.180(B)	Yes	\$700
Failure to permit or aid the entry of law enforcement any time there are two (2) or more persons on the premises	5.08.180(B)	Yes	\$700

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NOW, BE IT ORDAINED, the City Council amends the Bethel Municipal Code, Chapter 5.08, by amending the language for requiring a global positioning system.

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

SECTION 2. Amendments. Bethel Municipal Code Chapter 5.08 is amended as follows: (new language is underlined and old language is stricken):

SECTION 3. Effective date. This ordinance shall become effective June 15, 2018 after passage by the Bethel City Council.

ATTEST:

 Richard Robb, Mayor

 Lori Strickler, City Clerk

Action:
 Vote:

CITY OF BETHEL, ALASKA
ORDINANCE # 17-28 (m)

An Ordinance of the Bethel City Council Amending the Adopted Annual FY 2018 Budget

Be it Enacted by the Bethel City Council that the FY 2018 Annual Budget be amended as follows:

Section 1. That the following sums of money as may be needed or deemed necessary to provide for increased expenses and liabilities of the City of Bethel are hereby appropriated for the corporate purposes and objects of the City hereinafter specified for Fiscal Year 2018, July 1, 2017 to June 30, 2018.

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

Information Technology Department

Change to IT Dept Other Professional Services 10-55-649 - General Fund

Increases		
10-55-649	Other Professional Services Fund - Total Care Service by Arctic IT	47,000
10-55-649	Other Professional Services Fund - Managed Virtual Firewall Service by GCI	2,400
10-55-649	Other Professional Services Fund - Managed Print Services by CDW-G	600
	Total Increases	50,000
Decreases		
10-55-732	Equipment Rental Fund	35,000
10-55-668	Software/Support Fund	20,000
	Total Decreases	55,000
TOTAL	Net Change to IT DEPARTMENT Fund Appropriations	

TOTAL CHANGE TO OTHER PROFESSIONAL SERVICES FUND APPROPRIATIONS		
	Total Increases	50,000
	Total Decreases	
	Cumulative Change to OTHER PROFESSIONAL SERVICES APPROPRIATIONS	50,000

TOTAL CHANGE TO SOFTWARE/SUPPORT FUND APPROPRIATIONS		
	Total Increases	
	Total Decreases	20,000
	Cumulative Change to SOFTWARE/SUPPORT APPROPRIATIONS	20,000

TOTAL CHANGE TO EQUIPMENT RENTAL FUND APPROPRIATIONS		
	Total Increases	
	Total Decreases	35,000
	Cumulative Change to EQUIPMENT RENTAL APPROPRIATIONS	35,000

TOTAL CHANGE TO OVERALL CITY BUDGET

	<i>Change to Other Professional Services Appropriations Increase/(Decrease)</i>	50,000
	<i>Change to Equipment Rental and Software/Support Appropriations Increase/(Decrease)</i>	55,000
	These changes <i>INCREASE</i>↑ the overall expenditures/expenses of the City by	0

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

PASSED AND APPROVED THIS ___ DAY OF May 2018 BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

ATTEST:

 Richard Robb, Mayor

 Lori Strickler, City Clerk

Budget Modification for 10-55-649 (Other Professional Services)

A fast approaching issue is that the budget for the IT department's professional services line item will be breached by about **\$50,000** by the end of the fiscal year. Because of this, there will need to be a budget modification to cover the costs, however, all of the money can be reallocated from within the IT department's budget and shouldn't need to be pulled from any other areas.

The reasons that this line item was miscalculated was due to the following:

- A service that had been under the equipment rental line item 10-55-732 (City of Bethel's Barracuda Backup Service) was consolidated under the Total Care service inside of 10-55-649. This was due to a negotiation between the City Attorney and Arctic IT in order to have a single master contract rather than the three separate contracts we had with them at the beginning of the last fiscal year. This consolidation did not happen until after the FY18 budget was finalized. This means that roughly **\$34,000/yr** that was going to be under 10-55-732 for the backup service would now be shifting into 10-55-649.
- While I was coming up with the budget for FY18, an item came up after the fact that had I had missed while I was still trying to get a full grasp of everything the IT department was fiscally responsible for. This item was a managed virtual firewall service provided to us by GCI. The cost is relatively low, **\$2,388** for the year, but it is an amount that I hadn't known was going to be there. As this is a managed service through GCI, its proper home is under 10-55-649 so that is where I've been allocating it to.
- After my FY18 budget was approved, the City Manager approached me to inform that we (the City) would be assuming responsibility over the network at the YK fitness center. This meant I would need to extend my previously budgeted amount for the Total Care service to about nine more systems. Total Care itself is a variable service based on a per-unit cost and so this would not cause any problems with the contract we were under, but it would increase the cost by about **\$9,615** for the year to cover those computers.
- The amount of servers and computers needing coverage at the Police Department increased by one each once we purchased and installed all the equipment needed for their new building surveillance system. Again, Total Care is a variable service and can easily absorb these new devices that came up after the FY18 budget finalization, but it would mean that an additional charge of **\$3,320/yr** would be charged.
- Costs for an item I had previously thought was going to be under 10-55-732 (the Managed Print Services agreement) is now being charged to 10-55-649 after some reconsideration. It is a professional service provided to us by CDW-G. Additionally, this charge is now being broken into different departments instead of being all in IT and so the money that had been put in IT for this can be shifted to cover the amount needed in 10-55-649.

Money Reallocation Proposition:

\$35,000 Equipment Rental (10-55-732) → Other Professional Services (10-55-649)

As was mentioned, the amount originally allocated to 10-55-732 for the Barracuda Backup Service has now been absorbed by the Total Care service under 10-55-649. So the roughly \$35,000 that was in 10-55-732 can follow it to 10-55-649.

\$20,000 Software/Support (10-55-668) → Other Professional Services (10-55-649)

When I originally planned my budget, I was under the assumption that all of costs for the city's managed print services agreement would be going to my department. After the budget finalization, these costs have instead been divided between the departments the service benefits. This leaves the amount budgeted (\$18,000) free in my budget and therefore I think it can be shifted to 10-55-649 to help cover the overages.

This should give 10-55-649 an additional **\$55,000**, which should both cover the overages and also leave a small cushion in the event that a department needs an additional computer or server between now and the end of the fiscal year.

