



# City of Bethel

P.O. Box 1388

Bethel, Alaska 99559

Phone: 907- 543-2047

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**Regular City Council Meeting**

**Tuesday, June 13, 2017**

**6:30 P.M.**

**Council Chambers; Bethel, Alaska**



# City Council Meeting Agenda Regularly Scheduled Meeting June 13, 2017 – 6:30 pm City Hall 300 State Highway, Bethel, AK City of Bethel Council Chambers

Rick Robb  
Mayor  
Term Expires 2017  
[rrobb@cityofbethel.net](mailto:rrobb@cityofbethel.net)

Fred Watson  
Vice-Mayor  
Term Expires 2018  
[fwatson@cityofbethel.net](mailto:fwatson@cityofbethel.net)

Leif Albertson  
Council Member  
Term Expires 2017  
[labertson@cityofbethel.net](mailto:labertson@cityofbethel.net)

Alisha Welch  
Council Member  
Term Expires 2017  
[arwelch@cityofbethel.net](mailto:arwelch@cityofbethel.net)

Norman Ayagalria  
Council Member  
Term Expires 2018  
[nayagalria@cityofbethel.net](mailto:nayagalria@cityofbethel.net)

Mark Springer  
Council Member  
Term Expires 2017  
[mspringer@cityofbethel.net](mailto:mspringer@cityofbethel.net)

Naim Shabani  
Council Member  
Term Expires 2017  
[nshabani@cityofbethel.net](mailto:nshabani@cityofbethel.net)

Pete Williams  
Acting City Manager  
543-2047  
[pwilliams@cityofbethel.net](mailto:pwilliams@cityofbethel.net)

Lori Strickler  
City Clerk  
543-1384  
[lstrickler@cityofbethel.net](mailto: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) \*5-18-2017 Special Budget Meeting **p.5**
  - b) \*5-23-2017 Regular Meeting **p.8**
  - c) \*5-25-2017 Special Budget Meeting **p.15**
  - d) \*6-1-2017 Special Budget Meeting **p.19**
- VII. REPORTS OF STANDING COMMITTEE**
- VIII. SPECIAL ORDER OF BUSINESS**
  - a) Appreciation for Byron Maczynski and Nikki Hoffman (Mayor Robb)
- IX. UNFINISHED BUSINESS**
  - a) Public Hearing Of Ordinance 17-26: Amending Bethel Municipal Code Chapter 4 – Revenue And Finance, Section .04 Budget And Audit (Council Member Watson) **p.47**
  - b) Public Hearing Of Ordinance 17-27: Amending Bethel Municipal Code 9.36, Nuisance Abatement, Penalties And Remedies (Mayor Robb) **p.48**
  - c) Public Hearing Of Ordinance 17-28: Establishing A City Of Bethel Budget For Fiscal Year 2018 Beginning July 1, 2017 (City Manager Williams) **p.50**
  - d) Employment Contract Negotiation/Renewal City Attorney (Mayor Robb) **p.53**
- X. NEW BUSINESS**
  - a) \*Introduction Of Ordinance 17-29: Authorizing The Acquisition Of An Easement From Bethel Native Corporation (City Manager Williams) **p.62**
  - b) \*Introduction Of Ordinance 17-30: Authorizing The Acquisition Of An Easement From Bethel Native Corporation (City Manager Williams) **p.69**
  - c) \*Introduction Of Ordinance 17-31: Authorizing The Acquisition Of An Easement From Bethel Native Corporation (City Manager Williams) **p.75**
  - d) \*Introduction Of Ordinance 17-32: Authorizing The Acquisition Of An Easement From Bethel Native Corporation (City Manager Williams) **p.83**
  - e) \*Introduction Of Ordinance 17-33: Repealing And Replacing Ordinance 16-33, Authorizing The Acquisition Of Interest In A Utility Easement From Bethel Native Corporation (City Manager Williams) **p.89**
  - f) \*Introduction Of Ordinance 17-34: Authorizing The Disposal Of Interest In Easements/Land For Utility Acquired Through Ordinance 16-06 From YKHC (City Manager Williams) **p.95**
  - g) \*Introduction Of Ordinance 17-35: Authorizing The Acquisition Of An Easement From The Yukon Kuskokwim Health Corporation (City Manager Williams) **p.100**

Agenda posted on June 7, 2017, 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 June 27, 2017**.

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  
June 13, 2017 – 6:30 pm  
City Hall 300 State Highway, Bethel, AK  
City of Bethel Council Chambers**

- h) **\*Introduction Of Ordinance 17-36:** Ballot Proposition Increasing Tax On Sales Of Alcoholic Beverages From 12% To 15% And Dedicating 3% Of The Revenue To Health, Public Safety And Social Services (Council Member Albertson) **p.106**
- i) **\*Introduction Of Budget Ordinance 16-17 (O):** Amending The Fiscal Year 2017 Budget For Bethel Embankment Project (City Manager Williams)
- j) **\*Resolution 17-11:** Requesting FY 18 Payment In Lieu Of Taxes Funding From The Department Of Commerce, Community and Economic Development (City Manager Williams) **p.108**
- k) **\*Resolution 17-12:** A Resolution By The Bethel City Council Empowering Council Members To Solicit Community And/Or Regional Partners For The Transit System (Mayor Robb) **p.109**
- l) **\*AM 17-37:** Appointment of Eileen Arnold to the Community Action Grant Technical Review Board (Mayor Robb) **p.110**
- m) **\*AM 17-38:** Appointment of Jason Brown to the Finance Committee as an Alternate Member (Mayor Robb) **p.111**
- n) **AM 17-39:** Direct Administration to Develop Capitol Projects and Major Maintenance Plan (Mayor Robb) **p.112**
- o) **AM 17-40:** Direct Administration To Prepare And Submit Three Infrastructure Development Proposals To The State Of Alaska (Mayor Robb/City Manager Williams) **p.113**
- p) **AM 17-41:** Authorizing Vacation Of An Unimproved Right-Of-Way 7--Foot Radius Temporary Turnaround Easement Located On Lot 1, Block 12 And Lots 15 And 16, Block 11, Kasayuli Subdivision (Planning Commission) **p.117**
- q) **\*Personal Leave Request** City Attorney, June 29 to July 11 (Mayor Robb)

**XI. MAYOR'S REPORT**

**XII. MANAGER'S REPORTS**

**XIII. CLERK'S REPORT**

**XIV. COUNCIL MEMBER COMMENTS**

**XV. EXECUTIVE SESSION**

- a) Alaska Statutes Title 44.62.310: Matters, the Immediate Knowledge of Which Would Clearly have an Adverse Effect upon the Finances of the Public Entity - Contract Negotiations – City Attorney's Employment (Council Member Albertson)
- b) Alaska Statutes 44.62.310: Subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion-Quarterly Evaluation of City Manager (Mayor Robb)
- c) Alaska Statutes Title 44.62.310: Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity- Potential Litigation Faulkner-Walsh Contractors (4BE-16-034-CI); AVCP-RHA (Owl Park); Appeal of Endangering Welfare cases (Mayor Robb)

**XVI. ADJOURNMENT**

Agenda posted on June 7, 2017, 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 June 27, 2017.**

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.

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# ***Approval of the Meeting Minutes***

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**I. CALL TO ORDER**

A Special Meeting of the Bethel City Council was held on May 18, 2017 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**

<b>Comprising a quorum of the Council, the following members were present:</b>	
Mayor Rick Robb	Council Member Leif Albertson
Vice-Mayor Fred Watson	Council Member Naim Shabani
Council Member Mark Springer (arrived after roll call)	
<b>Members Absent:</b>	
Council Member Alisha Welch	Council Member Norman Ayagalria
<b>Also in attendance were the following:</b>	
City Manager Pete Williams	City Clerk Lori Strickler
Jim Chevigny Finance Director	

**IV. PEOPLE TO BE HEARD**

*No one present to be heard.*

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

*Council Member Mark Springer arrived at 6:33p.*

**Main Motion:** Approve the Agenda.

Moved by:	Albertson
Seconded by:	Shabani
Action:	Motion carries by a vote of 5-0

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In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Springer
Opposed:	∅

**Primary**

**Amendment:** Move Item B under Unfinished Business to Item A under Unfinished Business.

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

**VI. UNFINISHED BUSINESS**

**Item B-** Public Hearing Of Budget Ordinance 16-17 (n): Amending The Adopted FY 2017 Budget To Purchase A Dumpster Truck.

*Mayor Robb opened the public hearing.*

*No one present to be heard.*

*Mayor Robb closed the public hearing.*

**Main Motion:** Adopt Budget Ordinance 16-17 (n)

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

**Item A –** Reviewing/Amending the Proposed Fiscal Year 2018 City of Bethel Budget.

**Main Motion:** Strike line Item 649 in the amount of \$28,540.

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

**Main Motion:** Striking 10-60-69X Tanker Truck at \$35,200 and amending 10-60-69X Ladder Truck Lease to strike \$68,018 and insert \$75,000.

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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"/> Albertson <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Springer

**Main Motion:** Strike PS1 at \$48,634 Fire Fighter/EMT.

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Moved by:	Watson
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Seconded by: |  
Action: Motion does not carry due to a lack of a second.

**Main Motion:** 10-60-501 personnel to insert \$28,540 for Volunteer Stipend.

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

**Main Motion:** 10-60-661 to strike \$2,922 and insert \$8,800.

---

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

**Main Motion:** To insert under line item 10-60-647 to \$31,500 and reduce line item 10-53-647.

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

**Main Motion:** Extend the meeting to 9:30p.

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Moved by: Springer  
Seconded by: Watson  
Action: Motion carries by a vote of 3-2  
In favor:  Watson  Shabani  Springer  
Opposed:  Albertson  Robb

## VII. ADJOURNMENT

**Main Motion:** Adjournment.

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

*Time of Adjournment- 9:16p*

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Richard Robb, Mayor

ATTEST:

**I. CALL TO ORDER**

A Regular Meeting of the Bethel City Council was held on May 23, 2017 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**

<b>Comprising a quorum of the Council, the following members were present:</b>	
Mayor Rick Robb	Council Member Norman Ayagalria
Council Member Mark Springer (Telephonically)	Vice-Mayor Fred Watson
Council Member Alisha Welch	Council Member Leif Albertson
Council Member Naim Shabani	
<b>Also in attendance were the following:</b>	
City Manager Pete Williams	Asst. City Clerk Kevin Morgan

**IV. PEOPLE TO BE HEARD**

Bill Howell- Fire Chief- In support of Vice-Mayor Watson’s Ordinance 17-26 which amends the use of Ambulance fees to go to the fleet replacement fund. There has been no plan for Vehicle replacement before. In support of planning for the future. Thanks to Vice-Mayor Watson to introducing it. Also there will be a Memorial Day sale this weekend. They are still looking for vendors. Contact them if interested. Funds will benefit Medic 6.

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

**Main Motion:** Approve the Consent and Regular Agenda.

Moved by:	Welch
Seconded by:	Albertson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria
Opposed:	-0

<b>Primary Amendment:</b>	Postpone "Item C" from Unfinished Business.
Moved by:	Albertson
Seconded by:	Welch
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria
Opposed:	0
<b>Removal from Consent:</b>	Item A, B, and C from New Business. Resolution 17-10, Introduction of Ordinance 17-26, and 17-27
Moved by:	Robb

**VI. APPROVAL OF THE MEETING MINUTES**

**Item A** – 5-4-2017 Special City Council Meeting.  
*Passed on the Consent Agenda*

**Item B** – 5-8-2017 Special City Council Meeting.  
*Passed on the Consent Agenda*

**Item C** – 5-9-2017 Regular City Council Meeting.  
*Passed on the Consent Agenda*

**Item D**- 5-11-2017 Special City Council Meeting.  
*Passed on the Consent Agenda*

**VII. REPORTS OF STANDING COMMITTEES**

**Public Safety and Transportation Commission**

Council Representative Norman Ayagalria – No meeting since last City Council meeting.

**Port Commission**

Council Representative Alisha Welch -They had a meeting last Monday. Docks going out this week or next. Breaking ground on new port office soon. Tragic news, Port Commission member Greg Roczicka passed away. They extend thanks for all the work that he has done for the city and condolences to family and friends on his passing.

**Planning Commission**

Council Representative Mark Springer -No meeting since last City Council meeting.

**Parks, Recreation, Aquatic Health and Safety Center Committee**

Council Representative Fred Watson- No meeting since the last City Council Meeting.

**Finance Committee**

Council Representative Leif Albertson -They discussed Sales tax at the last meeting.

**Energy Committee**

Council Representative Richard Robb-They met last Monday. Alternative energy discussion. Discussed upgrading Wind Turbine blade at the pool, and determined that it was not cost effective.

**Public Works Committee**

Council Representative Naim Shabani- They did not have a quorum at the last meeting.

**VIII. SPECIAL ORDER OF BUSINESS**

**Item A** – YK Fitness Center Update

**IX. UNFINISHED BUSINESS**

**Item A** – Public Hearing of Ordinance 17-25: Authorizing The Disposal Of Property Pursuant To BMC 4.08.030(B) Lease Agreement Between The City Of Bethel And Alaska Department Of Environmental Conservation-ADEC

*Mayor Robb opened the Public Hearing.*

*No one present to be heard.*

*Mayor Robb closed the Public Hearing.*

**Main Motion:** Adopt Ordinance 17-25.

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Moved by:	Albertson
Seconded by:	Welch
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria
Opposed:	∅

**Item B** – Public Hearing of Budget Ordinance 16-17(m): Amending the Adopted Annual FY 2017 Budget- Classification Study.

*Mayor Robb opened the Public Hearing.*

*No one present to be heard.*

*Mayor Robb closed the Public Hearing.*

**Main Motion:** Adopt Budget Ordinance 16-17(m).

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Moved by:	Welch
Seconded by:	Shabani

Action:	Motion carries by a vote of 6-1
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani
Opposed:	<input checked="" type="checkbox"/> Ayagalria

**Item C** – Employment Contract Negotiation/Renewal City Attorney.  
*Postponed*

**X. NEW BUSINESS**

**Item A** – Resolution 17-10: Authorizing Interim Bank Financing For The Sewage Lagoon Rehabilitation And Sewage Lagoon Jetty Repair Projects.

**Main Motion:** Adopt Resolution 17-10.

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Moved by:	Albertson
Seconded by:	Welch
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria
Opposed:	∅

**Item B** – Introduction of Ordinance 17-26: Amending Bethel Municipal Code Chapter 4 – Revenue And Finance, Section .04 Budget And Audit.

**Main Motion:** Introduce Budget Ordinance 17-26.

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Moved by:	Ayagalria
Seconded by:	Watson
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria
Opposed:	∅

**Item C** – Introduction of Ordinance 17-27: Amending Bethel Municipal Code 9.36, Nuisance Abatement, Penalties And Remedies.

**Main Motion:** Introduce Budget Ordinance 17-27.

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Moved by:	Springer
Seconded by:	Ayagalria
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria
Opposed:	∅

**Item D** – AM 17-36 Directing Administration To Pursue Development Of One Or More Roads Through Or Around The Donut Hole To Facilitate The Movement Of Goods And People in Bethel.

**Main Motion:** Approve AM 17-36.

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Moved by:	Shabani
Seconded by:	Springer

Action: | Motion carries by a vote of 7-0  
In favor: |  Robb  Albertson  Welch  Watson  Springer  Shabani  Ayagalria  
Opposed: |  $\emptyset$

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

Mayor Richard Robb – Condolences on the passing of Greg Roczicka. He was a champion of local issues. Wished everyone a safe and happy summer and with Memorial Day approaching, asked everyone to be safe on the river.

Vice-Mayor Fred Watson – No comments.

Council Member Leif Albertson – Condolences to the family of Greg Roczicka on his passing. Reminded everyone that there will be the Bethel Half-Marathon on June 24 8pm. Announced that 4-H will be registering kids for a summer soccer program and they are also looking for adults to coach. Contact them if interested.

Council Member Alisha Welch – Offered condolences to family and friends of Greg Roczicka. He will be greatly missed.

Council Member Mark Springer – Condolences on the passing of Greg Roczicka, a longtime advocate of the management of fish and game. He dealt with many different agencies on our behalf concerning the environment.

Council Member Naim Shabani – Condolences to the family on the passing of Greg Roczicka. Also extends thanks to Officer's Justin Ulak and Sargent Kadri Limani for responding to reports of an intoxicated individual with a firearm on May 10<sup>th</sup> at Watson's corner and safely resolving the situation. Grateful for their service and the service of all first responders.

Council Member Ayagalria – No comments.

**XV. EXECUTIVE SESSION**

**Item A–** Alaska Statutes Title 44.62.310, Matters, the Immediate Knowledge of Which Would Clearly have an Adverse Effect upon the Finances of the Public Entity - Contract Negotiations – City Attorney's Employment.

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**Main Motion:** Alaska Statutes Title 44.62.310, Matters, the Immediate Knowledge of Which Would Clearly have an Adverse Effect upon the Finances of the Public Entity - Contract

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Negotiations – City Attorney’s Employment. Those attending Item A was the Council.

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Moved by:	Albertson
Seconded by:	Welch
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria
Opposed:	∅

**XVI. ADJOURNMENT**

**Main Motion:** Adjournment.

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Moved by:	Albertson
Seconded by:	Welch
Action:	Motion carries by a vote of 7-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Albertson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Springer <input checked="" type="checkbox"/> Shabani <input checked="" type="checkbox"/> Ayagalria
Opposed:	∅

*Council adjourned at 8:22 p.m.*

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Richard Robb, Mayor

ATTEST:

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Kevin Morgan,  
Assistant City Clerk

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Lori Strickler, City Clerk

**I. CALL TO ORDER**

A Special Meeting of the Bethel City Council was held on May 25, 2017 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**

<b>Comprising a quorum of the Council, the following members were present:</b>	
Mayor Rick Robb	Council Member Leif Albertson
Vice-Mayor Fred Watson	Council Member Alisha Welch
Council Member Norman Ayagalria	Council Member Mark Springer (arrived at 6:37p)
<b>Members Absent:</b>	
Council Member Naim Shabani	
<b>Also in attendance were the following:</b>	
City Manager Pete Williams	City Clerk Lori Strickler
Jim Chevigny Finance Director	

**IV. PEOPLE TO BE HEARD**

John Sargent- Addressed a number of updates related to the City’s Transit System Grant agreement.

Ronda Sargent – Thanked the council for continuing to support the Bethel 4H Program.

*Council Member Springer arrived at 6:37p.*

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

**Main Motion:** Approve the Agenda.

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Moved by: Springer  
Seconded by: Albertson  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria  
Opposed: -0

## VI. UNFINISHED BUSINESS

### Item A – Reviewing/Amending the Proposed Fiscal Year 2018 City of Bethel Budget.

**Main Motion:** Amend 10-52-649, Lobbyist to strike \$40,000 and insert \$20,000 or the remaining balance of the contract term come December 31, 2017.

---

Moved by: Springer  
Seconded by: Albertson  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria  
Opposed: -0

**Main Motion:** Amend 10-72 to insert \$5,000 to cover the City' obligation of the Jesuit Volunteer at the Library, Administration will determine the appropriate line item for the funding.

---

Moved by: Albertson  
Seconded by: Springer  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria

**Main Motion:** Under 10-51-501 to strike \$14,000 and insert \$7,000 for the intern.

---

Moved by: Welch  
Seconded by: Springer  
Action: Motion carries by a vote of  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria

**Main Motion:** Amend to insert under an undefined line item Community Action Grant to be \$4,000.

---

Moved by: Albertson  
Seconded by: Welch  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria

**Main Motion:** Amend to strike \$4,000 and insert \$10,000.

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Moved by: Springer  
Seconded by: Watson  
Action: Motion carries by a vote of 5-1  
In favor:  Robb  Watson  Welch  Springer  Ayagalria  
Opposed  Albertson

**Main Motion:** Amend 10-54-649 to strike \$109, 000 and insert 87,827.

---

Moved by: Albertson  
Seconded by: Watson  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria  
Opposed:  $\emptyset$

**Main Motion:** Amend 10-54-649 to strike \$87,827 and insert \$60,000.

---

Moved by: Albertson  
Seconded by: Welch  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria  
Opposed:  $\emptyset$

**Main Motion:** Defund all five Police Officer positions that are not currently filled and the Lieutenant position.

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Moved by: Albertson  
Seconded by: Welch  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria  
Opposed:  $\emptyset$

**Main Motion:** Amend to reduce funding by 50% PCNS 17106, 17107, 17108 and 17301 and remain fully funded PCNS 17111 and 17112.

---

Moved by: Welch  
Seconded by: Springer  
Action: Motion carries by a vote of 5-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria  
Opposed:  $\emptyset$

**Main Motion:** Defund Bethel Public Transit System 56-50.

---

Moved by: Albertson  
Seconded by: Welch  
Action: Motion carries by a vote of 3-3  
In favor:  Robb  Albertson  Welch  
Opposed:  Watson  Springer  Ayagalria

**Main Motion:** Amend 10-52-562 to strike \$2,500 and insert \$500.

---

Moved by: Albertson  
Seconded by: Springer  
Action: Motion carries by a vote of 6-0  
In favor:  Robb  Albertson  Watson  Welch  Springer  Ayagalria  
Opposed:  $\emptyset$

**VII. ADJOURNMENT**

**Main Motion:** Adjournment.

---

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

*Time of Adjournment 8:56p.*

\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

**I. CALL TO ORDER**

A Special Meeting of the Bethel City Council was held on June 1, 2017 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**

<b>Comprising a quorum of the Council, the following members were present:</b>	
Mayor Rick Robb	Council Member Mark Springer
Vice-Mayor Fred Watson	Council Member Alisha Welch
<b>Members Absent:</b>	
Council Member Naim Shabani	Council Member Leif Albertson
Council Member Norman Ayagalria	
<b>Also in attendance were the following:</b>	
City Manager Pete Williams	City Clerk Lori Strickler
Jim Chevigny Finance Director	

**IV. PEOPLE TO BE HEARD**

No one present to be heard.

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

**Main Motion:** Approve the Agenda.

Moved by:	Welch
Seconded by:	Springer
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Springer
Opposed:	-0

## VI. UNFINISHED BUSINESS

### Item A – Introduction Of Budget Ordinance 17-28: Adopting The Fiscal Year 2018 City of Bethel Budget

<b>Main Motion:</b>	Introduce Budget Ordinance 17-28.
Moved by:	Springer
Seconded by:	Welch
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Springer
Opposed:	-0
<b>Primary Amendment:</b>	Amend 10-61-501, to defund Lieutenant (17301) and one Police Officer (17106), and fulling funding two Police Officer positions 17108 and 17107.
Moved by:	Springer
Seconded by:	Welch
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Springer
<b>Primary Amendment:</b>	Amend 56-50-501 to defund personnel line 29201 and 29202, transit driver positions.
Moved by:	Welch
Seconded by:	Springer
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Springer
<b>Primary Amendment:</b>	Amend water and sewer fund summary to strike total capital outlay \$100,000 and amend total project expenses to strike \$450,390 and insert \$550,390.
Moved by:	Welch
Seconded by:	Springer
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Springer
<b>Primary Amendment:</b>	Amend 50-44-416, to strike \$80,000 and insert \$120,000.
Moved by:	Welch
Seconded by:	Springer
Action:	Motion carries by a vote of 4-0
In favor:	<input checked="" type="checkbox"/> Robb <input checked="" type="checkbox"/> Watson <input checked="" type="checkbox"/> Welch <input checked="" type="checkbox"/> Springer
Opposed:	
<b>Primary Amendment:</b>	Amend the water and sewer Utility Fund Summary to strike \$450,390 and insert \$34,740 to reflect a zero under 51-87-51-2770.
Moved by:	Welch
Seconded by:	Springer

Action: | Motion carries by a vote of 4-0  
In favor: |  Robb  Watson  Welch  Springer  
Opposed: |  $\emptyset$

**Primary**

**Amendment:** Amend 10-65-790 to insert \$2,100.

---

Moved by: | Albertson  
Seconded by: | Welch  
Action: | Motion carries by a vote of 4-0  
In favor: |  Robb  Watson  Welch  Springer  
Opposed: |  $\emptyset$

**Primary** Defund all five Police Officer positions that are not currently filled and the Lieutenant  
**Amendment:** position.

---

Moved by: | Albertson  
Seconded by: | Welch  
Action: | Motion carries by a vote of 4-0  
In favor: |  Robb  Watson  Welch  Springer  
Opposed: |  $\emptyset$

**Secondary**

**Amendment:** Amend to apportion the fund into the five different funds at \$525 each.

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Moved by: | Springer  
Seconded by: | Watson  
Action: | Motion carries by a vote of 4-0  
In favor: |  Robb  Watson  Welch  Springer  
Opposed: |  $\emptyset$

**VII. ADJOURNMENT**

**Main Motion:** Adjournment.

---

Moved by: | Springer  
Seconded by: | Watson  
Action: | Motion carries by a vote of 4-0  
In favor: |  Robb  Watson  Welch  Springer  
Opposed: |  $\emptyset$

*Time of Adjournment 9:04p.*

\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

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# ***Reports of Standing Committees***

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# City of Bethel, Alaska

Parks, Recreation, Aquatic, Health & Safety Center Committee  
Regular Meeting June 12, 2017 – 6:00pm 300 State Highway, City Hall

Michelle DeWitt  
*Committee Chair*  
Term Expires 12/2017

Judy Wasierski  
*Committee Co Chair*  
Term Expires 12/2018

Kathy Hanson  
*Committee Member*  
Term Expires 12/2018

Barbara Mosier  
*Committee Member*  
Term Expires 12/2018

Beverly Hoffman  
*Committee Member*  
Term Expires 12/2018

Brian Lefferts  
*Committee Member*  
Term Expires 12/2017

Kathryn Baldwin  
*Alternate Committee Member*  
Term Expires 12/2017

Justin Wintersteen  
*Alternate Committee Member*  
Term Expires 12/2019

Fred Watson  
*Council Rep.*  
Term Expires 10/2017

Stacey Reardon  
*YK Fitness Facility Director*

Matt Ross  
*Parks and Recreation Rep.*

Pauline Boratko  
*Committee Recorder*

- I. CALL TO ORDER:**
- II. ROLL CALL:**
- III. PEOPLE TO BE HEARD – THREE MINUTES PER PERSON:**
- IV. APPROVAL OF AGENDA:**
- V. APPROVAL OF THE MINUTES:**  
May 8, 2017- regular meeting
- VI. SPECIAL ORDER OF BUSINESS:**
- VII. UNFINISHED BUSINESS:**
  - A. Individual to provide report to June 13 City Council meeting
  - B. Unresolved Recommendations and Action Memorandums
  - C. Updates: YK-KUC Trail, Dog Park
  - D. Fiscal Year 2018 Parks and Recreation Budget
  - F. Board Walk Identification System/Pinky's Park Improvements
  - G. Parks and Recreation Department Structure-opportunities for utilizing private companies for Parks/Recreation services
  - H. Clean up- Green up debrief
  - I. 4<sup>th</sup> of July
- VIII. Parks and Recreation Department Report- Matt Ross**
  - J. Balance on dedicated Pool Fund
  - K. Fiscal Year 2017 YK Fitness Center Budget
  - L. Sub Committee Reports: Water Temp, Marketing, Physical Facility
  - M. Arts at the YK Fitness Center
  - N. Health Fitness Operations Plan
  - O. YK Fitness Center Roof
- IX. YK Fitness Facility Director Report- Stacey Reardon**
- X. NEW BUSINESS:**
  - A. Wind Turbines
- XI. MEMBER COMMENTS:**
- XII. ADJOURNMENT:**

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**City of Bethel, Alaska**  
**Parks, Recreation, Aquatic, Health & Safety Center Committee Minutes**

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May 7, 2017

Regular Meeting

Bethel, Alaska

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**I. CALL TO ORDER**

The meeting was called to order by Michelle DeWitt at 6:03pm.

**II. ROLL CALL**

Comprising a quorum, the following members were present: Michelle DeWitt, Judy Wasierski, Brian Lefferts, Kathryn Baldwin, and Justin Wintersteen

Excused absent (s): Beverly Hoffman, Kathy Hanson, Barbara Mosier, and Fred Watson

Also in attendance were the following:

Committee Recorder, Pauline Boratko  
Parks and Recreation Representative, Matt Ross  
YK Fitness Center Director, Stacey Reardon

**III. PEOPLE TO BE HEARD:**

**IV. APPROVAL OF AGENDA**

MOVED BY:	Judy Wasierski	Motion to approve the agenda
SECONDED BY:	Brian Lefferts	
VOTE ON MOTION:	Unanimously approved	

**V. APPROVAL OF THE MINUTES:**

MOVED BY:	Brian Lefferts	Motion to approve the regular minutes for April 10, 2017
SECONDED BY:	Judy Wasierski	
VOTE ON MOTION:	Unanimously approved	

**VI. SPECIAL ORDER OF BUSINESS:**

**VII. UNFINISHED BUSINESS:**

- a. Individual to provide report to May nine City Council meeting: Michelle DeWitt volunteered to give the report.
- b. Unresolved Recommendations and Action Memorandums: action memorandum approved by council to have the second Friday of May the official day of clean up green up. The wellness center program action memorandum will be bought back to council for further discussion
- c. Updates: YK-KUC Trail, Dog Park- no new updates this month
- d. Log Cabin/4H Building- request budget separation: tabled
- e. Fiscal Year 2018 Parks and Recreation Budget: Budget for parks/rec and the YKFC was presented to committee.

- f. Board Walk Identification System: paint and signs are going to be ordered to better help identify the boardwalk.
- g. Parks and Recreation Department Structure-opportunities for utilizing private companies for Parks/Recreation services: Committee also discussed the possibility of contracting with a private entity to manage recreational activities.
- h. Clean up- Green up: Bags have been distributed to the different companies and organizations in Bethel and are available to the public. The committee asked Matt to email heads of agencies and encourage them to participate in clean up green up on Friday May 12, 2017.

**VIII. Parks and Recreation Department Report-Matt Ross:**

- i. City of Bethel Employee Wellness Program Status Update: tabled; Council may choose to revisit this at a future time.
- j. Balance on dedicated Pool Fund: Finance Director discovered that the account needs some preparation before being provided to Committee; he will try to have this report ready for the next committee meeting.
- k. Fiscal Year 2017 YK Fitness Center Budget: Report was discussed amongst members with Fitness Center Director, Stacey Reardon. She reports that spending has been down, and think they have done a good job for her first year. The Finance Report provided by the City of Bethel provided a budget, but not actual expenditures. Michelle has requested this data from the Finance Director.
- l. Sub Committee Reports: Water Temp, Marketing, Physical Facility: no new updates this month
- m. Arts at the YK Fitness Center: Art Committee will meet in July and look at the artists who responded to the website.
- n. YK Fitness Center Logo Development: no new updates
- o. Health Fitness Operations Plan: Health Fitness has provided an option in the Operations plan for the City to fund the facility to stay open for 7 days a week.
- p. YK Fitness Center Roof: The roof only leaks when it is raining and blowing in certain direction. There are no visible problems with the roof. Further investigation is needed.

**IX. YK Fitness Facility Director Report- Stacey Reardon:** Stacey provided a verbal report.

**X. New Business:**

- A. 4th of July: The City Manager requested that the PRAHSC committee volunteer to coordinate the 4<sup>th</sup> of July. The committee reported back that no one has the time available this year to volunteer to run the 4<sup>th</sup> of July. The committee requested that, based on the under-spent Parks/Rec budget and the two open positions (one of which is temporary) under the existing Parks staff, that one of those positions be hired to coordinate the 4<sup>th</sup> of July. That manager could then coordinate volunteers and partner agencies.
- B. Pinky's Park Improvements: Per an email from John Sargent, the new field will be lengthened this spring. Widening is an issue and likely will not happen because of Yuut property lines and the property line for the ONC building.

**XI. MEMBER COMMENTS:**

M. Dewitt- no comment  
 J. Wasierski- I enjoyed reading the pool report  
 B. Lefferts- no comment  
 K. Baldwin- no comment  
 J. Wintersteen-no comment

**XII. ADJOURNMENT**

MOVED BY:	Judy Wasierski	Motion to adjourn the meeting at 7:30pm
SECONDED BY:	Brian Lefferts	
VOTE ON MOTION:	Unanimously approved	

APPROVED THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
 Pauline Boratko, Committee Recorder

\_\_\_\_\_  
 Michelle DeWitt, Chair

DRAFT



# City of Bethel Police Dept.

PO Box 809  
Bethel, AK 99559  
Office| 543-3781 Fax| 543-5086

**PUBLIC NOTICE**  
REGULAR MEETING OF THE  
PUBLIC SAFETY & TRANSPORTATION COMMISSION  
**Wednesday, June 7th, 2017 –6:30 p.m.**  
**300 STATE HIGHWAY – CITY COUNCIL CHAMBERS**  
**AGENDA**

**Members**

Joan Dewey  
*Chair*

Eileen Henrikson  
*Vice Chair*

Norman Ayagalria  
*Council Representative*

Naim Shabani

Julene Webber

Daniel Maczynski

Mary Weiss

Mary Nanuwak

Jared Karr

**Ex-Officio Members**

Andre Achee  
*Chief of Police*

William Howell III  
*Fire Chief*

Natalie Hayes  
*Recorder*

- I. CALL TO ORDER
- II. ROLL CALL
- III. PEOPLE TO BE HEARD
- IV. APPROVAL OF AGENDA
- V. APPROVAL OF MINUTES FROM THE REGULAR MEETING OF May 3rd, 2017
- VI. UNFINISHED BUSINESS
  - A. Update on the Traffic Impact Analysis of the YKHC’s hospital expansion project (*City Planner, Ted Meyer*)
  - B. GEMT (Ground Emergency Medical Transportation) Program Resolution (*Fire Chief Howell*)
- VII. NEW BUSINESS
  - A. BMC 2.52.070—Vacancies (*Vice Chair Henrikson*)
  - B. Guidelines for Meetings-rules for absences, and chiefs’ reports
  - C. “Alternate Road” discussion (*City Manager, Pete Williams*)
  - D. Alcohol Impact on service response for TWC (*Director Eileen Arnold*)
  - E. DOT issues with new YKHC building (*Mary Weiss*)
- VIII. CHIEFS’ COMMENTS
  - Fire Chief
  - Police Chief
- IX. TRANSPORTATION INSPECTOR’S REPORT
- X. COUNCIL REPRESENTATIVE’S COMMENTS
- XI. COMMISSION MEMBER’S COMMENTS
- XII. ADJOURNMENT

Natalie Hayes, Recorder  
POSTED on June 2nd, 2017  
POST OFFICE, AC QUICKSTOP, CORINA’S CASE LOT, CITY HALL, & POLICE DEPT.  
Next Public Safety and Transportation Commission Meeting will be **July 5th, 2017.**

“Deep Sea Port and Transportation Center of the Kuskokwim”

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# City of Bethel, Alaska

## Public Safety & Transportation Commission

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May 3, 2017

Regular Meeting

Bethel, Alaska

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### I. CALL TO ORDER

A regular meeting of the Public Safety and Transportation Commission was held on May 3<sup>rd</sup>, 2017 in the Bethel City Hall Council Chambers.

This meeting was called to order at 6:30 pm.

### II. ROLL CALL

Present:

Joan Dewey *Chair*  
Eileen Henrikson *Vice Chair*  
Norman Ayagalria *Council Representative*  
Naim Shabani  
Mary Weiss  
Julene Webber  
Daniel Maczynski  
Jared Karr  
Ted Meyer

Absent:

Bill Howell *Fire Chief*  
Mary Nanuwak

Ex-Officio Present:

Andre Achee *Chief of Police*  
Daron Solesbee *Fire Captain*  
Christina Him *Recorder and Transportation Inspector Designee*

### III. PEOPLE TO BE HEARD

*No one to be heard.*

### IV. APPROVAL OF AGENDA

<b>MOVED:</b>	Ayagalria	Motion to approve the agenda.
<b>SECONDED:</b>	Henrikson	
<b>VOTE ON MAIN MOTION</b>	All in favor.	

**V. APPROVAL OF MINUTES**

<b>MOVED:</b>	Shabani	Motion to approve the minutes from the regular meeting of April 5 <sup>th</sup> , 2017
<b>SECONDED:</b>	Henrikson	
<b>VOTE ON MAIN MOTION</b>	All in favor.	

**VI. SPECIAL ITEM OF BUSINESS:**

*None*

**VII. UNFINISHED BUSINESS**

**A. Update on the Traffic Impact Analysis of the YKHC’s hospital expansion project** *(City Planner, Ted Meyer)*

*Conditional Use Permit meeting for YKHC scheduled for June 1<sup>st</sup>, 2017; the Planning Commission would approve C.U.P. with conditions that YKHC would have a plan to mitigate traffic.*

*Discussed, no action taken.*

**B. GEMT (Ground Emergency Medical Transportation) Program Resolution** *(Fire Chief Howell)*

*Resolution moved through legislation and has been forwarded to the Finance Committee.*

**VIII. NEW BUSINESS**

**A. Animal Control Officer Position** *(Council Representative Ayagalria)*

*Discussed, no action taken.*

**IX. CHIEFS’ COMMENTS**

Chief Bill Howell- *See report in commission packet.*

Chief Andre Achee – *See report in commission packet.*

**X. TRANSPORTATION INSPECTOR’S REPORT**

*See report in commission packet.*

**XI. COUNCIL REPRESENTATIVE’S COMMENTS**

Norman Ayagalria – *I just want to thank the Chief of Police for the budget meeting, he clarified a lot of things I had questions on, including the CSP program and its current mission. As soon as budget season is over, I'm looking to get an action memorandum going on behalf of the Public Safety & Transportation Commission so we can get more officers here to prevent things like burn out and high stress situations.*

**XII. COMMISSION MEMBER COMMENTS**

Jared Karr – *No Comment.*

Joan Dewey – *This is a great time to see so many members on this commission, that's very cool, so we can keep going forward hopefully addressing issues. I'm glad to be here and to see so many show up for the meeting, thank you.*

Eileen Henrikson – *No comment.*

Naim Shabani – *I would like to publicly thank Christina for her awesome service. She is a perfect example of the professionalism that is promoted by the police department, and thanks Andre for leading by example as well. I have dealt with people in Christina's position for a long time now, but she goes above and beyond and I want you to know that your work did not go unnoticed and I speak for a hundred of people saying that, so best of luck to you in your future.*

Julene Webber – *I will miss Christina.*

Daniel Maczynksi – *I'm glad to see a big of a turnout here. I don't remember the last time we had a quorum or when I was here, and I'm just happy to see this many people on this commission.*

Mary Weiss – *No comment.*

**XIII. ADJOURNMENT**

<b>MOVED:</b>	Ayagalria	Motion to adjourn.
<b>SECONDED:</b>	Shabani	
<b>VOTE ON MAIN MOTION</b>	All in favor.	

*Meeting adjourned at 8:12 pm.*

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Christina Him, Recorder

\_\_\_\_\_  
Joan Dewey, Chair



> 6000 population

Chief Eddie Hoffman Hwy  
8,000-10,000 ypd  
at Hospital

Ped Xing  
> 60 peds/hr  
at Hospital

STATE OF ALASKA  
Department of Transportation & Public Facilities

**CITY OF BETHEL - ROADWAY TRAFFIC & SAFETY CONCERNS**

Drawn by: SET Date: 5/12/17 v.3  
Checked by: NTS Scale: NTS

	Existing All Way STOP		Future Road
	Existing Ped Xing		OHV Trails
	Future STOP/Signal/ or Roundabout		Principal Road

## Chapter 2.52 BOARDS, COMMITTEES AND COMMISSIONS

### Sections:

- [2.52.010](#) Applicability.
- [2.52.020](#) Powers and duties.
- [2.52.025](#) Committees.
- [2.52.030](#) Appointments.
- [2.52.035](#) Composition and voting.
- [2.52.040](#) Qualifications.
- [2.52.050](#) Terms.
- [2.52.060](#) Compensation.
- [2.52.070](#) **Vacancies**.
- [2.52.080](#) Notice of vacancy.
- [2.52.090](#) Applications.
- [2.52.110](#) Officers.
- [2.52.120](#) Quorum and voting requirements.
- [2.52.130](#) Meetings and notice of meetings.
- [2.52.140](#) Conflict of interest.
- [2.52.150](#) Procedure.
- [2.52.160](#) Reports and minutes.
- [2.52.170](#) Ex officio members and staff.

### **2.52.070 Vacancies**

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A. The head of the department clearly associated with the body or the department head's delegate shall keep attendance records and notify the city clerk when a vacancy has been declared. Attendance shall be taken and recorded even in the absence of a quorum. A vacancy shall be declared by the body when a member:

1. Is absent from the city for more than ninety (90) days without first (1st) being excused by the body;
2. Fails to attend three (3) regularly scheduled meetings within any calendar year without being excused by the body;
3. Fails to attend three (3) special meetings within any calendar year without being excused by the body;
4. Fails to attend a minimum of sixty-five (65) percent of regular meetings held within any calendar year whether excused or unexcused;
5. Fails to attend a minimum of sixty-five (65) percent of special meetings held within any calendar year whether excused or unexcused;

6. Submits a written resignation which is accepted by the body or the mayor;
7. Dies;
8. Fails to qualify and give the oath of office within thirty (30) days after city council confirmation of the appointment;
9. Ceases to be a resident of the city;
10. Is convicted of a felony or an offense involving a violation of the oath of office for the body; or
11. Becomes disqualified from holding the seat under other provisions of this code.

B. A member may be removed by the council at any time with or without a stated reason; provided, before or promptly after the removal the person shall first (1st) be given an opportunity to address the council in a public meeting.