Introduced by: City Manager Williams
Date: May 8, 2018
Action:
Vote:

CITY OF BETHEL, ALASKA

Resolution #18-11

A RESOLUTION BY THE BETHEL CITY COUNCIL SUPPORTING THE CAMA-I DANCE FESTIVAL BY WAIVING THE REQUIREMENT TO COLLECT SALES TAXES AT THE EVENT

WHEREAS, the Cama-i Dance Festival is a celebration of culture and dance;

WHEREAS, more than 20 dance groups and more than 400 dancers, drummers and singers between the ages of 2 and 92 will celebrate the Yup'ik Eskimo tradition of dance;

WHEREAS; Cama-i promotes cultural diversity as Alaska Native, Native American and International groups share in the common language of dance;

WHEREAS, Cama-i also provides for additional activities during the festival such as a Miss Cama-i contest, native foods dinner for everyone, and arts and crafts sales;

WHEREAS, through dance, song and crafts, the traditions of Alaska Native tribes are communicated to hundreds of people during the three-day festival;

WHEREAS, the Cama-i dance festival promotes positive activities in the Bethel community and generates positive statewide publicity for the City of Bethel while bringing many visitors to the Bethel community;

WHEREAS, the City of Bethel recognizes the significance of the Cama-i Dance Festival and supports the dancers;

WHEREAS, Bethel Municipal Code, Section 4.16.180 allows a nonprofit organization to apply for a special sales tax exemption for fundraisers conducted by a nonprofit organization where the funds are raised and used solely and exclusively for a qualified charitable project;

WHEREAS, the Cama-i dance festival is sponsored by the Bethel Council of the Arts, a non-profit organization

WHEREAS, Cama-i is put on by volunteers from Bethel and the surrounding Region, usually numbering about 500 volunteers annually;

WHEREAS, the funds raised during Cama-i are used to simply cover the expenses of putting on the event and bringing the performers to Bethel;

Introduced by: City Manager Williams
Date: May 8, 2018
Action:
Vote:

WHEREAS, the festival is also enjoyed by a number of other nonprofits who work the concession stand as a fundraiser;

WHEREAS, this bringing together of numerous fundraising activities benefits numerous organizations and people of both Bethel and the Region.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of Bethel, Alaska, supports the nonprofits of this community in their fundraising efforts and waives the requirement to collect sales taxes on admissions, t-shirt sales and concession sales during the 2018 Cama-i Dance Festival.

PASSED AND APPROVED THIS ____ DAY OF MAY 2018, BY A ____ VOTE IN FAVOR AND A ____ VOTE IN OPPOSITION.

Richard Robb, Mayor

ATTEST:

Lori Strickler, City Clerk

City of Bethel Action Memorandum

Action memorandum No.	18-35		
Date action introduced:	May 8, 2018	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

Accepting the resignation of Council Member Naim Shabani's effective April 23, 2018 and establishing a process for the Council's consideration of qualified candidates to fill the vacancy.

Route to:	Department/Individual:	Initials:	Remarks:
X	City Attorney	<i>P.B.</i>	Complies w/BMC 2.04.100-.105 and AS 29.20.160 - .180

Amount of fiscal impact:	None
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Direct the City Clerk's Office to post a Notice of Vacancy on the City Council starting on May 9.

In the Notice of Vacancy, require any interested parties to submit their statement of interest to the City Clerk's Office by 4:00 p.m. May 18, 2018. Following the 4:00 p.m. deadline, the City Clerk's Office will email the Council the statements of interest received and will begin the process of determining eligibility of Office for the candidates. Barring no significant legal question, the City Clerk's Office should confirm the candidates' qualifications by the close of business on May 21, 2018.

At the Regular City Council Meeting on May 22, the qualified candidates will be asked to participate in a brief interview by the full Council in open session. Each council member will be limited to two questions for each qualified candidate. Following the interview the Council shall utilize the process of appointment set out in BMC 2.04.105. The term of the selected candidate shall expire on October 9, 2018.

Per Bethel Municipal Code 2.04.100, Council Vacancies, the Council shall within 30 days from the date of the vacancy appoint a qualified voter to fill the vacancy.

Naim Shabani
P.O. Box 2343
Bethel, AK 99559

April 23rd, 2018

Dear Mr. Mayor, Council Members and Citizens of Bethel,

I am submitting my letter of resignation from my Council Member position effective today.

One of the proudest moments in my life was being appointed/elected to the Bethel City Council. My family has called Bethel home for over 40 years, and to have the opportunity to give back to this town that has given us so much is an absolute honor. During my one year on council, I have learned so much about local government and developed a new appreciation that I otherwise would not have discovered.

As many of you may know, I am the co-Owner of a local cab company that has served this community for 46 years consecutively. Two months ago, we were able to acquire one of our biggest competitors. This has resulted in me personally overseeing the operation of 45 full time employees on a daily basis. I have a duty to these people and their families to ensure that they are able to work in a well-managed and predictable environment. In addition, our company currently represents about 60% of Bethels public transportation. I have a duty to the people that rely on us for the regular service that we provide to them. As a husband and father I have a duty to participate in my family, which has barely seen me as of late.

Given my recent time constraints, I don't feel that I can adequately carry out my duties on City Council. Bethel has a tremendous amount of dedicated individuals that deserve my seat, and that will represent the great people of Bethel and their best interests. I will continue to be involved and contribute to our community in any way I can. In the future, should my situation change I will certainly entertain the idea of coming back at full capacity.

Sincerely,

Naim Shabani



City of Bethel Action Memorandum

Action memorandum No.	18-36		
Date action introduced:	May 8, 2018	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

Appointment of Juan Delgado to the Public Works Committee as a Regular Member with a term ending 12/31/2018.

Appointment of Jeff Sanders to the Public Works Committee as a Regular Member with a term ending 12/31/2020.

Appointment of Amber Jones to Community Action Grant Technical Review Board as a Regular Member with a term ending 12/31/2020.

Appoint Ryan Butte to the Public Works Committee as a Regular Member with a term ending 12/31/2020.

Attachment(s): none

Amount of fiscal impact:		Account information:
x	No fiscal impact	

The appointment of Juan Delgado and Jeff Sanders facilitates the transfer of the Energy committee members to the Public works committee as directed by Ordinance 18-08.

Amber Jones has requested appointment to the Community Action Grant Technical Review Board. If appointed, she would be appointed to a term of three years as a regular member.

Ryan Butte has requested appointment to the Public Works Committee. If appointed, he would be appointed to a term of three years as a regular member.

City of Bethel Action Memorandum

Action memorandum No.	18-37		
Date action introduced:	May 8, 2018	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

Direct the City Clerk's Office to create and post to social media and the City's website, the identified harm reduction campaign ideas once a week for the next six months.

Amount of fiscal impact:		Account information:
x	No fiscal impact	

The Alcohol Task Force discussed the importance of alcohol campaigns and marketing that could be used to help bring awareness to harmful activities related to drinking that could otherwise be prevented.

The City Council would like the City Clerk's Office to create social media templates on the following concepts for posting on the City's Facebook page and Website:

1. Don't drink and drive a boat.
2. Don't drink and drive a car.
3. Don't drink and drive a snow machine.
4. Don't drink and drive a four-wheeler.
5. Don't drink and ride in a boat.
6. Stop underage drinking.
7. Pregnancy and Alcohol do not mix Drinking Alcoholic beverages, including wine, coolers and beer during pregnancy can cause birth defects.
8. Taking alcohol to a restricted community? You could end up in jail.
9. Bootlegging? You could end up in jail.

The City Clerk's Office expects to spend approximately one hour a week in preparation for these very basic marketing posts. If Council approves a once per week post, the City Clerk's Office would rotate through the created posts each week, reposting the created templates for each of the identified concepts.

Mayor's Report



Do you have a
problem with Drugs?
NA has a solution!
You Are Invited!