C. A member that is appointed or nominated by a private or governmental organization or officer as a representative of that organization on the body may be removed at any time as provided for removal of members appointed by the mayor.

D. An ex officio member may not be removed by the council if the person's membership is based solely upon an office or position occupied by that person within a different organization and is not based in part or in whole upon a nomination or recommendation by the person's organization. [Ord. 00-27 § 2; Ord. 99-06 § 2.]

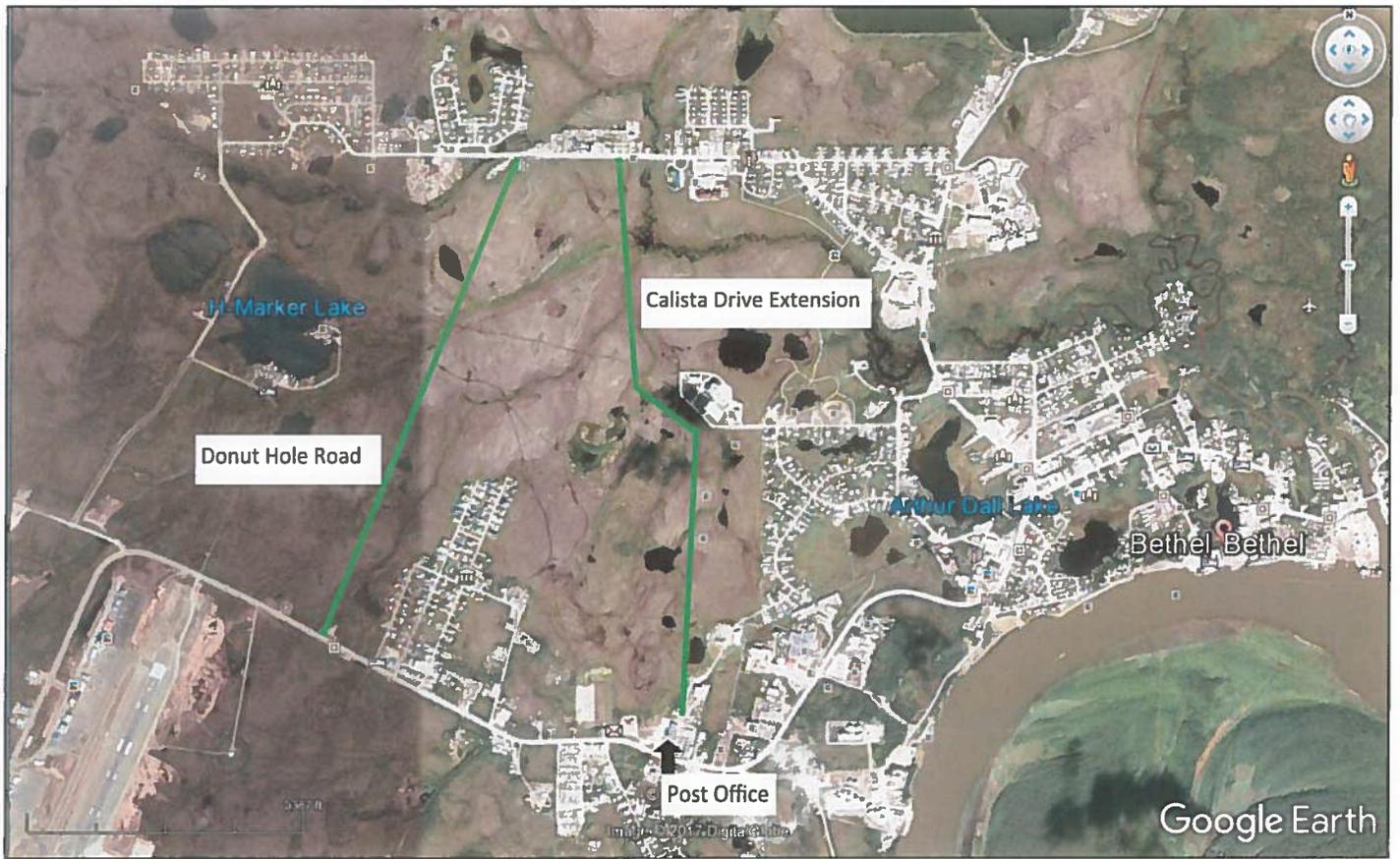
### **2.52.080 Notice of vacancy.**

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A. At least thirty (30) days prior to the expiration of the term of a member, the city clerk shall cause notice thereof to be posted within the city. The notice shall set forth the name of the body, the number of terms that are expiring, the length of the terms, any qualifications of members, and the method of applying for consideration for appointment to the body.

B. In the event of a declared vacancy on a body, the city clerk shall post notice of the vacancy for not less than fifteen (15) days. At the earliest possible council meeting after the fifteen- (15-) day posting of the vacancy, the mayor shall appoint a new member for the remaining unexpired term, subject to confirmation of the council.

C. Notwithstanding the posting requirements of this section, the mayor may appoint, and the council may confirm an appointment at any time after the first (1st) day notice is posted. [Ord. 99-06 § 2.]



June 29, 2004

Bob Herron, City Manager  
City of Bethel  
P.O. Box 388  
Bethel, Alaska 99559

RE: H Marker Road

Dear Mr. Herron:

The following is provided as a follow-up to your recent meeting with Deputy Commissioner Knudson. Thank you for your offer of free materials and to transfer ownership of H Marker Road to the City of Bethel in exchange for the Alaska Department of Transportation and Public Facilities (ADOT&PF) repairing it.

The history and status of H Marker Road is long and complicated, making it difficult to transfer the road to the city of Bethel. Technically, H Marker Road does not exist as a legal state road. It was originally built as a service access road used to provide maintenance access to the Homing Marker (H Marker). In later years, someone extended the road to access private property on the lake without legal approval. Individuals currently using the road are in trespass on airport property. The right-of-way in question is held by the state under a Section 16 patent from the federal government. ADOT&PF cannot transfer fee ownership of the property unless federal legislation is passed to remove the reverter clause from our patent.

The reverter clause states that if the land ceases to be used for airport purposes, it automatically reverts to the federal government. If federal legislative authorization is received, we could initiate the process to convey the property to the City of Bethel. This is a complicated and lengthy process and does not qualify for federal funding to cover our costs as part of the project. The City may not be able to convey the land from the federal government without special legislation if the Village Corporation, Regional Corporation, or Wildlife Refuge has entitlement to the land.

The Department is willing to grant a road permit to the City that would give the City public access and the authority to maintain H Marker Road. We have contacted the Federal Aviation Administration (FAA) and they do not object to granting such a permit. However, they would like to see traffic routing techniques to prevent traffic from proceeding beyond the existing subdivision access roads. A road permit for all roads on

airport property will be negotiated with the City at the conclusion of the Tundra Ridge Road Improvement project. We do not currently have funding available for repairing the access road nor do we expect to receive funding in the foreseeable future.

If you have questions, please contact me at 1-907-269-0770 or by E-mail at Gordon\_Keith@dot.state.ak.us. Thank you.

Sincerely,

Gordon C. Keith, P.E.  
Acting Regional Director

TV/

cc: Mary Boden, FAA  
Lawrence J Davis, Foreman, ADOT&PF  
Harvey Douthit, P.E., Project Manger ADOT&PF  
Dave Heier, Right of Way Agent, Right of Way Agent, ADOT&PF  
John Lovett, P.E., Airport Planner, FAA  
Bob Norton, Leasing Officer, Leasing& Property Management, ADOT&PF

# Bethel - YKHC Hospital Expansion DOT/PF Approach Road Review ARR Permit #25885

*Project Manager – Scott Thomas, P.E.  
Permitting Agent – Kevin Vakalis  
Planner – Donald Fancher*

**Scope:** . Expand hospital by 130,000 square feet, 330 new employees for a new primary care clinic. Renovate existing hospital buildings at 117,000 square feet and 200 employees. Reorganize parking, driveway access, onsite circulation and pedestrian facilities. Relocate and harden pathway off the roadway section. Restripe the roadway as 3 lanes with a left turn lane at each major hospital access point, by 2018. DOT/PF to follow with pavement preservation project in 2019. Hospital/Clinic renovations and expansion opening about 2020.

Existing 2 lane highway frontage, large turning volumes, has been as high as 10,000 vehicles per day peak. High use ped crossing at over 60 peds per hour historically –has a ped crossing beacon installed by DOT/PF.

## Issues:

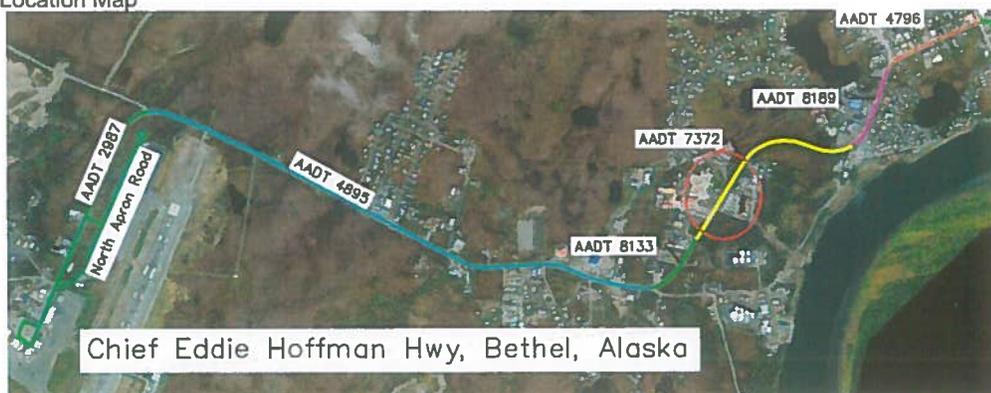
- Conditional Use Permit (City of Bethel) review 6/1/17.
- Draft concept pathway relocation: DOT conceptual acceptance 5/5/17. Requires traffic impact mitigation. Driveway Permit (DOT/PF) pending YKHC concurrence with concept. Permit mitigation required per 17 AAC 10.020 prior to opening facility, also to allow DOT/PF 1R paving followup.
- Cost: <= \$1 million to still serve public good at least private cost. Other widening and intersection options considered are about \$5 million dollar ideas.
- Design & Construction – more details will be hammered out on inspection, testing, bonding, insurance, after general agreement on concept.
- Maintenance – beacon electrical and repairs should be transferred, borne by YKHC per 17 AAC 10.020.

**Status:** Critical path is Conditional Use Permit. DOT/PF accepted the Traffic Impact Analysis identifying need for left turn lanes (3 lanes) along hospital frontage. DOT/PF requires more than a Clinic solution or partial frontage solution. Entire clinic plus internal circulation plus renovation means entire campus solution required.

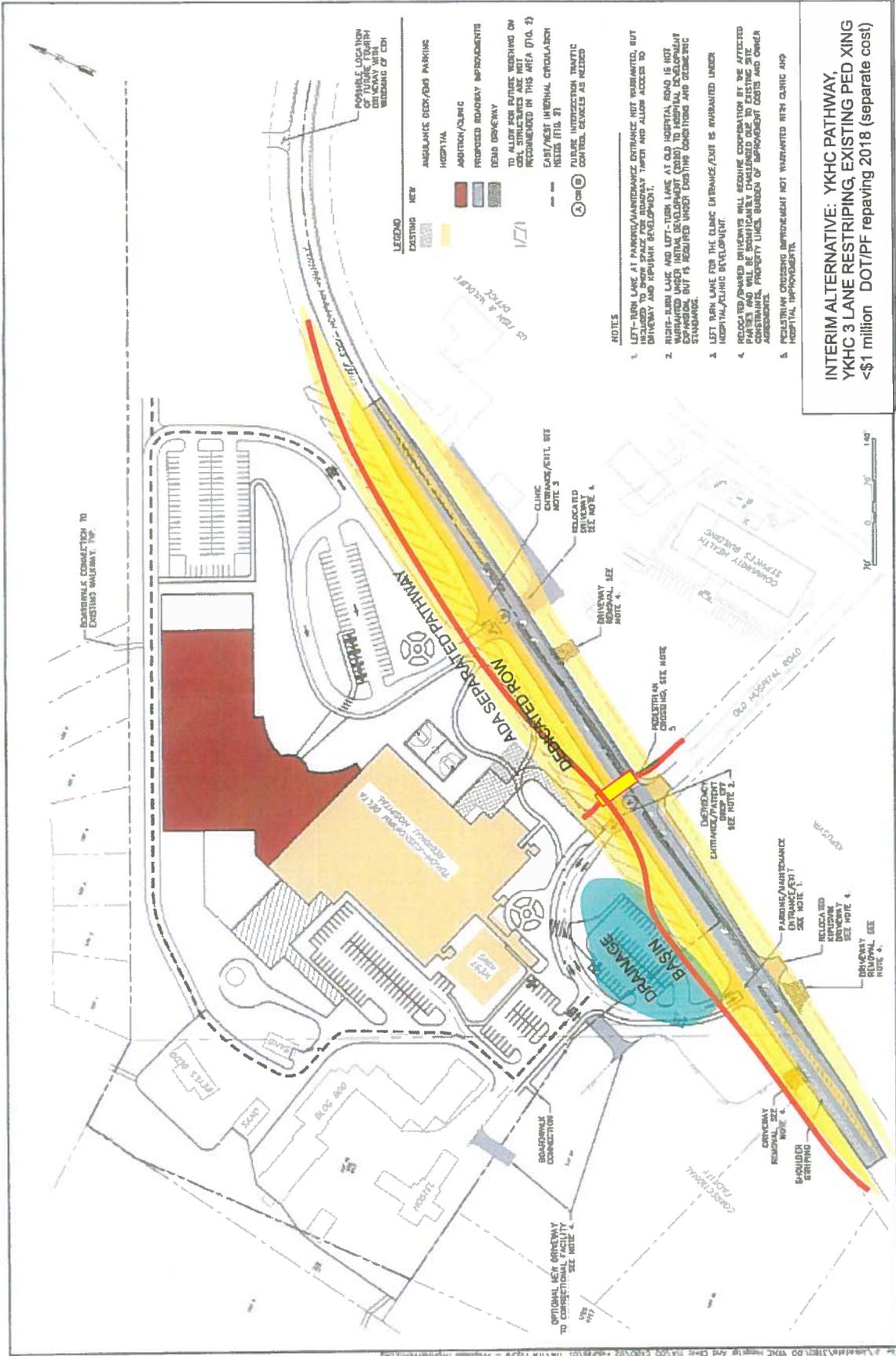
Other key milestones are:

- TIA begun on October 2015
- TIA accepted after 3 revisions on October 10, 2016, to comply with Comp Plan and entire campus analysis, not just clinic
- Draft Agreement, drawings on Mitigation Concept accepted by DOT/PF May 5, 2017
- Conditional Use Permit Hearing June 1, 2017
- Design Review June 2017
- Construction –2017-2018 on or before DOT/PF 1R pavement preservation work

Location Map



Last updated: 5/12/17



Reduced roundabout, experimental



Reduced roundabout, experimental

CITY OF BETHEL  
**POLICE DEPARTMENT**



TRANSPORTATION INSPECTOR REPORT: May 2017

2017	May
New Chauffeurs	0
Chauffeur Renewals	5
Chauffeur Transfers	0
Vehicle Permit Renewals	0
Vehicle Transfers	0
Inspections	14
Revocations	0
Temporary Permits	0

- Quyana Cab had their semi-annual inspections this month, no major issues noted
- There are no scheduled semi-annual inspections for June, however we plan to conduct routine random inspections.
- Alaska Taxi Cab will have their scheduled semi-annual inspections in July.
- There were 5 complaints made in the month of May – 2 driving complaints on Quyana Cab as well as 2 on Kusko Cabs and another complaint on cabs in general speeding up and down near the airports. All were followed up by an Officer or myself when applicable. Drivers were given verbal warnings for their driving.

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# City of Bethel, Alaska

## Public Works Committee Minutes

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May 17, 2017

Regular Meeting

Bethel, Alaska

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

Due to the lack of quorum there was no regular meeting held on May 17, 2017

### **II. ROLL CALL:**

The following were present: Joseph Klejka, Robert Champagne,

Excused absence(s): Scott Guinn

Unexcused absent: Jennifer Dobson

Also Present:

Public Works Director, Bill Arnold

Committee Recorder, Pauline Boratko

Meeting adjourned at 6:47 pm due to lack of quorum.

APPROVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2017.

\_\_\_\_\_  
Pauline R. Boratko  
Recorder of Minutes

\_\_\_\_\_  
Joseph Klejka  
Chair

**>>>>DRAFT<<<<**  
**City of Bethel, Alaska**  
**Planning Commission**

June 1, 2017

Special Meeting

Bethel, Alaska

**I. CALL TO ORDER**

A special meeting of the Planning Commission was held on June 1, 2017 at 6:30 pm in the City of Bethel Council Chambers room, in Bethel, Alaska. Chair Hanson called the meeting to order at 6:30 PM.

**II. ROLL CALL**

Compromising a quorum of the Commission, the following members were present for roll call: John, Alex, Lori, Cliff and Kathy. Excused were Mark, Shadi, and Jon.

Ex-Officio members present were the following: Ted Meyer, City Planner, Betsy Jumper, Recorder, and Patty Burley, City Attorney.

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

**IV. APPROVAL OF THE AGENDA**

**MOTION TO APPROVE THE AGENDA OF JUNE 1, 2017**

<b>MOVED:</b>	John Guinn	To approve the agenda.
<b>SECONDED:</b>	Lorin Bradbury	
<b>VOTE ON MOTION</b>	All in favor 5 yes and 0 opposed	

**V. NEW BUSINESS**

- A. **PUBLIC HEARING:** Applicant: Mersin Pellumbi has petitioned to vacate a right-of-way temporary turnaround easement, within lot 1A, block 12, Plat number 2012-8 in the Kasayuli Subdivision. The physical address is 5425 Noel Polty (ACTION ITEM).

*Chair Hanson opened the Public Hearing.*

Ted went over his facts and findings and gave his presentation. The Planning Commission then asked questions of Ted.

Applicant Pellumbi explained the reason for wanting/needing the vacation of the temporary turnaround easement. After the Planning Commission questioned Mr. Pellumbi, a discussion ensued amongst the Planning Commission members.

**MOTION TO APPROVE THE MINOR REPLAT OF LOT 1A, BLOCK 12, TO CREATE LOTS 1 AND 2, BLOCK 12 IN KASAYULI SUBDIVISION**

<b>MOVED:</b>	Lorin Bradbury	To approve the minor replat.
<b>SECONDED:</b>	John Guinn	
<b>VOTE ON MOTION</b>	All in favor – 5 yes 0 no	

**MOTION TO RECOMMEND TO CITY COUNCIL TO ENACT BY ORDINANCE APPROVAL OF VACATING THE ENTIRE RIGHT-OF-WAY TEMPORARY EASEMENT, WITHIN LOT 1, BLOCK 12, AND INCLUDING LOTS 15 AND 16, BLOCK 11, IN THE KASAYULI SUBDIVISION**

<b>MOVED:</b>	Lorin Bradbury	To recommend to City Council Resolution Number 2017-04 for approval/passage of vacation of the entire right-of-way temporary easement.
<b>SECONDED:</b>	Cliff Linderoth	
<b>VOTE ON MOTION</b>	All in favor 5 yes and 0 opposed	

**B. PUBLIC HEARING:** Applicant: The Yukon Kuskokwim Health Corporation has applied for a Conditional Use Permit (CUP) in order to expand the hospital facilities. The legal description is lot 2, United States Survey 4000. The physical address is 700 Chief Eddie Hoffman Highway (ACTION ITEM).

Chair Hanson went over the background. Ted presented his facts and findings and the reasons for needing a CUP and went over his presentation. The Planning Commission members then asked Ted questions.

Mr. Scott Thomas, Engineer for the Alaska Dept. of Transportation, got up and spoke about traffic mitigation and the project.

Mr. Kent Crandle, representative for YKCH, gave an overview of the project.

**PEOPLE TO BE HEARD:**

---Citizen Mary Weiss spoke about concerns of the bridge, parking, and traffic patterns and access.

The Planning Commission had questions for Mr. Crandle.

Ted answered more questions and gave his recommendations.

A discussion ensued.