NARCOTICS ANONYMOUS
MEETING At

Bethel Covenant Church

(165 Chief Eddie Hoffman HWY)

6:30 to 7:30 pm

Thursday Nights



**One Promise – Freedom
from Active Addiction!**

City Manager's Report



CITY OF BETHEL
P.O. Box 388
Bethel, Alaska 99559
Ph. (907) 543-4150
Fax (907) 543-3817

MEMORANDUM

DATE: April 17, 2018 to May 1, 2018

TO: City Council

FROM: Peter Williams, City Manager

RE: Managers' Report

April 18- Investigated a spill at a private residence to determine if the City was at fault and found the problem to be on private property. Samples were taken, and the matter turned over to the DEC.- Look at an undeveloped road on East Ave.- Helped with packet material- Gave the CA permission to go to small claims court to collect damages from a destroyed bus stop-Asked the Fin. Dir. to review the courthouse budget and the to make sure the new lease is reflected in the budget.-Forward DOT info to the Pub.Trans.&saftey Comm.- Review delinquent utility accounts.-E-mails; Library, Audit; utility payments;

April 19- Discussed Off. of Child. Services moving out of the courthouse and pay raises with the Fin. Dir.- Visited the Institutional color. Job site. Looked for the Old Spruce Rd extension in Blueberry Sub. This road exists on paper only. Planning will have to research this property.-Reviewed The Ak. Dept. of Trans. Memo of Understanding (MOU) to maintain the Ch.Ed.Highway. We do not recommend that the COB move forward with this MOU.- Reviewed the options for the Avenues. We are choosing option five.- Meet with YKHC concerning the PATC building and ask for information regarding Tracts D&H in the Kasayuli subdivision. – Three hours organizing files.- Signed quarterly reports forward to me from the Grant Writer.

April 20- Spent some time trying to find some material about Kasayuli Subdivision.-Meet with the CA regarding sales tax.-Meet with DOWL and the PW Director to review the progress of various projects that are under way,- Investigate a spill on 3thd Ave, that took place on private property, notified the DEC who then notified the Police Dept. The PW Director provided a drum to dispose of the product. The DEC eventually flew personnel to Bethel to take care of this spill.- Meet with the USCG set up a Spill Response training later this summer. Set up a meeting with the DOT TO DISCUSS THE sTATE HIGHWAY.

April 21- Attended budget meeting.

April 23. Communicated with the DOT regarding the permits for the W&S trucks.- Reviewed DOWL's comments about a budget shortfall regarding the Institutional corridor.- Discussions with the HR manager concerning personnel. Meet with the Finance Director to discuss the Water and Sewer fund.

April 24-. Received an e-mail from the DOT thanking the City of Bethel for the Resolution supporting The Tundra Ridge Realignment Project, Need ID 31489. The DOT anticipates that the draft will be approved in April. The work to produce the Environmental Assessment(EA) and "preliminary design effort" will be the next step.- Tracts D&H in the Kasayuli subdivision is under the control of the city according to BMC 17.04.070.- Check on Caribou Liq. Business application.- The light pole fell over in the parking lot at the pool. Working with Architects of Alaska and insurance company to resolve the matter.-

April 25- Reviewed payments from the BSI for the Institutional Corridor.- Received an invitation to negotiate with the Alaska Court System. Meeting set for May 16 in Anchorage with the Architects and ACS work out an agreement.- Discussed Cap. Improvement Plans with DOWL and the Institutional Corridor. Noticed Kodiak vets their CIP with the planning dept..- Talked to Altman Rogers about expediting the FY 17 audit Reviewed FY17 Pending List from Altman Rodgers..- Reviewed ANTHC grant for the lift stations.

April 26 & 27- Out of town.- Responded to emails concerning the audit, VSW grant concerning the Lagoon, IT Dept managers report, meeting regarding the courthouse lease and discussed the MOU for the State Highway with Bob Anderson, AKDOT Chief of Maintenance.- Responded to various phone calls.

April 30- Sent notice to Dept heads to keep track of the Commission and Committee meetings and that they are responsible for making sure the agendas are posted, etc. Discussed AN Long Range Trans. Plan with DOWL and Public Works. Provided the CPA's with information concerning the FY17 audit. The COB received \$ 61,586.05 from the UAF returning funds that were not used for fiscal years 2015,2016 and 2017.

May 1 Attending a meeting with community members with Senator Dan Sullivan.- Signed Tec-Pro proposal for dollar bill collector for the Bethel Wtr. Heights pumphouse.- Reviewed a Policy regarding sexual harassment; reviewed a Budget mod from IT. Discussed ONC subdivision agreement with planning Dept;

PROJECTS

Coin Collector- Received Proposal from Tec-Pro to install a coin collector and have accepted their proposal to install a dollar bill collector for the amount of \$4,884.28.

Institutional Corridor –Scheduled to meet with the Project Managers April 20, 2018, for an update. This project is on hold till the water recedes a little. Due to the wet weather this spring, there is a low area that has accumulated much water. Water was pumped into this

area from across the road which added to the problem. –Discussed costs overrun and contingency fund. Attached is a letter from Dowl discussing the situation as it stands at the moment.

Jetty/Sewer Lagoon- Ask CA to review the contract with STG to build the jetty. Received signed a contract to construct the jetty. Notice to proceed issued. 4/20/2018. STG underbid this project by \$1.3M, and we are discussing with the USDA the feasibility of using the unspent funds designated for this project to purchase sewer trucks. USDA is preparing a formal request to use the unused funds for new sewer trucks.

.The Avenues- Waiting for the PER/EA to be completed. On April 16 received memo from DOWL requesting a decision about the five options regarding the route of the water and sewer services. Meeting set for April 20. On April 20th we discussed the options presented to us by DOWL and the Pub. Wks. Director, DOWL and I think option five was the best option of those presented. I also asked that a sixth option is included. This option is what the project costs would be to complete this project in whole instead of in stages. At each stage, we will have to pay for the cost of mobilizing and design separately for each stage of the project. I will prepare an Action Memo for the May 22nd council meeting. The USDA has requested of us to forward a decision about what option we will use by May 31st. The USDA will apply for the funds.

Bethel Heights Water and Sewer System (A, B, C Loops)- Action Memorandums reviewed for AM requesting councils' approval seek a grant for a Pre. Eng. Reports for pipe water and sewer services for Bethel Heights.

Ridgecrest Drive/LKSD- There will be an Open House on May 20 with the DOT here in Bethel to discuss this project and the repaving of the CEHH.

Tundra Ridge Road Realignment- Waiting for a report from the DOT regarding the public comments. The deadline for public comments was March 16. Attached to this report is a summary of DOT projects scheduled for Bethel.

Landfill Closure- Still pending

PW Boilers- Design at 65%, reviewed and waiting for a structural report regarding the flooring. The structural engineer looked at the flooring in the boiler room.

Lift Stations- The funds from this grant will be used to replace electrical panels.

Courthouse; Meeting scheduled with ACS, architects and the City Administration for May 16th in Anchorage.

Departments and Divisions

YKFC- Reviewed FY-19 budget. A light pole fell over, and we have the architects, builders and the City Administration are discussing the situation. Were not sure at this time if it was built as designed or exactly why the installation failed.

Finance Dept – Discussed leasing/purchase regarding water and sewer trucks. Discuss the process to report the posting of the expenditures to the department's budgets. Reviewed the tasks the GL Accountant is responsible for. Discussed line item transfers, miscoded accounts and the need to update the budget as soon as possible. Preparing an AM regarding the financial reports.

Property Maintenance/Parks- Attended Parks/Pool committee meeting Monday night. Discussed the meeting and concerns with the PW Director the next day. We researched Tract H and D of the Kasauli Subdivision, and those tracts belong to the property owner, YKHC, according to the Bethel district recorders office. Tract H and D are designated for community recreational purposes. On May 1 received an email from YKHC that part of these tracts had been recently offered as part of a Mitigation Plan submitted for building the new hospital. We will be looking to resolve this issue in the coming weeks. In the property, Lot 4, Mr. Chavez offered to the City for use as a park does not officially exist because the property has not been sub-divided.

Public Works-Have discussed, dumpsters, culverts, coin collectors, personnel, trucks, budgets and various projects. Received three proposals regarding future projects, they are attached to this report and have forwarded them to the Public Works Committee for discussion.



Peter Williams
City Manager



April 23, 2018

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

Subject: City of Bethel Institutional Corridor Piped Water Project
 Project Budget

Dear Mr. Williams,

DOWL appreciates the opportunity to work with the City of Bethel (City) on the Institutional Corridor (I.C.) piped water system project and many other capital projects. This is a very important project for the City and will result in increased revenue for the Department of Public Works (DPW). We are writing this letter to you to share with your constituents about the project budget.

The I.C. project was initially conceived as a water and sewer project to serve institutional users along the Chief Eddie Hoffman Highway (CEHH) from the United States Fish and Wildlife Service (Building) to the U.S. Post Office. Initial feasibility studies in 2012 and 2013 estimated the capital cost of the project to be \$12-\$14 million. In 2013 the State of Alaska made a grant of \$7 million to the City for this project. The \$7 million was not sufficient to cover the project cost, so the City and DOWL worked diligently to value engineer concepts to fit into the provided budget. To reduce the scope the following adjustments were applied:

- Scale back of the proposed water circulation loop
- Elimination of the sewer
- Advance competitive procurement of arctic pipe
- Combination of proposed water circulation loop with existing loop

Once the adjustments were made, we agreed to track the budget knowing that further scope cuts would disproportionately diminish the project benefits. At this date, we forecast the budget exceeding the total grant value and recommend that the City seek additional funding to close this gap.

The following table shows anticipated and executed project costs.

Line Item	Total Anticipated Cost (Based on Unit Price Contracts)
DOWL Design and Construction Administration	\$1,080,000*
Purchase of 8,000 LF of Arctic Pipe	\$850,000*
STG Contract (Phase I)	\$350,000*
Bethel Builders Contract (Phase II)	\$4,700,000
Well Drilling Expenses	\$250,000*
TOTAL	\$7,230,000

*Indicates executed cost

907-562-2000 ■ 800-865-9847 (fax) ■ 4041 B Street ■ Anchorage, Alaska 99503 ■ www.dowl.com

Alaska ■ Arizona ■ Colorado ■ Montana ■ North Dakota ■ Oregon ■ Washington ■ Wyoming

Mr. Peter Williams
City of Bethel
April 23, 2018
Page 2

There is a projected budget shortfall at this point. However, this does not account for potential change orders, and given the rate of change and development in this area, change orders are highly likely. New buildings not planned during design are now already constructed or in the process of being built within the project area, possibly leading to the need for additional service stub-outs and other construction changes. Construction change orders are often in the 6% (of total construction cost) range for any given job. Assuming this project will result in change orders amounting to 6% of construction cost, it is our recommendation the City plan and budget for \$280,000 in expenses beyond the projected shortfall of \$230,000. This amounts to a total of **\$510,000**.



April 30, 2018
W.O. 50109.00

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

Subject: DOWL Term Contract 2017-2022
Task Orders 10, 11, and 12
Proposal for engineering and planning services

Dear Mr. Williams:

DOWL is pleased to present scopes of work for the following tasks:

- Task Order #10- City of Bethel Long Range Transportation Plan
- Task Order #11- Planning Study for City Hall Roof Replacement
- Task Order #12- Planning Study for Replacement of Courthouse Water Service

It is our understanding you need scopes of work and budgets in order to properly plan FY19 budgets. This fee proposal letter explains our proposed scope of services for each task order and outlines key assumptions, deliverables, and our proposed fee. As always, we appreciate being the City's consultant of choice on all your planning and engineering needs.

TASK ORDER #10- CITY OF BETHEL LONG RANGE TRANSPORTATION PLAN (LRTP)

The community of Bethel has many transportation needs and many stakeholders working on transportation needs; Orutsararmiut Native Council (ONC), Alaska Department of Transportation and Public Facilities (DOT&PF), and Association of Village Council Presidents (AVCP). However, the community lacks a unified plan to guide development within the City limits. An LRTP would provide the City and other key stakeholders a unified vision for how to spend limited transportation funds as they become available. This document could be used for grant applications and nominations to the State of Alaska Transportation Improvement Plan.

SCOPE OF SERVICES

- We will work with the City and key stakeholders to develop an LRTP which identifies transportation projects. It will prioritize them based on need and aligned priorities amongst stakeholders such as ONC, DOT&PF and AVCP.
- Prioritized projects would be accompanied by planning level cost estimates and a funding plan to implement the projects. DOWL will identify grants and partnership opportunities to secure funding so projects can be developed.

- DOWL will develop a Public Involvement Plan (PIP) that will include: public outreach strategies such as stakeholders to include in the planning process (ONC, DOT&PF, AVCP); outreach materials to be used (City website, Facebook, survey via Survey Monkey); local advertising; develop a stakeholder and public contact list that will be used to disseminate information about public meetings and planning documents needing review and input.
- DOWL will develop an interactive map that will be used at the public meetings and will be available throughout the planning process to capture comments regarding transportation issues and needs. The interactive map can be posted to the City's website.

DELIVERABLES

- (1) Electronic and Hard Copy - Draft LRTP
- (1) Electronic and (4) Hard Copies of the Final LRTP (within 60 days of receiving written commentary)

ASSUMPTIONS

- DOWL will prepare materials for two public meetings; August and November 2018.
- DOWL will lead in securing a venue for the public meetings and will purchase catering for the meetings.
- DOWL will not develop a website for the project. DOWL will prepare the project information, such as the interactive map, survey, and provide to the City communications department.
- DOWL's existing scope for Task Order #4- Transportation Planning, is unchanged by the execution of this Task Order. If funds remain from Task Order #4 at the completion of those services- the funds could be applied to this Task Order.