**MOTION TO ADOPT DRAFT RESOLUTION 2017-05 THAT APPROVES THE CUP WITH THE CONDITIONS STATED**

<b>MOVED:</b>	Lorin Bradbury	To approve the YKHC CUP.
<b>SECONDED:</b>	Cliff Linderoth	
<b>VOTE ON MOTION</b>	All in favor 5 yes and 0 opposed	

*Chair Hanson closed the Public Hearing.*

**VI. ADJOURNMENT**

**TIME: 8:20**

<b>MOVED:</b>	John Guinn	Motion to adjourn the meeting.
<b>SECONDED:</b>	Lorin Bradbury	
<b>VOTE ON MOTION</b>	All in favor 5 yes and 0 opposed	

The next meeting will be on June 8, 2017

ATTEST: \_\_\_\_\_, Kathy Hanson Chairperson  
\_\_\_\_\_, Betsy Jumper, Recorder

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DRAFT

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# ***Special Order of Business***

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# ***Unfinished Business***

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Introduced by: Council Member Watson  
Introduction Date: May 23, 2017  
Public Hearing: June 13, 2017  
Action:  
Vote:

*CITY OF BETHEL, ALASKA*

**Ordinance #17-26**

**AN ORDINANCE AMENDING BETHEL MUNICIPAL CODE  
CHAPTER 4 – REVENUE AND FINANCE, SECTION .04 BUDGET AND AUDIT**

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

**SECTION 2. Amendments.** Bethel Municipal Code Chapter 04.04 Budget and Audit, is amended as follows (old language is stricken, new language is underlined):

**4.04.075 Use of Ambulance Fees Collected**

A. On the first business day of July following the close of the preceding fiscal year, fees collected for ambulance services for the preceding fiscal year will be transferred to the fire department fleet replacement fund. Subsequent closing and audit adjustments to the fire department fleet replacement fund of the preceding fiscal year will be made to the fund as necessary.

B. Transfers to the fire department fleet replacement fund will be made as follows: During each fiscal year, an amount equivalent to fifty (50%) percent of the prior year ambulance fees collected;

**SECTION 3. Effective Date.** This ordinance shall become effective July 1, 2017.

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_\_\_\_\_ IN FAVOR AND \_\_\_\_\_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

Introduced by: Mayor Robb  
Introduction Date: May 23, 2017  
Public Hearing: June 13, 2017  
Action:  
Vote:

*CITY OF BETHEL, ALASKA*

**Ordinance #17-27**

**AN ORDINANCE AMENDING BETHEL MUNICIPAL CODE  
CHAPTER 9.36 PUBLIC NUISANCE ABATEMENT, PENALTIES AND REMEDIES**

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

**SECTION 2. Amendments.** Bethel Municipal Code Chapter 9.36 Public Nuisance Abatement is amended as follows (old language is stricken, new language is underlined):

**9.36.010 Purpose**

Various laws are directed towards the conduct of persons on private property, and are intended to ensure that neither the conduct of such persons, nor the physical condition of such properties, constitutes a nuisance to other residents in the vicinity of the properties or passers-by on the public rights-of-way. These laws are generally enforced against the persons immediately responsible for the violations. Notwithstanding these enforcement efforts, recurring violations of such laws on private property where individuals immediately responsible for such violations congregate can result in the creation of public nuisances which seriously threaten the peace and safety of neighboring residents and undermine the quality of life of the residents of the city. The purposes of this chapter are to enact a local public nuisance law in order to: make property owners where such individuals congregate vigilant in preventing public nuisances on their property; make such property owners responsible for the use of their property by tenants, guests, occupants and others on their property; provide locally enforceable remedies for violations of local public nuisance laws; and otherwise to deter public nuisances.

This Ordinance is **not** intended to be a tool for landlord's and property owners to discriminate against persons or to impeded the reporting of crimes, especially those involving domestic violence, and/or the reporting of injuries or illnesses. The City of Bethel does not endorse or support any form of discrimination for any reason whatsoever. Individuals who are the victims of discrimination are urged to report such discrimination to the proper State authorities.

**9.36.035 Enforcement & Exceptions**

The City recognizes that public nuisance laws can have an unintended consequence of preventing victims of domestic violence from reporting crime; or making people with significant illnesses afraid to call for help too many times for fear of eviction.

Introduced by: Mayor Robb  
Introduction Date: May 23, 2017  
Public Hearing: June 13, 2017  
Action:  
Vote:

The purpose of the City of Bethel's Public Nuisance Abatement ordinance is **NOT** to prevent the reporting of crimes, suspicious activity, illnesses or other incidences which a resident may experience.

Enforcement of this Ordinance is vested only with the City Manager and not with property owner's or landlord's.

No property owner may threaten to or may take actual action against a tenant simply because they are a victim of a crime; domestic violence; illness or injury.

<b>Violation</b>	<b>Code Section</b>	<b>Fine</b>
Failure to Prevent	9.36.030	\$200
Unauthorized Enforcement	9.36.035	\$500
Attempted Unauthorized Enforcement	9.36.035	\$500
Threat of Action	9.36.035	\$500

### **9.36.090 Penalties and Remedies**

Violation of any provision of this Title is an infraction subject to a fine. In accordance with AS 29.25.070(a), citations for the following offenses may be disposed of as provided in AS 12.25.195-.230, without a court appearance, upon payment of the fine amounts listed below plus the state surcharge required by AS 12.55.039 and AS 29.25.074. Fines must be paid to the court. The Rules of Minor Offense Procedure in the Alaska Rules of Court apply to all offenses listed below. Citations charging these offenses must meet the requirements of Minor Offense Rule 3. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed below. If an offense is not listed on this fine schedule or another fine schedule, the defendant must appear in court to answer to the charges. These fines may not be judicially reduced.

**SECTION 3. Effective Date.** This ordinance shall become effective upon the adoption of City Council.

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_\_\_\_\_ IN FAVOR AND \_\_\_\_\_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

Introduced by: City Manager Williams

Introduction Date: June 1, 2017

Public Hearing: June 13, 2017

Action:

Vote:

***CITY OF BETHEL, ALASKA***  
**ORDINANCE # 17-28**  
**AN ORDINANCE ESTABLISHING A CITY OF BETHEL BUDGET FOR FISCAL**  
**YEAR 2018 BEGINNING JULY 1, 2017**

**Be it Ordained** by the City Council of Bethel as follows:

**Section 1.** That Ordinance 17-28, a non-code ordinance, establishes a City of Bethel Annual Budget for fiscal year 2018.

**Section 2.** There is hereby appropriated out of the revenues of the City of Bethel, fiscal year beginning July 1, 2017, the sum of \$28,146,915, which sum is deemed by Council to be necessary to defray all expenditures of the City during said budget year to be divided and appropriated in accordance with the attached budget proposal as follows:

**GENERAL FUND**

**General Fund - Operating**

City Administration	\$	735,533
City Clerk & Council	\$	265,019
Finance Department	\$	1,086,197
Planning Department	\$	392,290
Information Technology Services	\$	720,770
City Attorney	\$	250,014
Fire Department	\$	1,341,341
Police Department	\$	3,270,986
Public Works-Administration	\$	181,063
Streets & Roads	\$	1,131,916
Property Maintenance	\$	844,049
Parks & Recreation	\$	-
Community Services	\$	162,700
In-Kind & Transfers	\$	80,580
Indirect Cost Recovery	\$	(969,821)
<b>TOTAL GENERAL FUND - OPERATING</b>	<b>\$</b>	<b>9,492,636</b>

**General Fund - Projects**

Streets & Roads	\$	416,000
Community Services	\$	5,000

In-kind & Transfers	\$	-
<b>TOTAL GENERAL FUND - PROJECTS</b>	\$	<b>421,000</b>
<b>General Fund - Capital Expenditures</b>		
Information Technology Services	\$	45,000
Fire Department	\$	75,000
Streets & Roads	\$	84,504
In-kind & Transfers	\$	-
<b>TOTAL GENERAL FUND - CAPITAL EXP.</b>	\$	<b>204,504</b>
<b>General Fund - Transfers</b>		
Transfers To - YKRH Aquatic Center	\$	483,502
<b>TOTAL GENERAL FUND - Transfers</b>	\$	<b>483,502</b>
<b>TOTAL GENERAL FUND</b>	<b>\$</b>	<b>10,601,642</b>
<b>Special Revenue Funds</b>		
CSP	\$	327,122
E-911 Services	\$	392,099
<b>TOTAL SPECIAL REVENUE FUNDS</b>	<b>\$</b>	<b>719,221</b>
<b>Capital Project Funds</b>		
Land Planning and Development	\$	21,173
Park Development Fund	\$	20,552
Port Office Fund	\$	1,382,679
Port Multi-Facility Improvements Fund	\$	-
Fleet Replacement Fund	\$	-
<b>TOTAL CAPITAL PROJECT FUNDS</b>	<b>\$</b>	<b>1,424,404</b>
<b>Enterprise Fund-YK Regional Health &amp; Aquatic Center</b>		
Swimming Pool	\$	1,417,009
<b>TOTAL ENTERPRISE FUND-YK Regional Pool</b>	<b>\$</b>	<b>1,417,009</b>
<b>Enterprise Fund-Solid Waste</b>		
Hauled Refuse	\$	435,173
Landfill Operations	\$	517,107
<b>TOTAL ENTERPRISE FUND-SOLID WASTE</b>	<b>\$</b>	<b>952,280</b>
<b>Enterprise Fund-Water &amp; Sewer</b>		
Utility Billing	\$	267,054
Hauled Water	\$	1,629,094
Hauled Sewer	\$	1,733,834
Piped Water	\$	448,379
Piped Sewer	\$	756,566
Water Treatment - BH	\$	623,725
Water Treatment - CS	\$	565,586
Sewer Lagoon	\$	561,117
Transfers Out	\$	-

<b>TOTAL ENTERPRISE FUND-WATER &amp; SEWER</b>	<b>\$ 6,585,354</b>
<b>Enterprise Fund-Port</b>	
Municipal Dock-Operating	\$ 620,343
Municipal Dock-Small Boat Harbor	\$ 182,416
Projects	\$ 72,000
Transfers Out	\$ 270,000
<b>TOTAL ENTERPRISE FUND - PORT</b>	<b>\$ 1,144,759</b>
<b>Enterprise Fund-Leased Properties</b>	
Court Complex	\$ 298,220
Other Leased Properties	\$ -
Projects	\$ -
Capital Outlay	\$ -
Transfers Out	\$ -
<b>TOTAL ENTERPRISE FUND-LEASED PROPERTIES</b>	<b>\$ 298,220</b>
<b>Enterprise Fund-Bethel Public Transit System</b>	
Transit System	\$ 483,106
Capital Outlay	\$ -
<b>TOTAL ENTERPRISE FUND-TRANSIT SYSTEM</b>	<b>\$ 483,106</b>
<b>Internal Svc Fund-Employee Group Health Benefits</b>	
Employee Group Health Benefits	\$ 2,433,347
Capital Outlay	\$ -
<b>TOTAL INTERNAL SVC FUND-EMP GROUP HEALTH</b>	<b>\$ 2,433,347</b>
<b>Internal Svc Fund-Vehicle &amp; Equipment Maint.</b>	
Vehicle & Equipment Maintenance	\$ 954,398
Capital Outlay	\$ -
<b>TOTAL INTERNAL SVC FUND-VEHICLE &amp; EQUIP</b>	<b>\$ 954,398</b>
<b>Endowment Fund</b>	
Transfers Out	\$ 9,475
<b>TOTAL ENDOWMENT FUND</b>	<b>\$ 9,475</b>

Section 3. That the FY2018 budget is adopted for a period of one (1) year, that being from July 1, 2017 to June 30, 2018.

**ENACTED THIS \_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk



## CITY OF BETHEL

### CITY ATTORNEY NEGOTIATED AGREEMENT

This agreement entered into this \_\_\_\_ day of April 2016, by and between the City of Bethel, Alaska, a municipal corporation, hereinafter referred to as "City" and Patty Burley, an individual, hereinafter referred to as "Employee or City Attorney" wherein the parties agree and understand as follows:

#### **WITNESSETH:**

**WHEREAS**, City desires to employ the services of said Employee as City Attorney of the City of Bethel, Alaska, as provided for by Alaska Statute Section 29.20.360; and

**WHEREAS**, it is the desire of the Bethel City Council ("Council") to provide certain benefits, establish certain conditions of employment, and set working conditions for Employee; and

**WHEREAS**, it is the desire of the Council to secure and retain the service of the Employee by and through the terms of this Agreement; and

**WHEREAS**, Employee desires to accept employment as City Attorney pursuant to the terms of this Agreement.

**NOW THEREFORE**, in consideration of these recitals and the mutual covenants contained herein, City and Employee agree as follows:

#### **Section 1 Powers and Duties**

- A. City hereby agrees to extend the current negotiated contract for employ Patty Burley as City Attorney of the City, effective May 1, 2016, to perform the functions, powers and duties specified in AS 29.20.370 and Bethel Municipal Code as well as performing other legally permissible and proper duties and functions as the Council shall from time to time assign.
- B. Employee is the Chief Legal Counsel of the City and shall faithfully perform the duties as prescribed in the job description and as set forth in the City's ordinances and as may lawfully be assigned by the City and shall comply with all lawful governing body directives, state and federal law, City policies, rules and ordinances as they exist or may hereafter be amended.
- C. All duties assigned to the Employee by the governing body shall be appropriate to and consistent with the professional role and responsibility of the Employee.

- D. It shall also be the duty of the City Attorney to direct, assign, reassign, and evaluate all of the legal matters and issues that come before the City and advise the Council and City Manager consistent with policies and procedures, ordinances, charter, state and federal law.
- E. The City Attorney is expected to familiarize themselves with the terms of the Collective Bargaining Agreement and assist the City in ensuring that it is followed and adhered to.
- F. Employee warrants and agrees that Employee is licensed to practice law in this state without limitation. Employee must maintain Employee's license to practice law in good standing throughout the term of this Agreement as a condition of employment. Should the Employee no longer be authorized to practice law in this state, this contract will terminate immediately for good cause.
- G. The Employee shall perform the duties of City Attorney of the City of Bethel with reasonable care, diligence, skill and expertise.
- H. The City Attorney shall attend, and will be permitted to attend, all meetings of the City Council, both public and closed, with the exception of those closed meetings the Council elects to hold without the presence of the City Attorney.

## **Section 2      Term**

- A. City Attorney shall serve at the pleasure of the City Council and is an at-will employee of the City. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Council to terminate the services of the Employee at any time with or without cause, subject only to the provisions set forth in Section 13 of this Agreement. The City shall comply with the City's insurance policy endorsement regarding any termination.
- B. Nothing in this Agreement shall prevent, limit or otherwise interfere with the right of the Employee to resign at any time from the position of City Attorney, subject only to those provisions set forth in any Relocation Agreement and any applicable sections of this Agreement.

## **Section 3      Duration**

This Agreement is the sole and complete Agreement between the City and Employee. This Agreement shall become effective when signed and executed and shall continue in full force and effect for a period of three (3) years with an option to renew for an additional three (3) years.

City Attorney shall have the option to renew this Contract. Discussion for renewal may be commenced by either party no earlier than six (6) months prior to expiration of the current contract.

## **Section 4      Salary and Benefits**

- A. City agrees to compensate Employee an annual base salary of One Hundred Twenty-Eight Thousand (\$128,000) Dollars, payable in installments at the same time that the other

management employees of the City are paid. Employee's base salary shall be increased annually between zero (0) and three (3%) percent dependent on the City's financial situation and at the discretion of the council upon a satisfactory performance evaluation.

- B. Employee is subject to all City personnel policies and procedures as laid out in the Bethel Municipal Code and in separate policies.
- C. Employee shall be allowed to participate in the City employee's group coverage plan for full family Life, Accidental Death & Dismemberment, Long Term Disability, Dental, Vision and Health Insurance program equal to that which is provided to all other management employees.
- D. Employee shall have the opportunity to participate in the City Utility Services Benefit for the same monthly fee as paid by all other City management employees.
- E. The Employee will be enrolled in the Alaska Public Employees Retirement System (PERS) at a rate equal to that which is provided for all other employees of the City.
- F. Personal Time Off (PTO). PTO shall accrue as follows:  
PTO shall accrue at the rate of eleven hours per pay period. PTO can be accumulated up to a maximum accrual of two hundred fifty (250) hours. Employee shall use a minimum of One Hundred Sixty (160) hours per year. PTO should be requested two (2) weeks in advance. The City does not recognize or endorse "comp time". Unscheduled PTO shall be utilized only for the illness of the Employee or illness in the Employee's immediate family. Should the Employee be absent for more than three (3) consecutive working days, the Employee may be required to provide a physician's certificate to the Mayor. The City agrees to compensate the Employee for all remaining PTO hours at the time of termination of employment.
- G. Licensing and Bar Dues. City agrees to budget and pay for licensing fees and charges that are required of lawyers to practice law in the State of Alaska and professional dues, including State of Alaska annual Bar Dues and fees and dues necessary for continuation and full participation in national, regional, state, and local associations, and organizations necessary and desirable for the Employee's continued professional participation, growth, and advancement, and for the good of the Employer. These include: Alaska Municipal League (AML), Alaska Bar Association (ABA) and International Municipal Lawyer's Association (IMLA).
- H. Jury Duty. As a regular, full-time employee, if summoned to jury duty, the City continues City Attorney's salary during active periods of jury duty for up to a maximum of fifteen (15) working days per calendar year. Employee is permitted to retain the allowance received from the court for such service. Employee is also permitted paid time off if summoned to appear in court as a witness in their official capacity. If summoned to appear in a personal matter, Employee is permitted nonpaid time off to appear.

To qualify for jury or witness duty leave, City Attorney must submit a copy of the summons or subpoena to the council as soon as practicable after receipt.

- I. Holidays. All holidays recognized by the Employer shall be granted to the City Attorney with holiday pay status provided the same as regular full-time positions of the City. However, it is understood that from time to time Employee's duties may require him/her to work on such holidays at no additional compensation.
- J. Family Medical Leave. City Attorney may become eligible for family medical leave pursuant to federal and state law. Upon eligibility, City Attorney shall have all the rights and protections of the Family Medical Leave Act as any other regular full-time employee of the City.
- K. Worker's Compensation. Should the City Attorney become injured on the job, he/she will be entitled to the compensation benefits as provided by Alaska's Worker's Compensation Act.
- L. Administrative Leave. The Employee may be granted administrative leave with pay by a majority vote of the Council for reason's specified, including attendance at professional conferences.
- M. Emergency Leave. The City agrees to grant the Employee up to forty (40) hours of leave for the death or serious illness of an immediate family member. For the purposes of this type of leave, Employee's immediate family member includes the spouse of Employee, child, son-in-law, daughter-in-law, parent, father-in-law, mother-in-law, brother and sister and grandchildren.

#### **Section 5 Hours and Days of Work**

The City Attorney position requires the exercise of independent judgment on the part of the Employee and requires periods of extended work to exceed the normal office hours, work day and work week established by the Employer. The Employee will be available during regular business hours. Employee will be expected to work whatever hours are needed based upon the demands of the job. Employee acknowledges she is an exempt employee and not entitled to overtime compensation or compensatory time off. Any time worked in excess of the normal hours in a day or week is not compensated or credited in any manner by the Employer.

#### **Section 6 Performance Evaluation**

- A. Employee shall be evaluated, in writing, by the Council annually on or about the anniversary date of hire.
- B. Evaluation of the performance of the City Attorney shall be directed towards improving the performance of the City Attorney. However, evaluations shall also serve as a method for gathering information relevant to employee's performance and continued employment.
- C. The evaluation process shall include, at a minimum, the opportunity for both parties to Conduct a formulary session where the City Council and the City Attorney meet to discuss goals and objectives of the past six (6) or twelve (12) month performance period (whichever is applicable) as well as the upcoming six (6) to twelve (12) month performance period;

D. Unless the City Attorney requests otherwise in writing, the evaluation shall at all times be conducted in executive session and shall be considered confidential to the extent permitted by law. Nothing herein shall prohibit the Employer or Employee from sharing the content of the evaluation with their respective legal counsel.

**Section 7 Additional Items**

- A. Cell Phone: The City Attorney will be provided a cell phone for use in the performance of his or her duties. While some personal calls may occur, the cell phone is issued for City purposes and any information gathered or stored on the cell phone is subject to public disclosure. The City Attorney is responsible for any charges in excess of the basic monthly service fee. Upon termination of employment, the cell phone must be returned to the City.
- B. Laptop: Recognizing the importance of constant communication and maximum productivity as well as the need for the Employee to work off-hours and while on official travel, the City shall provide the City Attorney a laptop computer for business use.

**Section 8 Outside Employment**

Although the City expects employee to devote their primary efforts towards their duties and responsibilities with the City, employee may engage in outside employment with the prior approval of the council. Generally, outside employment will be approved if it:

- Does not conflict with employee's responsibilities at the City, including employee's ability to work overtime as required in the position;
- Does not interfere with employee's performance at the City;
- Does not prove detrimental to the interests of the City;
- Does not involve a conflict of interest or the appearance of a conflict of interest; and
- Does not involve the use of confidential or proprietary information of the City or its customers.

Before employee may serve as a paid officer, director or advisor for any company (whether or not for profit), the City must determine that employee's accepting such a role is in the best interests of the City. Such determinations will be made by the city council. Any issues employee may be contemplating regarding outside employment should be resolved prior to employee accepting such employment.