SCHEDULE

- Notice to Proceed – July 15, 2018
- Kick off Meeting/Public Involvement Plan – July 25, 2018
- Public Meeting and Site Visit #1 – August 2018
- Transportation Analysis and Project Recommendations – July-December 2018
- First draft LRTP- November 2018
- Public Meeting and Site Visit #2 – November 2018
- Final LRTP Development and Production – December 2018

TASK ORDER #11- PLANNING STUDY FOR CITY HALL ROOF REPLACEMENT

It is our understanding the City wishes to replace City Hall roof with a pitched roof in the coming years. At this point a well-developed project scope or work and budgetary estimate doesn't exist. The existing roof is a flat roof, and because of its age and conditions has begun to leak in multiple locations, which has led to ceiling damage. City operation and maintenance staff have spent increasing amounts of time maintaining the existing roof.

SCOPE OF SERVICES

- DOWL will work with Architects Alaska and in-house structural engineering to provide a building assessment of the City of Bethel City Hall. The assessment will lead to a code and conditions analysis.
- DOWL will develop a scope of work, graphics, and conceptual figures of proposed roof replacement project.
- DOWL will prepare planning level cost estimates for design and construction, and recommendations for administering the project.
- Our work will conclude in a memorandum that could be used for pursuing grant funds, or as back-up for City Council budget planning sessions.

DELIVERABLES

- Code and Condition Assessment (within 30 days of Notice to Proceed)
- Draft Technical Memorandum (within 30 days of Condition Assessment)
- Final Technical Memorandum (within 30 days of written comments)

ASSUMPTIONS

- No mechanical and electrical engineering services. Assessment would be limited to architectural and structural components.
- Figures would be conceptual, and used for planning level only. These figures would eventually be used as a basis for design.
- The proposed fee could be reduced if record drawings are made available. If no record drawings are available, documentation of existing conditions will take more effort.

TASK ORDER #11- COURTHOUSE WATER SERVICE REPLACEMENT

It is our understanding the water service to the City owned building leased by the Alaska Court System needs improvement. There is potential cost savings by replacing the water service with a more direct water service. The existing water service takes a circuitous path from a university building through an old dilapidated utility building (that serves no purpose anymore), and into the courthouse building. The dilapidated utility building still requires heating and is a drain on utility operation costs. A 6” water main does pass near the building, and a direct water service from the courthouse building to the main could be constructed. The City has a need to properly plan and develop a scope of work and construction cost estimate for this project.

SCOPE OF SERVICES

- DOWL will investigate alternatives for providing direct water service to the courthouse from the nearby 6” water main and we will investigate implications (positive and negative) of removing the existing utility building.
- DOWL would prepare a scope of work including conceptual graphics explaining project alternatives.
- Our work would conclude in a technical memorandum that recommends an alternative and identifies project advantages and disadvantages and planning level design and construction cost estimates.

DELIVERABLES

- Draft Technical Memorandum (within 30 days of Notice to Proceed)
- Final Technical Memorandum (within 30 days of written comments)

ASSUMPTIONS

- No WaterCAD modeling will be required. We assume the 6” water main has capacity to handle the increased demand from the courthouse. This could be further investigated during design.
- This document could be used for soliciting grant funds and for City council budget planning, but would not be subject to agency review and scrutiny, as a Preliminary Engineering Report would be.

FEE PROPOSAL

We propose to complete the above described basic services for a total fee of \$73,000.

Table 1: Proposed Fee

Task	Proposed Fee
Task Order #10- City LRTP (Lump Sum)	\$43,000
Task Order #11- Planning Study for City Hall Roof Replacement (Time and Expense)	\$18,000
Task Order #12- Planning Study for Courthouse Water Service Replacement (Time and Expense)	\$12,000
TOTAL	\$73,000

One monthly statement will be provided showing total fees invoiced for each of these tasks. Payment will be expected within 30 days.

Management Team Reports



CITY OF BETHEL
Fire Department

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

Celebrating 50 Years of Service

DATE: May 1, 2018
TO: Pete Williams, City Manager
FROM: Bill Howell, Fire Chief
SUBJECT: Management Report, April 2018

Current Events

- House Bill 176 (GEMT legislation) was passed unanimously by the Senate and is on its way to the Governors desk. The Department has been working with our District 38 delegation and the Alaska Fire Chiefs Assn. for the last 2 sessions on this legislation.
- The Department received a notice from Alaska OSHA regarding a complaint by a Fire Department employee(s) about turnout gear that has expired. NFPA 1851 states that turnouts older than ten-years must be retired from live fire use. A closure letter from OSHA is attached to this report.
- From 04/23/18 to 04/27/18, Captain Solesbee attended Alaska's 33rd Annual Fire and Arson Investigator Training Conference on Joint Base Elmendorf-Richardson in Anchorage. Captain Solesbee will be Bethel Fire Department's first State of Alaska Certified Fire Investigator.
- From 04/30/18 to 05/05/18, Firefighter Inman will be attending the Waterous Mechanics Seminar in Wisconsin. This training will focus on pump repair, rebuild and troubleshooting of our department's fire pumps. A certification test for Emergency Vehicle Technician (EVT)- pump repair will be taken at the end of this class.
- The ladder truck purchase is complete. The shipping date has not yet been set.
- The RFP for ambulance billing was reviewed and awarded.
- During this period, the department responded to 166 EMS incidents, 105 (65.6%) were alcohol-related.

Community Planning/Preparedness

- The Department is facilitating meetings with GCI regarding enhanced 911 features at the PD dispatch center
- On April 5, the Fire Chief and Police Chief attended a teleconference regarding changes to statewide emergency call centers.
- On April 10, the Fire Chief met with DOT regarding emergency operations at the Bethel Airport.
- A final review of the Bethel Fire Department Medical Standing orders was conducted. Final comments by department EMT's will be evaluated before submittal to our Medical Director for approval.

Training

- On 04/03/18 at 7:00 p.m. an EMT Meeting held at the fire station. Responders reviewed advanced airway management equipment and techniques.
- On 04/12/18 at 7:00 p.m. a Fire Meeting was held at the fire station. Responders reviewed knowledge and practiced skills for Wildland/Urban Interface fires. Additionally, wildland fire gear was checked and issued to members.
- On 04/17/18 at 7:00 p.m. an EMT Meeting was held at the fire station. Responders reviewed and practiced trauma assessments and treatments.
- On 04/24/18 at 7:00 p.m. a Fire Meeting was held at the fire station. Responders reviewed and practiced skills using the Tri-Max 30 Compressed Air Foam System.
- The Driver Training program information has been assigned to staff and volunteers. Multiple staff and volunteers have completed the online training and safety cone course with our ambulances.

Responses

- Between 04/01/18 and 04/30/18, the Bethel Fire Department responded to 166 EMS and 8 Fire incidents.

- During this period, 105 EMS incidents (65.6%) were alcohol-related.
- On 04/03/18 at 5:38 p.m. medics responded to the area of Kusko Court for the report of a deceased person. Medics confirmed death and turned the scene over to BPD Officers for an investigation. Medics returned to quarters.
- On 04/03/18 at 8:02 p.m. firefighters responded to Atsaq Road for the report of a vehicle fire. Firefighters deployed hose lines and extinguished the fire. After gathering information, firefighters returned to quarters.
- On 04/07/18 at 11:00 a.m. medics responded to Jacobs's Way for the report of a person vomiting blood. The patient was assessed and transported to the hospital.
- On 04/10/18 at 9:22 p.m. medics responded to BNC Unit 33 for a request to stage for a possible suicide attempt. One individual was found to have injuries incompatible with life. Medics left the scene to Bethel Police Department Officers and returned to quarters.
- On 04/15/18 at 7:31 a.m. firefighters responded to the BIA buildings for the report of a fire. Firefighters attempted to extinguish the fire, but discontinued due to low water supply and inaccessibility to the scene. The fire was monitored until it burned itself out the following day. The cause is under investigation.
- On 04/16/18 at 5:53 p.m. medics responded to the City Port for a person falling off the sea wall onto the ice. The patient was hanging on the sea wall. Medics donned dry suits and utilized the Rescue Alive equipment to retrieve the patient on the unstable ice against the sea wall. The patient was assessed and transported to the hospital.
- On 04/18/18 at 9:35 a.m. medics responded to Hangar Lake Road for the report of a person with no pulse and not breathing. One individual was found to have signs incompatible with life. Medics left the scene to Bethel Police Department Officers and returned to quarters.
- On 04/19/18 at 7:20 a.m. firefighters responded to Hangar Lake Road for the report of a structure fire. Upon arrival, firefighters found a shed on fire. Firefighters extinguished the fire. The fire was a result of arcing from a worn electrical cord.
- On 04/26/18 at 12:04 a.m. medics responded to Alder Street for the report of a person who was unresponsive and not breathing. Medics performed CPR and transported the patient to the hospital.

Budget/Financial

- The Department is operating within budget.
- Our FY 19 proposed budget was submitted to Finance.

Grants

- The Department applied for Assistance to firefighters grant for approximately \$130,000 for firefighting turnouts and rescue equipment. This grant has a 5% match.
- The Department received funding through the volunteer Fire assistance program for \$7,500, for three sets of firefighting turnouts. This grant has a 10% match.
- The Department applied for and passed the first round of approval the Phase 18 Code blue Grant for \$45,000 for the remount of Medic-5 to a new chassis. Funds will be confirmed when the State budget passes in August of 2018.
- The Department was awarded \$7,500 in Code Blue grant funding for a new power stretcher for the new ambulance. This grant is administered by YKHC's EMS office; BVESA has committed matching funds.

Staffing/recruitment

- The Department has three vacancies. One position was offered, accepted and will be filled on May 2. An applicant is arriving May 25th to test. We are actively recruiting one local individual for the last position.

Vehicles & Equipment

- The Code Blue committee has approved \$45,000 to remount our 2003 Ford ambulance M-5.
- Engine 3, our 1986 Grumman reserve pumper, is in service, most major repairs are complete and it can be used in an emergency. The vehicle is being restocked with equipment and we are adding a reverse camera. A rebuild of the pump is scheduled for late May, early June.
- Medic Six is still working great! The crew is really enjoying the reliable new vehicle. We are waiting for arrival of the new power stretcher and seek funding for a new set of extrication tools.

FIRE DEPARTMENT VEHICLE STATUS

Vehicle	Type	Year	Status
Medic 4	Ambulance	1999	<i>(Backup ambulance)</i> In service Airbags repaired.
Medic 5	Ambulance	2003	In service. Frequent no starts/dead batteries. (Plan to remount to new chassis in 2018/2019)
Medic 6	Ambulance	2017	<i>(Frontline Ambulance)</i> In service. Tires studded.
Engine 4	Pumper	2013	<i>(Frontline pumper)</i> In service, Seat belt sensor silenced but still needing repair by V&E. Ground and marker lights changed to LED to reduce maintenance.
Engine 3	Pumper	1986	<i>(Back up pumper)</i> In service, Repairing pressure control valves and electrical. Installing B/U camera In service for emergencies. Needs pump rebuild. (Poor overall condition needs replacement)
Truck 1	Ladder Truck	1980	<i>(Frontline ladder truck)</i> Out of service, Replacement is ordered.
Tanker 1	Tanker (1500 gallon)	1980	In service, runs poorly, needs tune up, Work order issued. (Undersized for Bethel, poor condition, needs replacement).
Com 1	Pickup	2014	In service
Com 2	Pickup	2004	In service.



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

**Department of Labor and
Workforce Development**

Labor Standards and Safety
Occupational Safety and Health

1251 Muldoon Road, Suite 109
Anchorage, AK 99504
Main: 907.269.4940
Toll free: 800.770.4940
Fax: 907.269.4950 / 907.269.3723

March 20th, 2018

Bethel Fire Department
Attn: William Howell
320 Chief Eddie Hoffman Hwy
Bethel, AK 99559

Re: UPA # **1313638**

Mr. Howell,

On **February 27th, 2018**, the Alaska Occupational Safety and Health Section (AKOSH) conducted a complaint related inquiry of your establishment located at **320 Chief Eddie Hoffman Hwy, Bethel, Alaska**.

The Enforcement Officer completed the inquiry report and found that no hazards appeared to exist or that existing hazards have been appropriately abated. As a result, we will consider this matter closed.

However, please be aware that this finding does not imply that this workplace is free of all hazards nor does it preclude any future enforcement activity. The enforcement officer only evaluated those items, processes and equipment specified in the inquiry letter.

We would like to thank you for your time and patience with AKOSH during the inquiry. Your cooperation and assistance for providing a safe and healthful work environment for your employees is appreciated.

Sincerely,

A handwritten signature in blue ink, appearing to read "Greg Matthieu".

Greg Matthieu
Assistant Chief of Enforcement, AKOSH

MEMORANDUM

DATE: May 1, 2018
TO: Peter Williams, City Manager
FROM: John Sargent, Grant Manager
SUBJECT: Grant Manager’s Report – May 8, 2018 Bethel City Council Meeting



Grant Applications Submitted

I prepared and submitted two grant applications to the Village Safe Water (VSW) Program:

Amount	Type	Description
\$25,000	Planning	Update the City’s Preliminary Engineering Report and Environmental Report for A-B-C Water Loops in Bethel Heights (2013)
\$75,000	Planning	Prepare new Preliminary Engineering Report and Environmental Report for Sewer System Evaluation in Bethel Heights

Grants Awarded

The City of Bethel received notice from the Alaska Department of Transportation and Public Facilities, Transit Division, that its grant request for \$334,764 was awarded. This amount includes the purchase of one ADA-compliant 12-passenger cutaway transit vehicle and operations costs for one year: July 1, 2018 to June 30, 2019. A City cash match of \$101,738 is required.

Grant Projects

Community Service Patrol

Worked with Police Department to prepare and submit a Line Item Budget Revision request to the Alaska Department of Health and Social Services to reallocate unspent personnel costs to equipment, supplies, and training costs. The City’s request was approved. The City will now purchase a new server with seven drives to store all the body camera images collected from CSPs when on-duty, cold weather gear, AEDs, and have a sufficient amount of overtime to complete the year with its current three-person staff level.

Sewer Lagoon Rehabilitation

Dredging

The City signed the new VSW grant agreement in the amount of \$2,071,473 to cover dredging cost. Dredging this summer will focus on the area around the jetty and be done in cooperation with STG, the contractor hired to make jetty repairs.