**Section 9 Notices**

Notices shall be either hand delivered or sent by mail to the following:

EMPLOYER – CITY OF BETHEL  
Attn: Mayor  
PO Box 1388  
Bethel AK 99559

CITY ATTORNEY –  
Patty Burley  
PO Box 2715  
Bethel AK 99559

**Section 10    General Provisions**

- A. The text herein shall constitute the entire agreement between both parties.
- B. Any modification or amendment shall be enforceable only if approved by a majority vote of the Council in a duly convened public session and if transcribed to a written document signed by both parties.
- C. Employee shall not assign any interest in this Agreement, and shall not transfer any interest in the same without the prior written consent of City.
- D. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected and shall remain in full force and effect.
- E. The failure of the City at any time to enforce a provision of this Agreement shall in no way constitute a waiver of the provisions, nor in any way affect the validity of this Agreement or any part thereof, or the right of the City thereafter to enforce each and every protection hereof.
- F. This Agreement is being executed by the parties following negotiations between them. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The titles of sections in this Agreement are not to be construed as limitations or definitions but are for identification purposes only.
- G. If any section or clause of this Agreement is held invalid by a court of competent jurisdiction, or is otherwise invalid under law, the remainder of this Agreement shall remain in full force and effect.
- H. The Council, in consultation with City Attorney, shall fix any other such terms and conditions of employment as it may deem necessary from time to time relating to the performance of City Attorney provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Code or any other applicable law.
- I. This Agreement shall be governed by the laws of the State of Alaska and the City of Bethel and any litigation brought shall be in Bethel, Alaska. Employee expressly waives any rights he might otherwise have as provided in Alaska Rules of Civil Procedure to remove any action from Bethel, Alaska.

**Section 11    Bonding**

The City shall bear full costs of any fidelity or other bonds required for the City Attorney under any law or ordinance.

**Section 12 Indemnification**

Beyond that required under State, federal or local law, the City of Bethel shall defend, save harmless and indemnify City Attorney against any obligation to pay money or perform, including without limitation, any and all losses, damages, judgments, interests, settlements, penalties, fines, court costs and other reasonable costs and expenses of legal proceedings including attorneys fees and any other liabilities arising from, related to, or connected with any tort, professional liability claim or demand or any other threatened, pending or completed action, suit or proceeding, whether civil, criminal, administrative, arbitrative or investigation, whether groundless or otherwise, arising out of an alleged act or omission occurring in the performance of City Attorney's duties or resulting from the exercise of judgment or discretion in connection with the performance of program duties or responsibilities, unless the act or omission involved willful or wanton conduct. The City Attorney may request and the City shall not unreasonably refuse to provide independent legal representation at Employer's expense and Employer may not unreasonably withhold approval. Legal representation, provided by Employer for Employee, shall extend until a final determination of the legal action, including any appeals brought by either party.

The City shall indemnify the City Attorney against any and all losses, damages, judgments, interest, settlements, penalties, fines, court costs and other reasonable costs and expenses of legal proceedings including attorneys fees, and any other liabilities incurred by, imposed upon, or suffered by such Employee in connection with or resulting from any claim, action, suit or proceeding, actual or threatened, arising out of or in connection with the performance of his or her duties unless the act or omission involved willful or wanton conduct. Any settlement of any claim must be made with prior approval of the City in order for indemnification, as provided in this Section, to be available.

Employee recognizes that the City shall have the right to compromise and unless the Employee is a party to the suit which Employee shall have a veto authority over the settlement, settle any claim or suit; unless, said compromise or settlement is of a personal nature to Employee. Further, Employer agrees to pay all reasonable litigation expenses of employee throughout the pendency of any litigation to which the Employee is a party, witness or advisor to the Employer. Such expense payments shall continue beyond Employee's service to the Employer as long as litigation is pending. Further, Employer agrees to pay Employee reasonable consulting fees and travel expenses when Employee serves as witness, advisor or consultant to Employer regarding pending litigation.

**Section 13 Termination and Severance**

- A. Termination for Cause: In the event the City Attorney is terminated for cause, the City shall have no obligation to pay a severance pay. The Mayor shall include in a notification of termination of City Attorney, a statement of cause.
  
- B. Termination without Cause: In the event the City Council desires to terminate the City Attorney without cause during such time as the Employee is willing to perform the duties of the City Attorney, the City agrees to provide the City Attorney with one month of severance pay including health benefits for each year of service, for a maximum of three (3) months.

C. For the purposes of this Agreement, termination occurs when the majority of the City Council votes to terminate the City Attorney at a properly posted and duly authorized public meeting.

The City Attorney may notify the council, in writing, that he or she requests an informal hearing before the Council. The informal hearing shall be held by the Council at its next regularly scheduled meeting following receipt of the request.

The informal hearing may be opened or closed at the City Attorney's request. The Employee may be represented by counsel and may present and examine witnesses for the purpose of contesting termination. Such witnesses shall be sworn. The City Attorney shall advise the council, in writing, if he or she plans to be represented by counsel at the hearing and shall provide the names of witnesses that will testify at the hearing on their behalf.

A recording of the proceeding shall be kept. Transcribed copies shall be furnished to the City Attorney at cost upon his or her request. The decision of Council shall be furnished to the City Attorney within a reasonable time upon conclusion of the informal hearing and shall include the basis for the decision.

D. Voluntary Resignation: In the event City Attorney voluntarily resigns his or her position with the City before the duration of this Agreement has expired, the City Attorney shall give the City thirty (30) days advance written notice. In the event of voluntary resignation the employee is not entitled to severance pay.

CITY ATTORNEY

CITY OF BETHEL

\_\_\_\_\_  
Patty Burley, Employee

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Dated

\_\_\_\_\_  
Dated

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# ***New Business***

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Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-29**

#### **AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT FROM BETHEL NATIVE CORPORATION (BNC)**

**WHEREAS** the City of Bethel "City" has a grant from the State of Alaska (designated legislative grant) to provide for water and sewer improvements known as the institutional corridor piped water supply and sewer collection project;

**WHEREAS** the City has arranged for a multi-phase project to supply water and collect sewer through described real property, including alignment of mains and service lines and other utilities through easements and rights-of-ways in perpetuity;

**WHEREAS** the City needs to acquire various easements across the properties involved in the Institutional Corridor water/sewer project;

**WHEREAS** the proposed easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for the I.C. project;

**WHEREAS** in accordance with Section 4.08.020 of the Bethel Municipal Code, the City Council hereby authorizes the acquisition of an easement from Bethel Native Corporation (BNC), as set forth in this ordinance;

**WHEREAS** Tract 4, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under Plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land.

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W

Introduced by: City Manager Williams  
Introduction Date April 11, 2017  
Public Hearing:  
Action:  
Vote:

a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Tract 4, BNC Industrial Park Subdivision, filed as Plat No. 2012-3 in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Beginning at the most westerly southwest corner of said Tract 4, common with the most easterly southeast corner of Lot 2, U.S. Survey 4000, and the Right-of-Way of Chief Eddie Hoffman Highway, that point being the True Point of Beginning for this description; thence N24°33'37"W17.10 feet along the west line of said Tract 4, common with the east line of Lot 2, U.S. Survey 4000; thence departing said line along a non-tangential curve concave to the southwest having a radius of 781.20 feet, length of 71.64 feet, and a delta of 05°15'17"; thence departing said curve S09°05'10"W 15.00 feet to a point on the south line of said Tract 4, common with the Right-of-Way of Chief Eddy Hoffman Highway; thence along a non-tangential curve concave to the southwest having a radius of 766.20 feet, a length of 62.14 feet, and a delta of 04°38'48", said curve is on the south line of said Tract 4 and common with the Right-of-Way of Chief Eddie Hoffman Highway, to the True Point of Beginning of this description. Said easement embraces an area of 1,003 square feet, more or less, as calculated from said courses and distances.

**NOW, BE IT FURTHER ORDAINED**, the City, hereby accepts and shall record the utility easement from the Bethel Native Corporation.

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

**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property

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

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

City of Bethel, Alaska

Ordinance 17-29

Page 2 of 2

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## PUBLIC UTILITY EASEMENT

This Grant of Easement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between **BETHEL NATIVE CORPORATION**, hereinafter called Grantor, whose address is P.O. Box 719, Bethel, Alaska 99559, and the Grantee, **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "City", whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant an easement and right-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "Utilities" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

Tract 4, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under Plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land.

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Tract 4, BNC Industrial Park Subdivision, filed as Plat No. 2012-3 in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Beginning at the most westerly southwest corner of said Tract 4, common with the most easterly southeast corner of Lot 2, U.S. Survey 4000, and the Right-of-Way of Chief Eddie Hoffman Highway, that point being the True Point of Beginning for this description; thence N24°33'37"W 17.10 feet along the west line of said Tract 4, common with the east line of Lot 2, U.S. Survey 4000; thence departing said line along a non-tangential curve concave to the southwest having a radius of 781.20 feet, length of

71.64 feet, and a delta of 05°15'17"; thence departing said curve S09°05'10"W 15.00 feet to a point on the south line of said Tract 4, common with the Right-of-Way of Chief Eddy Hoffman Highway; thence along a non-tangential curve concave to the southwest having a radius of 766.20 feet, a length of 62.14 feet, and a delta of 04°38'48", said curve is on the south line of said Tract 4 and common with the Right-of-Way of Chief Eddie Hoffman Highway, to the True Point of Beginning of this description. Said easement embraces an area of 1,003 square feet, more or less, as calculated from said courses and distances.

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of the City, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities on said property in or on any structures on the easement. Grantor agrees not to interfere with any lateral support(s) in the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

To the extent that the City is required to indemnify the Grantor, the obligation to indemnify is effective only to the extent permitted by law. The obligation to indemnify is further conditioned on the availability of a valid existing appropriation to cover the obligation. The parties to this Easement recognize and agree that the City has no current appropriation available to it to indemnify under the provisions of this Easement and that the enactment of an appropriation in the future to finance a payment under these provisions remains in the sole discretion of the City Council and the City Council's failure to make the appropriation creates no further obligation or liability of the City. However, during all times pertinent to this Easement, the City will maintain sufficient insurance coverage to protect against any damage to or suits arising out of City's use or entry upon Grantor's premises.

Grantor shall not unduly withhold permission to the City for free ingress and egress to the easement across Grantor's property. Unless in case of an emergency, denoted by threat of loss of life or substantial property damage, the City shall provide 72 hours advance notification to Grantor of the intent to access City's easement across Grantor's property.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BETHEL NATIVE CORPORATION

By: \_\_\_\_\_  
Anastasia Hoffman, President

By: \_\_\_\_\_  
Donna Lindsey, Secretary

**ACKNOWLEDGMENT OF GRANTOR-CORPORATION**

STATE OF ALASKA        )  
                                  ) ss:  
Fourth Judicial District )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Anastasia Hoffman**, President of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**ACKNOWLEDGMENT OF GRANTOR-CORPORATION**

STATE OF ALASKA        )  
                                  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Donna Lindsey**, Secretary of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

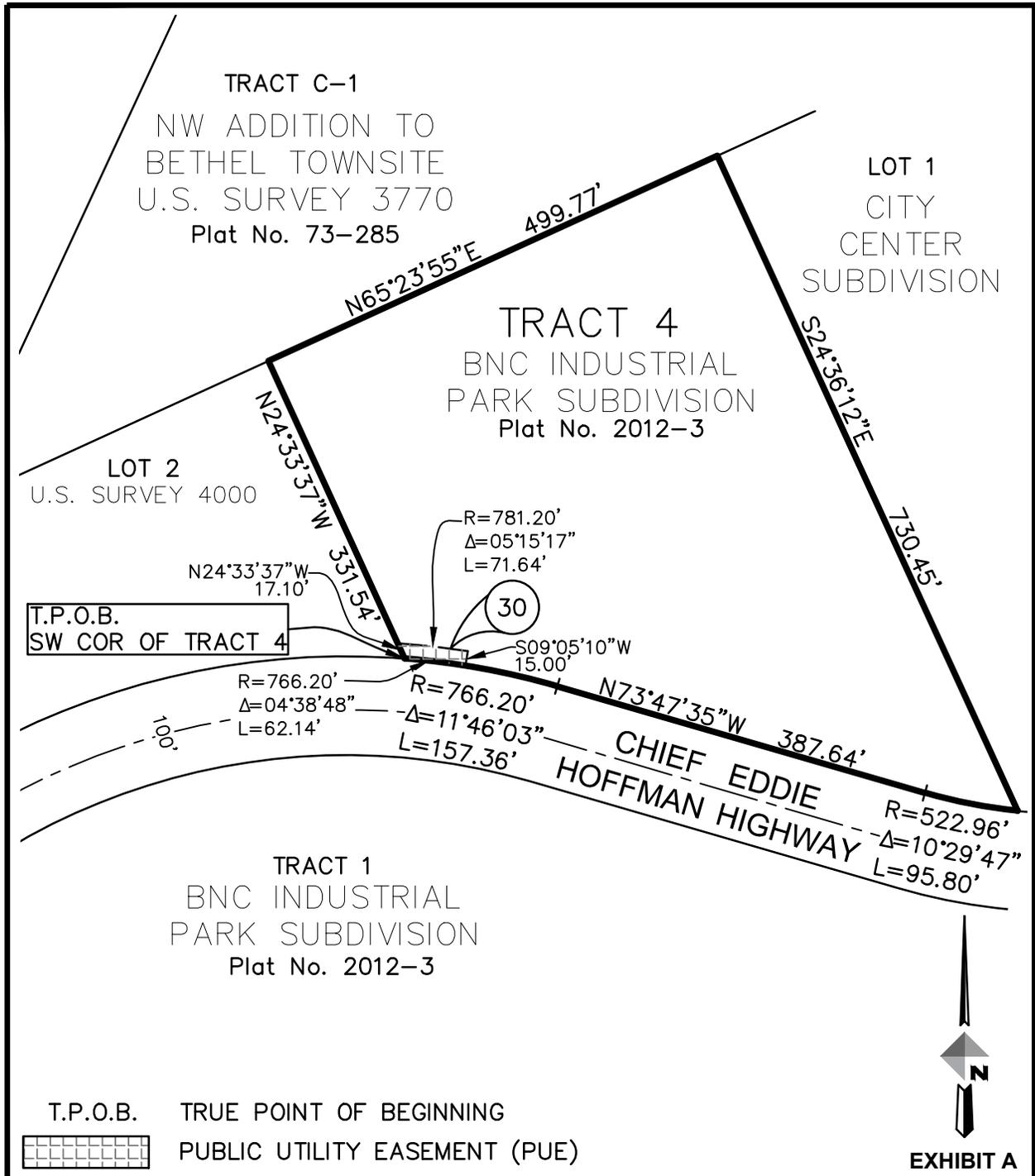
THIS IS TO CERTIFY that the City of Bethel, Grantee herein, pursuant to Ordinance 17-\_\_\_\_\_, hereby accepts for public purposes the easement(s) described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BETHEL

By: \_\_\_\_\_  
Peter A. Williams  
City Manager

After Recording Return to:  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559



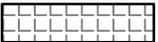
T.P.O.B. TRUE POINT OF BEGINNING  
 PUBLIC UTILITY EASEMENT (PUE)

EXHIBIT A

CITY OF BETHEL PUBLIC WORKS DEPARTMENT		INSTITUTIONAL CORRIDOR PIPED WATER DELIVERY SYSTEM	
	OWNER'S INITIALS: _____	EXISTING PARCEL AREA: ± 263,675 S.F.	ROW ACQUISITION TYPE: PUE
	PAGE 5 OF 5 DATED _____	SCALE: 1"=160'	DATE: MAY 2017 PARCEL No. 30

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-30**

#### **AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT FROM BETHEL NATIVE CORPORATION (BNC)**

**WHEREAS** the City of Bethel "City" has a grant from the State of Alaska (designated legislative grant) to provide for water and sewer improvements known as the institutional corridor piped water supply and sewer collection project;

**WHEREAS** the City has arranged for a multi-phase project to supply water and collect sewer through described real property, including alignment of mains and service lines and other utilities through easements and rights-of-ways in perpetuity;

**WHEREAS** the City needs to acquire various easements across the properties involved in the Institutional Corridor water/sewer project;

**WHEREAS** the proposed easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for the I.C. project;

**WHEREAS** in accordance with Section 4.08.020 of the Bethel Municipal Code, the City Council hereby authorizes the acquisition of an easement from Bethel Native Corporation (BNC), as set forth in this ordinance;

**WHEREAS** Tract 1, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under Plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land.

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Introduced by: City Manager Williams  
Introduction Date April 11, 2017  
Public Hearing:  
Action:  
Vote:

A portion of Tract 1, BNC Industrial Park Subdivision, filed as Plat No. 2012-3 in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Commencing at the most westerly northwest corner of said Tract 1; thence S70°53'09" 385.12 feet along the south line of said Tract 1, common with the north line of Lot 3, U.S. Survey 4000, to the corner common to Lot 3 and Lot 4A YKHC-BNC Subdivision, Plat No. 2017-xx, and on the southern boundary of said Tract 1, that point being the True Point of Beginning for this description; thence departing said line N28°33'42"E 314.82 feet to a point on the northern most property line of said Tract 1, common with the Right-of-Way of Chief Eddie Hoffman Highway; thence east along said Right-of-Way, along a non-tangential curve concave to the south having a radius of 666.20 feet, length of 31.88 feet, and a delta 02°44'31"; thence departing said curve S28°33'42"W 320.58 feet to a point on the southern property line of said Tract 1, common with the north line of Lot 4A YKHC-BNC Subdivision, Plat No. 2017-xx; thence along said line N70°56'36W 30.42 feet to the True Point of Beginning of this description. Said easement embraces an area of 9,531 square feet, more or less, as calculated from said courses and distances.

**NOW, BE IT FURTHER ORDAINED**, the City, hereby accepts and shall record the utility easement from the Bethel Native Corporation.

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

**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property

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

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_ IN FAVOR AND \_  
\_\_\_\_\_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

## PUBLIC UTILITY EASEMENT

This Grant of Easement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between **BETHEL NATIVE CORPORATION**, hereinafter called Grantor, whose address is P.O. Box 719, Bethel, Alaska 99559, and the Grantee, **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "City", whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant an easement and right-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "Utilities" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

Tract 1, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under Plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land.

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows:

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A portion of Tract 1, BNC Industrial Park Subdivision, filed as Plat No. 2012-3 in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Commencing at the most westerly northwest corner of said Tract 1; thence S70°53'09" 385.12 feet along the south line of said Tract 1, common with the north line of Lot 3, U.S. Survey 4000, to the corner common to Lot 3 and **Lot 4A YKHC-BNC Subdivision, Plat No. 2017-xx**, and on the southern boundary of said Tract 1, that point being the True Point of Beginning for this description; thence departing said line N28°33'42"E 314.82 feet to a point on the northern most property line of said Tract 1, common with the Right-of-Way of Chief Eddie Hoffman Highway; thence east along said Right-of-Way,

along a non-tangential curve concave to the south having a radius of 666.20 feet, length of 31.88 feet, and a delta 02°44'31"; thence departing said curve S28°33'42"W 320.58 feet to a point on the southern property line of said Tract 1, common with the north line of Lot 4A YKHC-BNC Subdivision, Plat No. 2017-xx; thence along said line N70°56'36W 30.42 feet to the True Point of Beginning of this description. Said easement embraces an area of 9,531 square feet, more or less, as calculated from said courses and distances.

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of the City, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities on said property in or on any structures on the easement. Grantor agrees not to interfere with any lateral support(s) in the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

To the extent that the City is required to indemnify the Grantor, the obligation to indemnify is effective only to the extent permitted by law. The obligation to indemnify is further conditioned on the availability of a valid existing appropriation to cover the obligation. The parties to this Easement recognize and agree that the City has no current appropriation available to it to indemnify under the provisions of this Easement and that the enactment of an appropriation in the future to finance a payment under these provisions remains in the sole discretion of the City Council and the City Council's failure to make the appropriation creates no further obligation or liability of the City. However, during all times pertinent to this Easement, the City will maintain sufficient insurance coverage to protect against any damage to or suits arising out of City's use or entry upon Grantor's premises.

Grantor shall not unduly withhold permission to the City for free ingress and egress to the easement across Grantor's property. Unless in case of an emergency, denoted by threat of loss of life or substantial property damage, the City shall provide 72 hours advance notification to Grantor of the intent to access City's easement across Grantor's property.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BETHEL NATIVE CORPORATION

By: \_\_\_\_\_  
Anastasia Hoffman, President

By: \_\_\_\_\_  
Donna Lindsey, Secretary

**ACKNOWLEDGMENT OF GRANTOR-CORPORATION**

STATE OF ALASKA        )  
                                  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Anastasia Hoffman**, President of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA        )  
                                  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Donna Lindsey**, Secretary of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the City of Bethel, Grantee herein, pursuant to Ordinance 17-\_\_\_\_\_, hereby accepts for public purposes the easement(s) described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BETHEL

By: \_\_\_\_\_  
Peter A. Williams  
City Manager

After Recording Return to:  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

*CITY OF BETHEL, ALASKA*

**Ordinance #17-31**

**AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT FROM  
BETHEL NATIVE CORPORATION (BNC)**

**WHEREAS** the City of Bethel "City" has a grant from the State of Alaska (designated legislative grant) to provide for water and sewer improvements known as the institutional corridor piped water supply and sewer collection project;

**WHEREAS** the City has arranged for a multi-phase project to supply water and collect sewer through described real property, including alignment of mains and service lines and other utilities through easements and rights-of-ways in perpetuity;

**WHEREAS** the City needs to acquire various easements across the properties involved in the Institutional Corridor water/sewer project;

**WHEREAS** the proposed easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for the I.C. project;

**WHEREAS** in accordance with Section 4.08.020 of the Bethel Municipal Code, the City Council hereby authorizes the acquisition of an easement from Bethel Native Corporation (BNC), as set forth in this ordinance;

**WHEREAS** Lot 4A, YKHC-BNC Subdivision, filed as Plat No. 2017-xx, in the Bethel Recording District, Fourth Judicial District, State of Alaska,

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land.