Jetty Repair

STG and Merrell Bros., Inc. were part of a teleconference in April 2018 in which the summer lagoon construction projects were discussed. The speed of Merrell’s dredging around the jetty is expected to have no impact on STG’s construction plans.

Request for Bids/Proposals

Proposals/Bids due

- Water Treatment Chemicals, Calcium Chloride/Sodium Chloride, Muriatic Acid – 5/5/18
- Water Tank Inspections – 5/8/18
- Dumpsters – 5/10/18

The next RFBs to be generated will be for the purchase of fuel (heating, diesel, gasoline) and gravel. Other RFB/RFPs in the works: engine, playground equipment for Owl Park, Rebuilt engine for water truck.

City of Bethel Grant Summary Fiscal Year 2018					
Preparing					
Sponsor	Name	Products/Services	City Depts. (Partners)	Date	\$ Grant \$ City Match
USDA-RD	Water and Sewer grant and loan	15 water and sewer trucks; water & sewer piped construction at 6 th -7 th Avenues	Public Works	Ongoing	\$2,588,894 \$3,164,204
USDA-RD	Water and Sewer grant and loan	Sewer Lagoon Rehabilitation Project – Jetty Repair	Public Works	Ongoing	\$3,332,358
Submitted in Fiscal Year 2018					
Most recent first					
Sponsor	Name	Products/Services	City Depts.	Date	\$ Grant \$ Match
AK Dept. of Environmental Conservation-Div. of Water	Village Safe Water Program – Planning Project	Update Preliminary Engineering Report and Environmental Report for A-B-C Water Loops in Bethel Heights	Public Works	4/20/18	\$25,000 0
AK Dept. of Environmental Conservation-Div. of Water	Village Safe Water Program – Planning Project	New Preliminary Engineering Report and Environmental Report for Sewer System in Bethel Heights	Public Works	4/20/18	\$75,000 0

Sponsor	Name	Products/Services	City Depts.	Date	\$ Grant \$ Match
AK Division of Homeland Security and Emerg. Mgmt.	State Homeland Security Grant	Fire Responder Communications Tower, Police Dispatch Center consoles, servers, cybersecurity training	Police, Fire	1/30/18	\$707,473 0
State of Alaska	Capital Budget Request	Road Around H-Marker Lake	Public Works	2/9/18	\$2,000,000 0
State of Alaska	Capital Budget Request	Institutional Corridor Water Delivery System – Phase 2	Public Works	2/19/18	\$4,500,000 0
State of Alaska	Capital Budget Request	Water & Sewer Trucks	Public Works	2/19/18	\$3,618,098 0
State of Alaska	Capital Budget Request	Bethel Hgts. A & B Loops & New Kilbuck Lift Station	Public Works	2/19/18	\$17,504,390 0
State of Alaska	Capital Budget Request	Bethel Small Boat Harbor Bank Stabilization	Port	2/19/18	\$2,500,000 0

Approved in Fiscal Year 2018

Most recent first

Sponsor	Name	Products/Services	City Depts.	Date	\$ Grant
AK Dept. of Transportation & Public Facilities, Transit Division	Community Transit Grant	Transit System Operations	Public Works – Transit	1/19/18	\$334,764
Rasmuson Foundation	Discretionary Grant	YK Fitness Center Operations & Mgmt.	Public Works	12/8/17	\$5,000 0
Village Safe Water Program, DEC	Water and Wastewater Grant Program	Dredging Bethel Sewer Lagoon	Public Works	2/21/18	\$2,071,473 0
Village Safe Water Program, DEC	Water and Wastewater Grant Program	Dredging Bethel Sewer Lagoon	Public Works	7/14/17	\$2,230,851 0
Village Safe Water Program, DEC	Water and Wastewater Grant Program	Dredging Bethel Sewer Lagoon	Public Works	7/14/17	\$300,037 0 Closed
Village Safe Water Program, DEC	Water and Wastewater Grant Program	Dredging Bethel Sewer Lagoon	Public Works	7/14/17	\$2,283,316 0
Village Safe Water Program, DEC	Water and Wastewater Grant Program	Dredging Bethel Sewer Lagoon	Public Works	10/14/17	\$500,000 0 Closed
Village Safe Water Program, DEC	Water and Wastewater Grant Program	Replace 5 lift station electric panels & replace lift station	Public Works	8/15/17	\$900,000 0

Sponsor	Name	Products/Services	City Depts.	Date	\$ Grant \$ Match
AK Div. of Homeland Security & Emerg. Mgmt.	State Homeland Security Pgm.	GIS Mapping, repeaters, ALERRT Training	Police Fire Planning	7/19/17	\$103,987
AK Public Entity Insurance	Safety Grant	Safety vests, jackets, ear plugs	Public Works	9/25/17	\$3,000 0 Closed

Risk Management Report

Summary of Activities for the month of April 2018.

Priorities Identified:

Incident Management:

Incidents are now being routed to the Risk Manager

Risk Manager confers with the appropriate Department Director to resolve

Risk Manager routes incident reports to insurance Broker and APEI as appropriate

Goal is to manage incidents to improve safety and reduce claims

Claims Management

Risk Manager is now the point person for claims processing

Goal to reduce claims against the City

Request for Proposals/Request for Bids

The Risk Manager is now working with the Grant Manager and City Attorney to assume the process for managing RFP/RFB's.

For the month of April 2018 the following is being accomplished:

Review of all incident reports and accident reports:

- Incident reports are now routed through the Risk Manager for processing.
- Work with Department Directors to investigate incidents to determine cause and implement appropriate administrative controls and safety measures to prevent similar occurrences.
- Forward incident reports involving property damage to insurance Broker and APEI as appropriate.
- Manage minor incidents internally

Processing of RFPs and RFBs:

- Risk Management and working closely with the Grant Manager and City Attorney.
- Two RFPs have been processed and three RFBs are in the final stages of processing.
- Have been assigned limited Purchasing Agent responsibilities as related to RFPs/RFBs.
- Goal is to become current with the procedures and work with staff toward any possible improvements.

Reviewed all current claims:

- No claims have been reported to the Risk Manager for the month of April
- Goal is to reduce the frequency and severity of claims and manage minor claims internally in the best interests of the City. Will be working with APEI towards this end.

Safety:

- Ongoing preparations for an unannounced OSHA visit sometime this summer. All Departments have been very cooperative.
- Conducted a safety inspection of several City properties with the Cole Cummins, Loss Control with APEI.

- Building Maintenance has ordered new replacement fire extinguishers for all buildings. Working with Building Maintenance to get Life Safety inspections accomplished.
- There are existing safety meetings being held in various departments on a daily or nearly daily basis. Compiled records from several Departments documenting staff safety training to qualify for APEI's Premium Credit Program.
- Goal is to improve safety training documentation to achieve the highest possible credit from the APEI Premium Credit Program for next year

Priority Insurance Renewal:

- Started reviewing and updating asset schedules – Vehicles; Equipment and Property Lists for APEI insurance renewal. Working with the Insurance Broker, Combs Insurance Agency and APEI.
- Department Directors and staff have been very helpful to update lists and fill in blanks within the schedules.
- Goal is to have all applications and information prepared for Combs Agency and APEI before the end of May.