Said easement is depicted on the Parcel Maps attached hereto as Pages 6 and 7 and more particularly described as follows:

**Parcel 29A**

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Lot 4A, YKHC-BNC Subdivision, filed as Plat No. 2017-xx, in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Beginning at the most northerly northwest corner of said Lot 4A, common with the northeast corner of Lot 3, U.S. Survey 4000, and a point on the southern boundary of the northern portion of Tract 1, BNC Industrial Park Subdivision, Plat No. 2012-3, being the True Point of Beginning for this description; Thence S70°56'36"E 30.54 feet along the northernmost line of said Lot 4A; thence departing said line S29°51'10"W 225.12 feet; thence S48°51'29"W 136.09 feet; thence S41°05'14"W 75.00 feet; thence S48°51'29"W 30.00 feet; thence N41°05'14"W 30.00 feet, along a 30' waterline and access road easement that runs along the western line of said Lot 4A; to a corner on the westerly line of said Lot 4A, common with the easterly most corner of Lot 1A, YKHC-BNC Subdivision, Plat No. 2017-xx; thence N41°05'14"W 75.00 feet along western boundary of said Lot 4A to a corner on west side of said Lot 4A, common with the northeast corner of Lot 1A, YKHC-BNC Subdivision, and the southeast corner of Lot 3 U.S. Survey 4000, thence N48°51'29"E 161.04 feet along the west line of said Lot 4A, common with the east line of Lot 3, U.S. Survey 4000, thence N29°51'10"E 214.38 feet along the west line of said Lot 4A, common with the easterly most line of Lot 3, U.S. Survey 4000, to the True Point of Beginning of this description. Said easement embraces an area of 13,756 square feet, more or less, as calculated from said courses and distances.

**Parcel 29B**

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Lot 4A, YKHC-BNC Subdivision, filed as Plat No. 2017-xx, in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Commencing at the most westerly southwest corner of said Lot 4A, common with a corner on the north line of Tract 2, BNC Industrial Subdivision, Plat No. 2012-3; thence S70°48'05"E 166.33 feet along the south line of said Lot 4A, common with the north line of Tract 2, BNC Industrial Subdivision, Plat No. 2012-3, to the True Point of Beginning for this description; thence departing said line N11°57'06"E 275.83 feet to a point on the southern line of a 10' power line easement as recorded in Book 45, Page 209A; thence along said easement N69°59'15"W 121.20 feet; thence departing said easement N11°57'06"E 57.59 feet to a point on a line of the west portion

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

of said Lot 4A, common with the south line of Lot 5A, YKHC-BNC Subdivision, Plat No. 2017-xx; thence S69°59'15"E 30.30 feet along said line to a corner of the west portion of said Lot 4A, common with the most southerly southeast corner of Lot 5A, YKHC-BNC Subdivision, Plat No. 2017-xx; thence S69°59'15"E 30.30 feet along a 30' waterline and access road easement that runs along the west line of said Lot 4A; thence departing said easement S11°57'06"W 42.44 feet; thence S69°59'15"E 75.75 feet; thence S11°57'06"W 290.77 feet to a point on the south line of said Lot 4A, common with the north line of Tract 2, BNC Industrial Subdivision, Plat No. 2012-3; thence N70°48'05"W 15.12 feet along said line to the True Point of Beginning of this description. Said easement embraces an area of 8,727 square feet, more or less, as calculated from said courses and distances.

**NOW, BE IT FURTHER ORDAINED**, the City, hereby accepts and shall record the utility easement from the Bethel Native Corporation.

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

**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property

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

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

## PUBLIC UTILITY EASEMENT

This Grant of Easement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between **BETHEL NATIVE CORPORATION**, hereinafter called Grantor, whose address is P.O. Box 719, Bethel, Alaska 99559, and the Grantee, **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "City", whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant an easement and right-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "Utilities" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

**Lot 4A, YKHC-BNC Subdivision, filed as Plat No. 2017-xx, in the Bethel Recording District, Fourth Judicial District, State of Alaska,**

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land.

Said easement is depicted on the Parcel Maps attached hereto as Pages 6 and 7 and more particularly described as follows:

### Parcel 29A

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Lot 4A, YKHC-BNC Subdivision, filed as Plat No. 2017-xx, in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Beginning at the most northerly northwest corner of said Lot 4A, common with the northeast corner of Lot 3, U.S. Survey 4000, and a point on the southern boundary of the northern portion of Tract 1, BNC Industrial Park Subdivision, Plat No. 2012-3, being the True Point of Beginning for this description; Thence S70°56'36"E 30.54 feet along the northernmost line of said Lot 4A; thence departing said line S29°51'10"W 225.12 feet; thence S48°51'29"W 136.09 feet; thence S41°05'14"W 75.00 feet; thence

S48°51'29"W 30.00 feet; thence N41°05'14"W 30.00 feet, along a 30' waterline and access road easement that runs along the western line of said Lot 4A; to a corner on the westerly line of said Lot 4A, common with the easterly most corner of Lot 1A, YKHC-BNC Subdivision, Plat No. 2017-xx; thence N41°05'14"W 75.00 feet along western boundary of said Lot 4A to a corner on west side of said Lot 4A, common with the northeast corner of Lot 1A, YKHC-BNC Subdivision, and the southeast corner of Lot 3 U.S. Survey 4000, thence N48°51'29"E 161.04 feet along the west line of said Lot 4A, common with the east line of Lot 3, U.S. Survey 4000, thence N29°51'10"E 214.38 feet along the west line of said Lot 4A, common with the easterly most line of Lot 3, U.S. Survey 4000, to the True Point of Beginning of this description. Said easement embraces an area of 13,756 square feet, more or less, as calculated from said courses and distances.

Parcel 29B

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Lot 4A, YKHC-BNC Subdivision, filed as Plat No. 2017-xx, in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Commencing at the most westerly southwest corner of said Lot 4A, common with a corner on the north line of Tract 2, BNC Industrial Subdivision, Plat No. 2012-3; thence S70°48'05"E 166.33 feet along the south line of said Lot 4A, common with the north line of Tract 2, BNC Industrial Subdivision, Plat No. 2012-3, to the True Point of Beginning for this description; thence departing said line N11°57'06"E 275.83 feet to a point on the southern line of a 10' powerline easement as recorded in Book 45, Page 209A; thence along said easement N69°59'15"W 121.20 feet; thence departing said easement N11°57'06"E 57.59 feet to a point on a line of the west portion of said Lot 4A, common with the south line of Lot 5A, YKHC-BNC Subdivision, Plat No. 2017-xx; thence S69°59'15"E 30.30 feet along said line to a corner of the west portion of said Lot 4A, common with the most southerly southeast corner of Lot 5A, YKHC-BNC Subdivision, Plat No. 2017-xx; thence S69°59'15"E 30.30 feet along a 30' waterline and access road easement that runs along the west line of said Lot 4A; thence departing said easement S11°57'06"W 42.44 feet; thence S69°59'15"E 75.75 feet; thence S11°57'06"W 290.77 feet to a point on the south line of said Lot 4A, common with the north line of Tract 2, BNC Industrial Subdivision, Plat No. 2012-3; thence N70°48'05"W 15.12 feet along said line to the True Point of Beginning of this description. Said easement embraces an area of 8,727 square feet, more or less, as calculated from said courses and distances.

This easement is subject to an existing 10' Power Line Easement (Book 45, Page 209A).

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said property

for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of the City, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities on said property in or on any structures on the easement. Grantor agrees not to interfere with any lateral support(s) in the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

To the extent that the City is required to indemnify the Grantor, the obligation to indemnify is effective only to the extent permitted by law. The obligation to indemnify is further conditioned on the availability of a valid existing appropriation to cover the obligation. The parties to this Easement recognize and agree that the City has no current appropriation available to it to indemnify under the provisions of this Easement and that the enactment of an appropriation in the future to finance a payment under these provisions remains in the sole discretion of the City Council and the City Council's failure to make the appropriation creates no further obligation or liability of the City. However, during all times pertinent to this Easement, the City will maintain sufficient insurance coverage to protect against any damage to or suits arising out of City's use or entry upon Grantor's premises.

Grantor shall not unduly withhold permission to the City for free ingress and egress to the easement across Grantor's property. Unless in case of an emergency, denoted by threat of loss of life or substantial property damage, the City shall provide 72 hours advance notification to Grantor of the intent to access City's easement across Grantor's property.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BETHEL NATIVE CORPORATION

By: \_\_\_\_\_  
Anastasia Hoffman, President

By: \_\_\_\_\_  
Donna Lindsey, Secretary

**ACKNOWLEDGMENT OF GRANTOR-CORPORATION**

STATE OF ALASKA       )  
  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Anastasia Hoffman**, President of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA       )  
  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Donna Lindsey**, Secretary of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the City of Bethel, Grantee herein, pursuant to Ordinance 17-\_\_\_\_\_, hereby accepts for public purposes the easement(s) described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BETHEL

By: \_\_\_\_\_  
Peter A. Williams  
City Manager

After Recording Return to:  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

DRAFT

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-32**

#### **AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT FROM BETHEL NATIVE CORPORATION (BNC)**

**WHEREAS** the City of Bethel "City" has a grant from the State of Alaska (designated legislative grant) to provide for water and sewer improvements known as the institutional corridor piped water supply and sewer collection project;

**WHEREAS** the City has arranged for a multi-phase project to supply water and collect sewer through described real property, including alignment of mains and service lines and other utilities through easements and rights-of-ways in perpetuity;

**WHEREAS** the City needs to acquire various easements across the properties involved in the Institutional Corridor water/sewer project;

**WHEREAS** the proposed easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for the I.C. project;

**WHEREAS** in accordance with Section 4.08.020 of the Bethel Municipal Code, the City Council hereby authorizes the acquisition of an easement from Bethel Native Corporation (BNC), as set forth in this ordinance;

Tract 2, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under Plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

A portion of Tract 2, BNC Industrial Park Subdivision, filed as Plat No. 2012-3 in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Beginning at the most westerly northwest corner of said Tract 2, that point being the True Point of Beginning for this description; thence N89°57'33"E 650.23 feet along the north line of said Tract 2, common with the south line Tract 3, BNC Industrial Park Subdivision, Plat No. 2012-3, to a point on the northern line of said Tract 2, common with the southeast corner of Tract 3, BNC Industrial Park Subdivision and southwest corner of Lot 4A, YKHC-BNC Subdivision, Plat No. 2017-xx; thence along said north line S70°48'05"E 181.45 feet; thence departing said line S19°11'55"W 15.00 feet; thence N70°48'05"W 178.91 feet; thence S89°57'33"W 628.13 feet, thence S09°52'17" 20.40 feet to a point on the western most line of said Tract 2; thence along said line N24°37'03"W 38.59 feet to the True Point of Beginning of this description. Said easement embraces an area of 12,513 square feet, more or less, as calculated from said courses and distances.

**NOW, BE IT FURTHER ORDAINED**, the City, hereby accepts and shall record the utility easement from the Bethel Native Corporation.

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

**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property

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

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

## PUBLIC UTILITY EASEMENT

This Grant of Easement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between **BETHEL NATIVE CORPORATION**, hereinafter called Grantor, whose address is P.O. Box 719, Bethel, Alaska 99559, and the Grantee, **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "City", whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant an easement and right-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "Utilities" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

Tract 2, BNC INDUSTRIAL PARK, according to the official plat thereof, filed under Plat Number 2012-3, in the records of the Bethel Recording District, Fourth Judicial District, State of Alaska;

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America in the Patent of said land

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Tract 2, BNC Industrial Park Subdivision, filed as Plat No. 2012-3 in the Bethel Recording District, Fourth Judicial District, State of Alaska, being more particularly described by metes and bounds as follows:

Beginning at the most westerly northwest corner of said Tract 2, that point being the True Point of Beginning for this description; thence N89°57'33"E 650.23 feet along the north line of said Tract 2, common with the south line Tract 3, BNC Industrial Park Subdivision, Plat No. 2012-3, to a point on the northern line of said Tract 2, common with the southeast corner of Tract 3, BNC Industrial Park Subdivision and southwest corner of **Lot 4A, YKHC-BNC Subdivision, Plat No. 2017-xx**; thence along said north line S70°48'05"E 181.45 feet; thence departing said line S19°11'55"W 15.00 feet;

thence N70°48'05"W 178.91 feet; thence S89°57'33W 628.13 feet, thence S09°52'17" 20.40 feet to a point on the western most line of said Tract 2; thence along said line N24°37'03"W 38.59 feet to the True Point of Beginning of this description. Said easement embraces an area of 12,513 square feet, more or less, as calculated from said courses and distances.

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of the City, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities on said property in or on any structures on the easement. Grantor agrees not to interfere with any lateral support(s) in the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

To the extent that the City is required to indemnify the Grantor, the obligation to indemnify is effective only to the extent permitted by law. The obligation to indemnify is further conditioned on the availability of a valid existing appropriation to cover the obligation. The parties to this Easement recognize and agree that the City has no current appropriation available to it to indemnify under the provisions of this Easement and that the enactment of an appropriation in the future to finance a payment under these provisions remains in the sole discretion of the City Council and the City Council's failure to make the appropriation creates no further obligation or liability of the City. However, during all times pertinent to this Easement, the City will maintain sufficient insurance coverage to protect against any damage to or suits arising out of City's use or entry upon Grantor's premises.

Grantor shall not unduly withhold permission to the City for free ingress and egress to the easement across Grantor's property. Unless in case of an emergency, denoted by threat of loss of life or substantial property damage, the City shall provide 72 hours advance notification to Grantor of the intent to access City's easement across Grantor's property.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BETHEL NATIVE CORPORATION

By: \_\_\_\_\_  
Anastasia Hoffman, President

By: \_\_\_\_\_  
Donna Lindsey, Secretary

**ACKNOWLEDGMENT OF GRANTOR-CORPORATION**

STATE OF ALASKA )  
 ) ss:  
Fourth Judicial District )

On this \_\_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Anastasia Hoffman**, President of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA )  
 ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Donna Lindsey**, Secretary of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the City of Bethel, Grantee herein, pursuant to Ordinance 17-\_\_\_\_\_, hereby accepts for public purposes the easement(s) described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BETHEL

By: \_\_\_\_\_  
Peter A. Williams  
City Manager

After Recording Return to:  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-33**

#### **AN ORDINANCE REPEALING AND REPLACING ORDINANCE 16-33, AUTHORIZING THE ACQUISITION OF INTEREST IN A UTILITY EASEMENT FROM BETHEL NATIVE CORPORATION**

**WHEREAS** the City of Bethel "City" has a grant from the State of Alaska (designated legislative grant) to provide for water and sewer improvements known as the institutional corridor piped water supply and sewer collection project;

**WHEREAS** the City has arranged for a multi-phase project to supply water and collect sewer through described real property, including alignment of mains and service lines and other utilities through easements and rights-of-ways in perpetuity;

**WHEREAS** the City needs to acquire various easements across the properties involved in the Institutional Corridor water/sewer project;

**WHEREAS** the proposed easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for the I.C. project;

**WHEREAS** on October 25, 2016, the City Council passed Ordinance 16-33 authorizing the acquisition of an easement across Lot 4, US Survey No. 4117 to be used in the I.C. project, this easement was never recorded;

**WHEREAS**, since that time the I.C. route has been amended changing the route of the easement across the same lot;

**WHEREAS**, the correct easement location is as follows:

That portion of Lot 4, U.S. SURVEY NO. 4117, according to the official survey in the Bethel Recording District, Fourth Judicial District, State of Alaska, which lies Easterly of the Easterly State Right-of-Way line, as said line is described in the Right-of-Way Grant to the State of Alaska, recorded May 26, 1969 in Book 17 at Page 31.

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America.

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Lot 4, U.S. Survey 4117 being more particularly described as the easterly 15 feet; and the southerly 15' of said Lot 4. Said easement embraces an area of 4,147 square feet, more or less.

**NOW, BE IT FURTHER ORDAINED**, the City Council, hereby repeals and replaces Ordinance 16-33 and accepts and shall record the utility easement from the Bethel Native Corporation as more properly outlined above.

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

**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property

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

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

## PUBLIC UTILITY EASEMENT

This Grant of Easement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between **BETHEL NATIVE CORPORATION**, hereinafter called Grantor, whose address is P.O. Box 719, Bethel, Alaska 99559, and the Grantee, **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "City", whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant an easement and right-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "Utilities" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

That portion of Lot 4, U.S. SURVEY NO. 4117, according to the official survey in the Bethel Recording District, Fourth Judicial District, State of Alaska, which lies Easterly of the Easterly State Right-of-Way line, as said line is described in the Right-of-Way Grant to the State of Alaska, recorded May 26, 1969 in Book 17 at Page 31.

EXCEPTING THEREFROM the subsurface estate and all rights, privileges, immunities and appurtenances of whatsoever nature accruing unto said estate pursuant to the Alaska Native Claims Settlement Act of December 18, 1971 (85 Stat 688, 704; 43 USC 1601, 1613(f) (1976) as reserved by the United States of America.

Said easement is depicted on the Parcel Map attached hereto as Page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Lot 4, U.S. Survey 4117 being more particularly described as the easterly 15 feet; and the southerly 15' of said Lot 4. Said easement embraces an area of 4,147 square feet, more or less.

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property

in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said property for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of the City, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities on said property in or on any structures on the easement. Grantor agrees not to interfere with any lateral support(s) in the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

To the extent that the City is required to indemnify the Grantor, the obligation to indemnify is effective only to the extent permitted by law. The obligation to indemnify is further conditioned on the availability of a valid existing appropriation to cover the obligation. The parties to this Easement recognize and agree that the City has no current appropriation available to it to indemnify under the provisions of this Easement and that the enactment of an appropriation in the future to finance a payment under these provisions remains in the sole discretion of the City Council and the City Council's failure to make the appropriation creates no further obligation or liability of the City. However, during all times pertinent to this Easement, the City will maintain sufficient insurance coverage to protect against any damage to or suits arising out of City's use or entry upon Grantor's premises.

Grantor shall not unduly withhold permission to the City for free ingress and egress to the easement across Grantor's property. Unless in case of an emergency, denoted by threat of loss of life or substantial property damage, the City shall provide 72 hours advance notification to Grantor of the intent to access City's easement across Grantor's property.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

BETHEL NATIVE CORPORATION

By: \_\_\_\_\_  
Anastasia Hoffman, President

By: \_\_\_\_\_  
Donna Lindsey, Secretary

**ACKNOWLEDGMENT OF GRANTOR-CORPORATION**

STATE OF ALASKA            )  
  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Anastasia Hoffman**, President of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA            )  
  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Donna Lindsey**, Secretary of Bethel Native Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the City of Bethel, Grantee herein, pursuant to Ordinance 17-\_\_\_\_\_, hereby accepts for public purposes the easement(s) described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BETHEL

By: \_\_\_\_\_  
Peter A. Williams  
City Manager

After Recording Return to:  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-34**

#### **AN ORDINANCE AUTHORIZING THE DISPOSAL OF INTEREST IN EASEMENTS/LAND FOR UTILITY ACQUIRED THROUGH ORDINANCE 16-06 FROM YKHC**

**WHEREAS** in accordance with Bethel Municipal Code section 4.08.030 the City Council may, by ordinance, provide for the disposal of an interest in real property to a municipal, borough, state, federal or other appropriate entity providing a necessary public service without seeking bids and for less than the current assessed value or current appraised value of that interest in real property;

**WHEREAS** in accordance with Bethel Municipal Code section 4.08.020 the City Council may acquire any interest in real property by purchase, lease, exchange, transfer, donation or any other method;

**WHEREAS** on March 22, 2016, the City of Bethel acquired four easements from the Yukon Kuskokwim Health Corporation (YKHC);

**WHEREAS** in April of 2017, the City released one of the easements (#4) because it was no longer necessary for the institutional corridor project;

**WHEREAS** now that the final route has been completed, two (2) additional previously acquired easements (# 1 and #2) are also no longer needed;

**WHEREAS** since their acquisition, the land containing the easements has been transferred from YKHC to Bethel Native Corporation (BNC);

**WHEREAS** the easements are more particularly described as follows:

#### **Easement #1**

##### **PARCEL 12A:**

Lot 53, U.S. Survey No. 4117, according to the official Bureau of Land Management survey plat thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

The Easement to be released is more particularly described as follows:

The Basis of Bearing for these descriptions is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

Beginning at the northeast corner of said Lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W 15.45 feet; thence departing said east line N89°56'55"W 30.70 feet; thence N11°44'20"E 15.32 feet to the north line of said Lot 53; thence on said north line S89°56'55"E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

**Easement #2**

**PARCEL 12B:**

Beginning at the northeast corner of said Lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W 15.45 feet; thence departing said east line N89°56'55"W 30.70 feet; thence N11°44'20"E 15.32 feet to the north line of said Lot 53; thence on said north line S89°56'55"E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances, calculated from said courses and distances.

**NOW, BE IT FURTHER ORDAINED**, the City Council authorizes the disposal and release of the above described easement and authorizes the City Manager to complete the necessary paperwork to effectuate the release.

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

**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.030(B) Disposal to an Entity Providing Necessary Public Service and Bethel Municipal Code.

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

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

City of Bethel, Alaska

Ordinance 17-34

Page 2 of 2

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## RELEASE OF PUBLIC UTILITY EASEMENT

This Release of Public Utility Easement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between the **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter referred to as "City", **GRANTOR**, whose address is P.O. Box 1388, Bethel, Alaska 99559, and **YUKON-KUSKOKWIM HEALTH CORPORATION**, hereinafter referred to as "YKHC", **GRANTEE**, whose address is P.O. Box 528, Bethel, Alaska 99559.

Bethel Native Corporation, hereinafter referred to as "BNC", executed a Public Utility Easement on February 17, 2016, granting the City the Public Utility Easements known as Parcel 12A and 12B, recorded as Document No. 2016-000351-0, granting the City a utility easement on in perpetuity through, across, over and under the following described real property, to wit:

Lot 53, U.S. Survey No. 4117, according to the official Bureau of Land Management survey plat thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

The Easement to be released is more particularly described as follows:

The Basis of Bearing for these descriptions is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

### **PARCEL 12A:**

Beginning at the northeast corner of said Lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W 15.45 feet; thence departing said east line N89°56'55"W 30.70 feet; thence N11°44'20"E 15.32 feet to the north line of said Lot 53; thence on said north line S89°56'55"E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

### **PARCEL 12B:**

Beginning at the northeast corner of said Lot 53, being the True Point of Beginning for this description; thence on the east line thereof S13°50'38"W 15.45 feet; thence departing said east line N89°56'55"W 30.70 feet; thence N11°44'20"E 15.32 feet to the north line of said Lot 53; thence on said north line S89°56'55"E 34.38 feet to the True Point of Beginning. Said easement embraces an area of 465 square feet, more or less as calculated from said courses and distances.

Since the recording of the Easement, YKHC has acquired the property containing said Easement from BNC.

The City desires to release, relinquish and terminate any and all rights that it has or may have to the Public Utility Easement described above as Parcel 12A and previously recorded in the Bethel Recording District, Fourth Judicial District, State of Alaska as Document No. 2016-000351-0.

**NOW THEREFORE:**

1. The recitals set forth above are hereby incorporated into this Release;
2. The City does forever release, relinquish and terminate any and all rights that it has or may have under the Easement described as Parcel 12A and 12B which was previously granted by BNC, then transferred to YKHC which is referred to in this document and officially recorded at the State of Alaska Recorder’s Office under document number 2016-000351-0;
3. This release shall not release, relinquish or terminate any other Easements the City may have on said property that are not specifically described in this document.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2017.

**CITY OF BETHEL**

\_\_\_\_\_  
By: Peter A. Williams  
City Manager

**ACKNOWLEDGMENT OF GRANTOR**

STATE OF ALASKA        )  
  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Peter A. Williams**, City Manager, for the City of Bethel, a municipal corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that he executed the same as the free and voluntary act of the City of Bethel, with full authority to do so, and with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the City of Bethel, Grantor herein, pursuant to Ordinance 17-\_\_\_\_\_, hereby accepts this Release of Public Utility Easement described in this instrument, which is no longer required for the Institutional Corridor project, and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

By: \_\_\_\_\_  
Peter A. Williams, City Manager

After Recording Return to:  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-35**

#### **AN ORDINANCE AUTHORIZING THE ACQUISITION OF AN EASEMENT FROM THE YUKON KUSKOKWIM HEALTH CORPORATION (YKHC)**

**WHEREAS** the City of Bethel "City" has a grant from the State of Alaska (designated legislative grant) to provide for water and sewer improvements known as the institutional corridor piped water supply and sewer collection project;

**WHEREAS** the City has arranged for a multi-phase project to supply water and collect sewer through described real property, including alignment of mains and service lines and other utilities through easements and rights-of-ways in perpetuity;

**WHEREAS** the City needs to acquire various easements across the properties involved in the Institutional Corridor water/sewer project;

**WHEREAS** the proposed easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for the I.C. project;

**WHEREAS** in accordance with Section 4.08.020 of the Bethel Municipal Code, the City Council hereby authorizes the acquisition of an easement from Bethel Native Corporation (BNC), as set forth in this ordinance;

Lot 53, U.S. Survey No. 4117, according to the official Bureau of Land Management survey plat thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

Said easement is depicted on the Parcel Map attached hereto as page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Lot 53, U.S. Survey 4117 being more particularly described as the south 15 feet of said Lot 53. Said easement embraces an area of 4,959 square feet, more or less.

Introduced by: City Manager Williams  
Introduction Date: June 13, 2017  
Public Hearing: June 27, 2017  
Action:  
Vote:

This easement is subject to an existing Sewer and Water Easement (Plat No. 84-20 & Book 39, Page 938).

**NOW, BE IT FURTHER ORDAINED**, the City, hereby accepts and shall record the utility easement from the Bethel Native Corporation.

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

**SECTION 2. Authorization.** Pursuant to Bethel Municipal Code 04.08.020 Acquisition of Real Property

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

**ENACTED THIS \_\_\_\_\_ DAY OF JUNE 2017, BY A VOTE OF \_ IN FAVOR AND \_  
\_\_\_\_\_ OPPOSED.**

ATTEST:

\_\_\_\_\_  
Richard Robb, Mayor

\_\_\_\_\_  
Lori Strickler, City Clerk

## PUBLIC UTILITY EASEMENT

This Grant of Easement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017, by and between **YUKON-KUSKOKWIM HEALTH CORPORATION**, hereinafter called Grantor, whose address is P.O. Box 528, Bethel, Alaska 99559, and the Grantee, **CITY OF BETHEL**, a municipal corporation of the State of Alaska, its successors and assigns, hereinafter called "City", whose address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor does hereby grant this easement and rights-of-way in perpetuity, with the right, privilege and authority to the City, its successors and assigns, to construct, install, operate, replace, relocate, maintain and repair above and below ground water lines, sewer lines, waste heat lines, collection and distribution structures, protective structures, and fire hydrants, hereinafter collectively called "Utilities" for the purpose of supplying water and collecting sewage through, across, over and under the following described real property, to wit:

Lot 53, U.S. Survey No. 4117, according to the official Bureau of Land Management survey plat thereof, officially filed March 31, 2004, located in the Bethel Recording District, Fourth Judicial District, State of Alaska.

Said easement is depicted on the Parcel Map attached hereto as page 5 and more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing between NGS Station BET C and NGS Station BET B. NGS Station BET B bears S 25°43'20.9"W a distance of 2672.85 feet from NGS Station BET C. NGS Station BET B has Bethel coordinates of 6,266.8084 N, 7,694.8219 E. U.S. Survey Feet.

A portion of Lot 53, U.S. Survey 4117 being more particularly described as the south 15 feet of said Lot 53. Said easement embraces an area of 4,959 square feet, more or less.

This easement is subject to an existing Sewer and Water Easement (Plat No. 84-20 & Book 39, Page 938).

Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any purpose consistent with the rights hereby acquired, provided that the City shall have the right without prior initiation of any suit or proceeding at law, at such times as may be necessary, to enter upon said

property for the purpose herein described without incurring any legal obligation or liability therefore; and provided that no building or buildings or other permanent structures shall be constructed or permitted to remain within the boundary of said easement without written permission of Bethel, its successors or assigns.

Grantor agrees to hold City harmless and to indemnify and defend City, its employees, agents, officials, and any other representatives, from and against all claims, demands, suits and costs arising, in whole or in part, from any damages or other claims resulting from Grantor's activities on said property in or on any structures on the easement. Grantor agrees not to interfere with the lateral support for the area covered by the easement, and will not excavate or place fill in the areas covered by the easement.

To the extent that the City is required to indemnify the Grantor, the obligation to indemnify is effective only to the extent permitted by law. The obligation to indemnify is further conditioned on the availability of a valid existing appropriation to cover the obligation. The parties to this Easement recognize and agree that the City has no current appropriation available to it to indemnify under the provisions of this Easement and that the enactment of an appropriation in the future to finance a payment under these provisions remains in the sole discretion of the City Council and the City Council's failure to make the appropriation creates no further obligation or liability of the City. However, during all times pertinent to this Easement, the City will maintain sufficient insurance coverage to protect against any damage to or suits arising out of City's use or entry upon Grantor's premises.

Grantor shall not unduly withhold permission to the City for free ingress and egress to the easement across Grantor's property. Unless in case of an emergency, denoted by threat of loss of life or substantial property damage, the City shall provide 72 hours advance notification to Grantor of the intent to access City's easement across Grantor's property.

The grant and obligations in this Grant of Easement shall be covenants running with the land and shall be binding on the Grantor, its successors and assigns forever.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

YUKON-KUSKOKWIM HEALTH CORPORATION

By: \_\_\_\_\_  
Esai Tiwitchell, Jr., Chairman  
YKHC Board of Directors

By: \_\_\_\_\_  
Daniel Winkelman, President and CEO  
Yukon-Kuskokwim Health Corporation

**ACKNOWLEDGMENT OF GRANTOR-CORPORATION**

STATE OF ALASKA        )  
                                  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Esai Twitchell, Jr.**, Chairman of Yukon-Kuskokwim Health Corporation Executive Board of Directors, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

STATE OF ALASKA        )  
                                  ) ss:  
Fourth Judicial District )

On this \_\_\_\_ day of \_\_\_\_\_, 2017 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Daniel J. Winkelman**, President and CEO of Yukon-Kuskokwim Health Corporation, the Grantor, known to me to be the identical person who executed the foregoing instrument and who acknowledged to me that they executed the same as the free and voluntary act of said corporation, with full knowledge of its contents, for the uses and purposes therein mentioned.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year above written.

[NOTARY SEAL]

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**CERTIFICATE OF ACCEPTANCE**

THIS IS TO CERTIFY that the City of Bethel, Grantee herein, pursuant to Ordinance 16-34, hereby accepts for public purposes the easement(s) described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

CITY OF BETHEL

By: \_\_\_\_\_  
Peter A. Williams  
City Manager

After Recording Return to:

City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

Introduced by: Council Member Leif Albertson  
Date: June 13, 2017  
Public Hearing:  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Ordinance #17-36**

**AN ORDINANCE SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF BETHEL, A BALLOT PROPOSITION AMENDING THE BETHEL MUNICIPAL CODE TO INCREASE THE ALCOHOL BEVERAGE SALES TAX FROM 12% (TWELVE PERCENT) TO 15% (FIFTEENTH PERCENT) AND TO DEDICATE 3% OF THE REVENUE GENERATED FROM THE TAX TO HEALTH, PUBLIC SAFETY AND SOCIAL SERVICE USES RELATED TO ALCOHOLIC BEVERAGES, AND TO PROVIDE FOR APPROVAL BY A MAJORITY OF QUALIFIED VOTERS VOTING ON THE QUESTION**

Therefore be it Enacted by the Bethel City Council that:

**SECTION 1.** Pursuant to state law, a ballot proposition in substantially the following form and substance shall be submitted to the qualified voters of the City of Bethel at the next regular Municipal election to be held October 3, 2017:

PROPOSITION NO. \_\_\_\_\_

Shall the City of Bethel increase the alcohol tax on the sales of alcoholic beverages in the City of Bethel to 15%? (Ordinance No. 17-XX)

Explanation:

A "Yes" vote will increase the tax on alcohol sales from a rate of 12% to a rate of 15%.

A "No" vote will maintain the tax on alcohol sales at a rate of 12%.

**SECTION 2** Amend the Bethel Municipal Code, Section 4.13.030 to read (new language is underlined old language is stricken):

#### **Section 4.16.030 Imposition – Rate.**

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

B. The tax to be added to the sale price shall be ~~twelve percent (12%)~~ fifteen percent (15%) for alcohol.

Introduced by: Council Member Leif Albertson  
Date: June 13, 2017  
Public Hearing:  
Action:  
Vote:

C. The tax to be added to the sale price, shall be and twelve percent (12%) transient lodging.

**SECTION 3.** For such period of time as the City of Bethel, Alaska, levies a tax as under Section 2 of this Ordinance at Section 4.16.030(B) of the Bethel Municipal Code at a rate of 15% or greater, 3% of the revenues collected from the sales of alcohol in each fiscal year shall be placed in a separate interest bearing account. The funds generated in the separate interest bearing account will be used to fund the Community Action Grant programs which shall focus on advancing the communities opportunities, sustainability and wellbeing with components that foster community wellness, direct impact to the community's vulnerable populations and/or civic engagement of Bethel residents and project beneficiaries.

**SECTION 4.** The proposition contained in Section 1, the amendments outlined in Section 2, and the designation of funds provided in Section 3 of this ordinance, shall become effective if, and only if, approved by a majority of the voters voting on the question.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA,  
THIS \_\_ DAY OF \_\_\_\_\_ 2017, BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

Introduced by: City Manager Williams  
Date: June 13, 2017  
Action:  
Vote:

## *CITY OF BETHEL*

### **Resolution # 17-11**

#### **A RESOLUTION REQUESTING FY 18 PAYMENT IN LIEU OF TAXES FUNDING FROM THE DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT**

**WHEREAS**, 3 AAC 152.100 requires the governing body of a city to adopt a resolution requesting funding from the Payment in Lieu of Taxes Program for cities in the unorganized borough and to submit the resolution to the Department of Commerce, Community and Economic Development;

**WHEREAS**, the city has conducted a regular election during the preceding state fiscal year and has report the results of the election to the commissioner;

**WHEREAS**, regular meeting of the governing body are held in the city and a record of the proceedings is maintained;

**WHEREAS**, ordinances adopted by the city have been codified in accordance with AS 29.25.050;

**NOW, THEREFORE, BE IT RESOLVED:** that the Bethel City Council by this resolution hereby requests distribution from the FY 17 Payment in Lieu of Taxes Program by the Department of Commerce, Community, and Economic Development on the date required by law.

**ENACTED THIS 13<sup>th</sup> DAY OF JUNE 2017 BY A VOTE OF \_ IN FAVOR AND \_ OPPOSED.**

\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk

Introduced by: Mayor Robb  
Date: June 13, 2017  
Action:  
Vote:

## *CITY OF BETHEL, ALASKA*

### **Resolution # 17-12**

#### **A RESOLUTION BY THE BETHEL CITY COUNCIL EMPOWERING COUNCIL MEMBERS TO SOLICIT COMMUNITY AND/OR REGIONAL PARTNERS FOR THE TRANSIT SYSTEM**

**WHEREAS**, the Bethel Transit System was started as a cooperative venture between the City of Bethel and the Orutsararmiut Native Council;

**WHEREAS**, Orutsararmiut Native Council no longer participates in the project;

**WHEREAS**, operating the transit system puts a financial burden on the City of Bethel;

**WHEREAS**, the future of the transit system is in doubt, in part due to lack of community partners;

**WHEREAS**, with community or regional partners, the transit system may be more feasible and viable in providing a service to the people of Bethel;

**WHEREAS**, at least one member of council has expressed interest and willingness on soliciting community and regional partners;

**WHEREAS**, by soliciting community and/or regional partners, we are not binding the City of Bethel. Any agreements will need approval of Bethel City Council at a scheduled meeting.

**NOW, THEREFORE, BE IT RESOLVED:** the City of Bethel empowers members of council to independently solicit community partners for the Bethel Transit System. Any formal agreements will need approval of the council at a scheduled meeting and according to Bethel Municipal Code.

**ENACTED THIS \_\_\_ DAY OF JUNE 2017 BY A VOTE OF \_\_\_ IN FAVOR AND \_\_\_ OPPOSED.**

\_\_\_\_\_  
Richard Robb, Mayor

ATTEST:

\_\_\_\_\_  
Lori Strickler, City Clerk  
City of Bethel, Alaska

Resolution #17-12  
1 of 1

## City of Bethel Action Memorandum

Action memorandum No.	17-37		
Date action introduced:	6/13/17	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

Approve the Mayor's appointment of Eileen Arnold to The Community Action Grant Technical Review Board for a term of three years.

Route to:	Department/Individual:	Initials:	Remarks:
	City Manager, Pete Williams		

Attachment(s):

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

Action Memorandum 17-37 is sponsored by Mayor Robb, at the request of the City Clerk.

Eileen Arnold 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 with a term expiration of December 31, 2019.

## City of Bethel Action Memorandum

Action memorandum No.	17-38		
Date action introduced:	6/13/17	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

Approve the Mayor's appointment of Jason Brown to Finance Committee as an Alternate Member for a term of three years.

Route to:	Department/Individual:	Initials:	Remarks:
	Finance Director/ Jim Chevigny		

Attachment(s):

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

Action Memorandum 17-38 is sponsored by Mayor Robb, at the request of the City Clerk.

Jason Brown has requested appointment to the Finance Committee as an Alternate Member. If appointed, he would be appointed to a term of three years as an Alternate Member with a term expiration of December 31, 2019.

## City of Bethel Action Memorandum

Action memorandum No.	17-39		
Date action introduced:	6-13-2017	Introduced by:	Mayor Robb
Date action taken:		Approved	Denied
Confirmed by:			

### Action Title

Direct Administration to Develop a 5 year Capitol Projects and Major Maintenance plan within 60 days of passage. The plan is to be brought to City Council for review, possible amendment, and approval.

Route to:	Department/Individual:	Initials:	Remarks:
	City Manager/Pete Williams		
	Finance Director/Jim Chevigny		

Attachment(s):

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

### Summary Statement

5 year Capitol Projects and Major Maintenance plan shall include but not limited to: Water and Sewer Infrastructure improvements and development, Major building repairs/replacement, fleet replacement schedule, heavy equipment replacement schedule, Road improvements and additions, Informational Technology capitol plans, and other items.

Once the plan is established, it shall be a basis for budgetary planning going forward, and a potential basis for state and federal capitol requests and a framework for future endeavors.

The plan is be reviewed annually, with progress (or lack of) noted by administration at a scheduled time.

The plan will then be brought before council at a scheduled time for review, possible amendment, and approval.

## City of Bethel Action Memorandum

Action memorandum No.	AM 17-40	Mayor Robb and	
Date action introduced:		Introduced by:	Peter Williams, City Manager
Date action taken:		Approved	Denied
Confirmed by:	<input type="checkbox"/>		<input type="checkbox"/>

### Action Title

Direct Administration to prepare and submit three infrastructure development proposals to the State of Alaska, Office of Management and Budget, per the request from the Office of the Governor in response to President Trump's national investment priority.

Route to:	Department/Individual:	Initials:	Remarks:
<input checked="" type="checkbox"/>	Administration	<i>[Signature]</i>	<i>Shovel Ready</i>
<input checked="" type="checkbox"/>	Public Works	<i>[Signature]</i>	
<input checked="" type="checkbox"/>	Finance	<i>[Signature]</i>	

**Attachment(s):** Letter to City of Bethel from Deputy Chief of Staff, Office of the Governor, dated May 19, 2017.

Amount of fiscal impact:		Account information:
	No fiscal impact at this time.	
	Funds are budgeted.	
\$1,804,961 – Loop A \$625,000 – Boat Harbor \$1,605,917 – Loop B \$2,380,936 – Loop C	Funds are not budgeted.	TBD

### Summary Statement

City Administration considers the following four projects to be shovel-ready and therefore eligible as preferred projects for President Trump's national investment program. The projects are listed in order of recommended priority, but Council has the option to select one, two, or three for the City to prepare and submit by the June 30, 2017 deadline.

#### 1. Water Loop A

The letter to Mayor Robb from the Governor's Deputy Chief of Staff John Hozey, dated May 19, 2017, asks the City of Bethel to provide up to three infrastructure development projects for federal funding consideration with a significant local match. Preference should be given to shovel-ready projects.

The City has in its possession a 2012 Preliminary Engineering Report and bid documents for the construction of the Water Loops A, B & C. The City selected the replacement of Water Loop A in Bethel Heights as the first priority project to prepare and submit for potential federal funding. This project entails removing galvanized steel pipe and replacing it with HDPE or equivalent pipe.