Respectfully,
James Wyckoff



April 2018 Monthly Report

Personnel:

Two new officers started their employment with the Department during April, both of them previously certified in Alaska. One is progressing well through a condensed field training program and the other just left service with BPD a few months ago so no field training program was necessary.

Every funded police officer position is currently filled! There is a vacant unfunded officer position and unfunded lieutenant position currently vacant. A current sergeant has been appointed as the acting lieutenant since November. Neither of the other two sergeants are interested in a tenure as acting lieutenant. The lieutenant position is currently open for recruitment of city employees only.

The Dispatch Center is still down one dispatcher and the dispatch supervisor. Two dispatchers are in field training. Both are progressing well but, in effect, dispatch is short three dispatchers for shift coverage since the trainees have to work with someone. This has resulted in significant overtime to keep shifts covered.

All CSP and CSO positions are all currently fully staffed.

Operations:

There were 1,714 calls for service the month of April. This is nearly identical to the number of calls for March and approximately 100 calls fewer than April of 2017. Investigations requiring reports were down to 80 in April from 115 in March but up from 54 in April of 2017. There were 10 Felony investigations. Three death investigations were conducted, all alcohol related. BPD also investigated 10 reports of Domestic Violence.

There were a total of 576 reports of intoxicated pedestrians in this period, down 250 reports from March and approximately 50 from April of 2017.

Animal Control:

There were 47 animal control calls for service for the month and 25 calls for service for pound duties. The pound duties are a significant drop because Bethel Friends of K9 are now sharing pound duties. There were no reported of K9 bites.

Budget:

With the staffing shortages for both police officers and dispatchers there has been a significant increase in overtime spending for shift coverage. However, salary savings from the shortages should be enough to cover the spending. Adjustments were made to the 2019 proposed budget.

Staffing shortages in the CSP ranks has also led to underspending in the CSP Grant. Line item shifts in the grant has allowed for some of the money to be spent in both overtime and some equipment purchases.

Improvements in police officer staffing has required using older, high mileage patrol vehicles that have only been used sparingly. This has resulted in requiring some significant repair costs. One new patrol vehicle was placed in the capital requests so a 15 year old patrol vehicle can be replaced.



To: Pete Williams, City Manager
From: Betsy Jumper, Planner
Subject: March Manager's Report
Date: April 30, 2018

- Had a Planning Commission meeting on the 12th.
- Residential site plan applications came in and were processed.
- Answer public's questions on miscellaneous topics.
- Met with an AT & T consultant to discuss cell tower placement in the same footprint as the 260' tower that was demolished in 2017.
- Vacation April 16-26th.
- The Administrative Assistant is going to attend the FEMA training in Anchorage April 30th-May 3.
- Coordination with the City Manager, the Public Works Director, CRW Engineers, on the LKSD Ayaprun Elitnaurvik Replacement School project.

Memorandum

Date: April 26, 2018

To: Pete Williams, City Manager

From: Bo Foley, IT Director

Subject: IT Director's Report



April 2018 Current Events

- **Proposed FY19 Budget Finalized:** After working with the city manager and finance director, an acceptable proposed FY19 budget was agreed upon for my department. That budget will be presented to council in the near future for further modification and/or ratification.
- **Disaster Recovery Plan:** Though there has always been an unwritten plan within my department as far as a procedure to follow in the event of an IT-related work stoppage, there has never been a physical document outlining steps that should be followed or points of contact, etc. This would make it hard for my successor or another member of the city such as the city manager to know what to do if something happened if I were away or no longer with the city. As such, I am endeavoring into the process to produce a document that covers these steps and any other pertinent information that may be needed.
- **E911 Outages:** There were two occurrences recently in which the police department's E911 system suffered an outage or diminished capabilities. Only one of these times was it due to our own equipment or in our power to control. These incidents are outlined below:
 - **3/29/18** – E911 suffered diminished capability and could not receive contact from cellular phones. This event was due to an outage/failure with equipment on the end of United Utilities Inc., the local phone company. This event also marginally affected radio communications. None of this was due to equipment on our end and was beyond our power to do anything about. Once UUI fixed their malfunctioning equipment, all communications were restored.
 - **4/11/18** – E911 down completely. This was due to a city-wide power outage that occurred. Normally, the PD will switch over to generator power during power loss. Additionally, the building has UPS units in place that assist in the transition from power-loss to generator-power, serving as a bridge so that no equipment loses power during the momentary transition. In this case, a bypass breaker switch had been switched to an "On" position and so the building was bypassing the UPS units. When the building lost power, it did not swap over correctly and so there was no power to the building for this short period. Thus, the 911 servers and computers had no power to function. We have since corrected this so the building is no longer bypassing the UPS units and should remain online during future power-loss-occurrences.
- **Business-As-Usual:** Beyond the above-mentioned items, the month has been fixing or helping with run-of-the-mill trouble tickets such as email, printing, Caselle access, and login problems.

Memorandum

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Future Plans

- **Council Ratification of IT Budget for FY19:** Within the next couple of months, each department head will be spending some time covering and adjusting their budgets with the members of council. I will be looking to schedule my spot for this meeting with council to work out an acceptable approved budget for my department going into FY19.
- **Disaster Recovery Plan:** I will look to start building a skeleton of a document covering the process the City of Bethel would go through for recovering from a work stoppage from an IT perspective. Going forward, the document will be polished and repolished to include more pertinent information.

City Clerk's Report

City of Bethel, Alaska

City Clerk's Office

Council Meetings and Events

May 22, 1:00 p.m. Alcohol Beverage Control Board Hearing- Cultural Center

May 22, Regular City Council Meeting

Budget Meeting Dates:

May 10, 17, 24, 29, 31

June 5, 7

Burial Permits April 1 to Current

8 Burial Permits and or Reservations have been issued.

Passport Applications April 1 to Current

25 Passport Applications have been processed.

Petition

The Office certified local option petition 182 with 297 qualifying signatures.

Committee Training

Now that the Public Works Committee is scheduled to meet in May, the City Clerk's Office has requested a training for the Body in June.

The City Clerk will be meeting with the new Chair of the Finance Department in advance of their next meeting to provide one on one training and will at that time discuss with the chair a good meeting date for the full body training.

Alcohol Task Force

A summary of the meeting was prepared and provided to Mayor Robb for review. This summary was approved by Mayor Robb on April 30, and emailed to the Task Force May 2.

Document Preparation/ Research

Researching limitations on alcohol sales in other states to help confirm the City isn't able to limit the type of alcohol sold by retailers.

Research Public Request for Information criteria for Law Enforcement.

Prepared an AM for Council to consider Council Member Shabani's Resignation.

Review legal files and boxes with City Attorney.

Preparing an Ordinance placing the local option petition question on the October 2, Regular Election Ballot.

General

Met with in person and over the phone a total of seven people with questions related to local option.

The Office continues to work on the website. We plan to have the Action Memorandums up on the site by May 8th. The fee and rate schedule has been placed on the site and the Energy Committee/Public Works Committee merge has been updated as well.

Executive Session

Additional Information