The total project cost in 2018 dollars is expected to be \$9,024,803. The City plans to request \$7,219,842 (80%) and provide 20% (\$1,804,961) as local match.

## 2. Bethel Small Boat Harbor Bank Stabilization

Funding from the U.S. Army Corps of Engineers, Denali Commission, and State of Alaska was spent to excavate the harbor mooring basin, maneuvering basin, and entrance channel; construct and install two new boat launch ramps; and stabilize 75% of the harbor banks with geowebbing and rock. The City needs \$2,500,000 to complete the project by stabilizing the remaining banks to reduce or eliminate slough-off and prolong the need to dredge the harbor. City Administration plans to request \$1,875,000 and provide \$625,000 as local match for this Priority #2 project.

## 3. Water Loop B

This project entails replacing existing Water Loop B in the Bethel Heights Subdivision with HDPE 6-inch arctic insulated pipe or equivalent. City Administration recommends that this project be the third and final priority project for the City's funding request package.

The total project cost in 2018 dollars is expected to be \$8,029,587. The City plans to request \$6,423,670 (80%) and provide 20% (\$1,605,917) as local match.

## 4. Water Loop C

This project requires breaking up Loop A into Loop A and Loop C and adding new homes to the new Loop C. The steel water pipe would be replaced with 8-inch arctic insulated HDPE core pipe with a 16-inch aluminum jacket. The project also includes installation of 16 fire hydrants, 5 air release valves, and 13 road crossings. The removal cost of the steel pipe is included in the Loop A project.

The total project cost in 2018 dollars is expected to be \$11,904,678. The City plans to request \$9,523,742 (80%) and provide 20% (\$2,380,936) as local match.

**BILL WALKER**  
Governor



P.O. Box 110001  
Juneau, AK 99811-0001  
(907) 465-3500  
Fax (907) 465-3532

**STATE OF ALASKA**  
**OFFICE OF THE GOVERNOR**  
**JUNEAU**

May 19, 2017

The Honorable Richard Robb  
Mayor  
City of Bethel  
P.O. Box 1388  
Bethel, AK 99559

Dear Mayor Robb,

President Trump has made investment in national infrastructure a priority for his new Administration. As a result jurisdictions all around the country have been assembling their wish lists of projects for possible consideration. Governor Walker recently sent an initial list of Alaskan infrastructure projects for consideration by the Trump Administration. However, the Governor also provided notice that additional projects may be nominated by the State for qualifying municipal projects.

The State is therefore soliciting proposals for municipal or tribal infrastructure projects that might qualify for consideration under this federal program. If interested in offering projects for consideration, please follow the criteria below:

- Limit submissions to a maximum of three projects for communities of less than 10,000; or five projects for communities over 10,000 in population.
- Rank order all projects, highest to lowest.
- Projects must have a significant local match or private sector component to the overall funding package – provide project budget proposal.
- Preference should be given to projects that are shovel-ready.
- Identify if any project qualifies for other federal capital funding programs; these projects will likely receive lower priority in this solicitation.
- Project nominations must include a narrative explaining how the project would contribute to one or more of the federal goals for this program, including:
  - Promote American jobs and economic growth
  - Improve the balance of international trade
  - Promote American energy security
  - Rebuild failing public critical infrastructure
  - Meet an immediate life/safety concern not readily addressable by other means

The Honorable Richard Robb

May 19, 2017

Page 2

Please submit all project nominations by June 30, 2017 via the Office of Management and Budget web interface: <https://www.omb.alaska.gov/html/omb-home/community-project-requests.html>.

Don't hesitate to let me know if you have any questions.

Sincerely,



John Hozey  
Deputy Chief of Staff  
Local Government Liaison

## City of Bethel Action Memorandum

Action memorandum No.	17-41		
Date action introduced:	6-13-2017	Introduced by:	Planning Commission
Date action taken:		Approved	Denied
Confirmed by:			

Providing consent to the Planning Commission's Resolution 2017-04, authorizing vacation of an unimproved Right-of-Way 70-foot radius temporary turnaround easement located on Lot 1, Block 12 and Lots 15 and 16, Block 11, Kasayuli Subdivision.

Route to:	Department/Individual:	Initials:	Remarks:
	Planner	TM	Recommend Approval

Attachment(s): Petition, Preliminary Plat, Resolution, Photo

<b>Amount of fiscal impact:</b>	<b>None</b>	
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Mersin Pellumbi is the owner of the majority of the land fronting the unimproved 70-foot radius temporary turnaround easement sought to be vacated and therefore the only petitioner required on the petition. The unimproved access ROW has not served a public use to date, and it currently renders Pellumbi's Lot 1, Block 12 and two other properties, Lots 15 and 16, Block 11 useless for residential construction because it encompasses a significant portion of these lots.

According to BMC 17.24.040 E (Access and Dedication), automatic vacation of the temporary turnaround easement would occur once the road ROW is extended (such as accessing new adjacent development). Yet BMC Section 17.32.045 states the Planning Commission shall not approve the vacation of a dedicated area unless it finds, from evidence before it that the vacation is not primarily for a private purpose, **and either** the area is no longer necessary for public use or the public welfare or the public welfare will be enhanced by the vacation.

However, unlike typical linear access easements, the code is explicit that turnaround easements are temporary and will be vacated and conveyed back to the property owner (for private purposes), once the road is extended. Because the turnaround easement was never constructed for public use and with no current identified need to construct, the applicant is petitioning this temporary easement be vacated now for feasible development of his property.

The Planning Commission approved the vacation on June 1, 2017 by a vote of 5 in favor and 0 opposed. Bethel Municipal Code 17.32.045 requires Council's consent or veto of the Planning Commission's approved vacation. If the ROW vacation is approved by the Council, the Final Plat will be developed, signed, and recorded.

319

## PETITION TO VACATE RIGHT OF WAY

May 3, 2017

City of Bethel  
PO Box 1388  
Bethel, AK. 99559

### **Re: Private Petition for Vacation of Right of Way consisting of a 70-foot Radius Temporary Turnaround Easement**

I request that the City of Bethel enact an ordinance vacating an unimproved Right-of-Way Access easement located on Lot 1A, Block 12, Kasayuli Subdivision, in the City of Bethel, Alaska. This easement is currently a 70-foot radius temporary turnaround easement.

This petition is filed pursuant to the authority of BMC Chapter 17.32

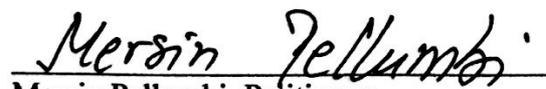
I have attached this Private Petition for the Vacation of Public Right-Of-Way form with the application and filing fee to initiate processing the vacation request. Also attached please find:

Attachment 1: A Certificate of Ownership of the property containing the affected area proposed to be vacated.

Upon approval of vacation of the Right of Way, I, Mersin Pellumbi plan to exercise my ownership right of the property by constructing a single family residence on the new Lot 1 (created from Lot 1A through a lot line adjustment, as shown on the attached minor preliminary plat). This vacation will remove an unimproved access easement that encompasses almost 50% of my lot, rendering it useless for residential construction. Vacation will lead to feasibility and development of my property.

Please contact me at 907-545-4205 or mersinpellumbi@yahoo.com with notifications, questions, and the dates of the Planning Commission and City Council meetings.

Sincerely,

  
Mersin Pellumbi, Petitioner

**RESOLUTION**  
**Bethel Planning Commission**  
**Resolution No. 2017 – 04**

**A RESOLUTION OF THE PLANNING COMMISSION TO THE CITY COUNCIL RECOMMENDING THE CITY COUNCIL ADOPT THIS APPROVING RESOLUTION FOR THE PETITION SUBMITTED BY MERSIN PELLUMBI TO VACATE AN UNIMPROVED RIGHT OF WAY TEMPORARY TURNAROUND EASEMENT LOCATED ON LOT 1, BLOCK 12, AND LOT 15 AND LOT 16 ON BLOCK 11, KASAYULI SUBDIVISION.**

**WHEREAS**, Bethel Municipal Code Section 17.32.020 states no platted street, section line easement, access easement or similar right-of-way shall be vacated except upon petition by the City, State, a public utility, or owners of the majority of the land fronting the part of the right-of-way sought to be vacated, and

**WHEREAS**, Mersin Pellumbi is the owner of the majority of land fronting the ROW to be vacated, and therefore the only petitioner required on the petition, and

**WHEREAS**, the unimproved Right-of-Way (ROW) easement is a dedicated 70-foot Radius Temporary Turnaround Easement, and

**WHEREAS**, BMC Section 17.24.040 E. (Subdivision Access and Dedication) states a temporary turnaround shall be dedicated at the dead-end of all streets likely to be extended in the future. The turnaround shall have a minimum radius of sixty (60) feet with a return radius of sixty (60) feet. When the street is extended, the excess right-of-way shall be vacated (*and conveyed back to owner*). A notation to this effect shall be placed on the final plat, and

**WHEREAS**, the unimproved access ROW has not served a public use to date, and it currently renders the new Lot 1, Block 12 (created from Lot 1A this preliminary plat), and Lot 15 and Lot 16, Block 11 useless for residential construction because it encompasses a significant portion of these lots, and

**WHEREAS**, the vacation of this access easement will lead to feasibility of developing the properties, and

**WHEREAS**, Mersin Pellumbi, upon approval of the vacation, plans to construct a single family residence on the new Lot 1, and

**NOW, THEREFORE BE IT RESOLVED**, the Planning Commission recommends to the City Council to adopt this approving resolution for vacation of the 70-foot Radius Temporary Turnaround Easement located on Lot 1, Block 12, and Lots 15 and 16 on Block 11, Kasayuli Subdivision, and

**PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION** by a duly constituted quorum on this 1st day of June, 2017.

City of Bethel City Planning Commission

Action: Vote: In Favor: 5 Opposed: 0 Abstained: 0

ATTEST:

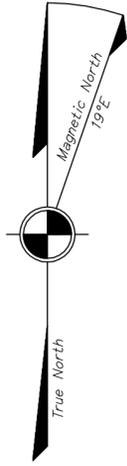


Kathy Hanson, Chairman  
City of Bethel Planning Commission



Betsy Jumper, Recorder

Bethel Recording District:  
After recording please return to:  
City of Bethel Planning Department  
PO Box 1388  
Bethel, Alaska 99559



MAGNETIC DECLINATION PER USGS QUADRANGLE MAP BETHEL (D-8), 1985

LOT 14

PAUL JOHN STREET

30'

LOT 15

10'x50' ANCHOR EASEMENT

LOT 15

11

(PLAT 98-3)

10' TELECOM & ELECTRIC EASEMENT

22'

LOT 12

KASAYULI SUBDIVISION

LOT 13

10

(PLAT 98-3)

LOT 14

LOT 15

10' TELECOM & ELECTRIC EASEMENT

30'

30'

10' TELECOM & ELECTRIC EASEMENT

NOEL POLTY

30'

BOULEVARD

30'

BASIS OF BEARING

(589°59'53"E 129.95') (S89°59'53"E 130.05')

30'

49.99' (49.95')

80.06' (80.00')

10' TELECOM & ELECTRIC EASEMENT

10' TELECOM & ELECTRIC EASEMENT

95.02' (94.95')

94.95'

124.96' (125.00')

125.00'

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125.10'

LOT 1  
9,808 Sq Ft

LOT 2  
10,011 Sq Ft

LOT 3

12

(PLAT 98-3)

LOT 4

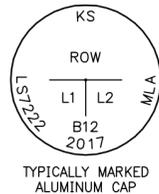
15' UTILITY EASEMENT

N89°59'24"W 79.95'

N89°53'57"W 80.10'

LEGEND

- Found brass cap monument, Found plastic cap on rebar, Found rebar, Set 2" aluminum cap on 5/8"x30" pointed rebar, Measured data, Record data per plat of Kasayuli subdivision (Plat 98-3), Block number, Area of temporary turnaround easement vacated by this plat.



TYPICALLY MARKED ALUMINUM CAP

SW 1/4 SECTION 23 MARY ALICE KAWAGLEY NATIVE ALLOTMENT (PATENT No. 50-84-0152)

NOTES

- 1. ALL BEARINGS SHOWN ARE ORIENTED TO THE BASIS OF BEARING AND THE DISTANCES SHOWN ARE REDUCED TO HORIZONTAL FIELD DISTANCES. 2. FLOODING INFORMATION IS NOT AVAILABLE FOR THIS SUBDIVISION. THIS SUBDIVISION IS LOCATED OUTSIDE THE AREA MAPPED BY THE FLOOD INSURANCE RATE MAP THE CITY OF BETHEL. 3. THIS SUBDIVISION PLAT VACATES THE 70 FEET RADIUS TEMPORARY TURNAROUND EASEMENT WITHIN LOT 1A, BLOCK 12, KASAYULI SUBDIVISION (RECORDED AS PLAT No. 2012-8, BETHEL RECORDING DISTRICT) AND LOTS 15 AND 16, BLOCK 11, KASAYULI SUBDIVISION (RECORDED AS PLAT No. 98-3, BETHEL RECORDING DISTRICT). 4. ACCORDING TO THE CITY OF BETHEL FUTURE LAND USE PLAN MAP OF THE "BETHEL COMPREHENSIVE PLAN 2035", THE ZONING IS IDENTIFIED AS RESIDENTIAL. 5. THIS PLAT IS SUBJECT TO RESERVATIONS AND EXCEPTIONS AS CONTAINED IN UNITED STATES PATENT No. 50-85-0654 (RECORDED AS BOOK 42, PAGE 669, BETHEL RECORDING DISTRICT). 6. THIS PLAT IS SUBJECT TO THE EASEMENTS AND NOTES ON THE PLAT OF KASAYULI SUBDIVISION (RECORDED AS PLAT No. 98-3, BETHEL RECORDING DISTRICT). 7. THIS PLAT IS SUBJECT TO THE 'DECLARATION OF RESTRICTIVE COVENANTS' FOR KASAYULI SUBDIVISION AS RECORDED IN SEVERAL DOCUMENTS (RECORDED AS BOOK 78, PAGE 648; BOOK 78, PAGE 880; BOOK 83, PAGE 383, BETHEL RECORDING DISTRICT).

SURVEYOR'S CERTIFICATE

I CERTIFY THAT I AM PROPERLY REGISTERED AND LICENSED TO PRACTICE LAND SURVEYING IN THE STATE OF ALASKA. THAT THIS PLAT REPRESENTS A SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE MONUMENTS SHOWN EXIST AS DESCRIBED, AND THAT ALL DIMENSIONS AND OTHER DETAILS ARE CORRECT.

MICHAEL E. MILLER REGISTERED LAND SURVEYOR LS 7222

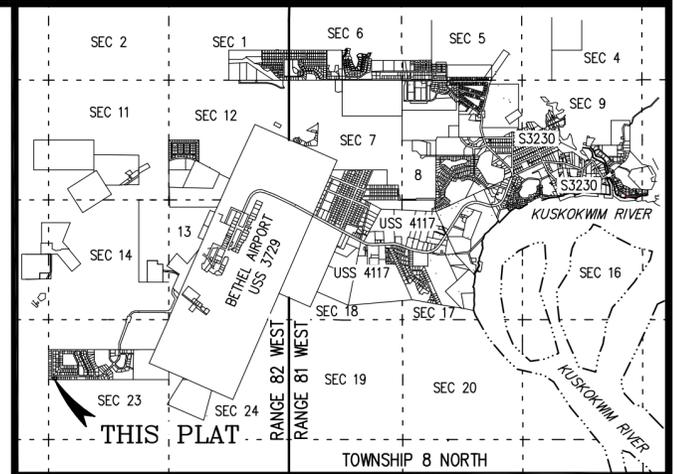
DATE

PLATTING OFFICER'S CERTIFICATE

I CERTIFY THAT THIS SUBDIVISION PLAT HAS BEEN FOUND TO COMPLY WITH THE LAND SUBDIVISION REGULATIONS OF THE CITY OF BETHEL, AND THAT THE PLAT HAS BEEN APPROVED BY THE PLATTING AUTHORITY BY RESOLUTION NUMBER ... DATED ... AND THAT THIS PLAT HAS BEEN APPROVED FOR RECORDING IN THE OFFICE OF THE RECORDER IN THE FOURTH JUDICIAL DISTRICT AT BETHEL, ALASKA, IN WHICH THE PLAT IS LOCATED.

CITY OF BETHEL PLATTING OFFICER

DATE



VICINITY MAP SCALE: 1" = 1 mile USGS QUADRANGLE MAP BETHEL (D-8), 1985

CERTIFICATE OF OWNERSHIP AND DEDICATION

I, THE UNDERSIGNED, HEREBY CERTIFY THAT I AM THE OWNER OF LOT 1A, BLOCK 12, KASAYULI SUBDIVISION, AS SHOWN AND DESCRIBED IN THIS PLAT AND THAT I ADOPT THIS PLAN OF SUBDIVISION BY MY FREE CONSENT AND DEDICATE ALL RIGHTS-OF-WAY, STREETS, ALLEYS, WAYS, AND PUBLIC AREAS TO THE CITY OF BETHEL AND GRANT TO THE CITY OF BETHEL FOR THE USES SHOWN ALL EASEMENTS NOT SHOWN AS PRIVATE.

MERSIN PELLUMBI P.O. BOX 24630 BETHEL, ALASKA 99559

DATE

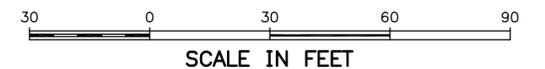
NOTARY'S ACKNOWLEDGEMENT

SUBSCRIBED AND SWORN BEFORE ME THIS ... DAY OF ... 20... BY ... OWNERSHIP CERTIFICATE SIGNATORY

NAME: NOTARY FOR THE STATE OF ALASKA MY COMMISSION EXPIRES: ...

TAX CERTIFICATE

THIS SUBDIVISION LIES OUTSIDE OF ANY TAXING AUTHORITY, AT THE TIME OF FILING.



PLAT OF KASAYULI SUBDIVISION LOTS 1 and 2, BLOCK 12

A SUBDIVISION OF LOT 1A, BLOCK 12, KASAYULI SUBDIVISION (PLAT No. 2012-8) SITUATED WITHIN SECTION 23, TOWNSHIP 8 NORTH, RANGE 72 WEST, SEWARD MERIDIAN, ALASKA CONTAINING 0.45 ACRES, MORE OR LESS BETHEL RECORDING DISTRICT

PREPARED BY: McCLINTOCK LAND ASSOCIATES, INC. 16942 NORTH EAGLE RIVER LOOP ROAD EAGLE RIVER, ALASKA 99577 (907) 694-4499 LICENSE No. AECC596

PREPARED FOR: MERSIN PELLUMBI P.O. BOX 24630 BETHEL, ALASKA 99559 (907) 545-4205

Table with 5 columns: PLOT, CHK, JOB, DWG, FB NO. Values: PLOT: 1"=30', CHK: MM, JOB: 17-102, DWG: PL17-102, FB NO: 462-30. GRID: BETHEL, DWN: JC, DATE: 6-02-17, DISK: J-DRIVE, SHEET: 1 OF 1



LOT 1

NOEL POLTY BLVD

LOT 16

LOT 15

UNIMPROVED 70' RADIUS  
TEMPORARY TURNAROUND

PAUL JOHN ST  
(Looking South)

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# *Mayor's Report*

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# ***City Manager's Report***

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# CITY MANAGERS REPORT

May 16 to May 30, 2017

**Intuitional Corridor**-5/19 The water connections to the buildings was discussed as was hydrant locations, geo-tech recommendations are due any day, 90% of the design should be finished May 30, design should be complete June 16. Bids will go out June 21 and opened on July 17<sup>th</sup>. 5/23- received four easements for council's approval and progress report. 5/31-received 90% of the Phase II drawings, technical specs and a final draft of the geo-tech work for the water mains. Reviewed project files 6/5- conferenced with ADEC about the scope of the project and revised Approval to Construct, submitted to the ADEC, the drawings will be circulated to ADEC.

**Sewer Lagoon/Jetty Project**- Contract with CH2M, COB, USDA and DEC was completed and signed for. 5/31-Meet with CH2M. 65%-70% of the design for the sewer lagoon has been completed. The concept plan for the jetty should be ready the week of June 5<sup>th</sup>. We will look at the details of the drawings and add our comments. Originally the bids for these projects were to be advertised on June 9<sup>th</sup> but it will be a little later than that. 6/5-Received bid documents for the Dredging of the lagoon. Received notice of the DEC/VSW to use 38K dollars of the grant for their administrative work from the grant for the sewer lagoon. 6/5-

**Finance Dept.**-5/18- instructed the Fire and Finance Depts. to issue a RFP for collecting ambulance fees and to explore if we have any other fees that might benefit from using a collection agency. 5/19- Meet with company disputing the amount they owed for sale taxes, Fin. Director was in attendance and gave the go ahead to accept payments on a similar matter. Discussed capital project list with FD. 5/31-discussed collections of sales taxes for rental properties and the process according to the BMC. 6/2- Was notified that the allocations from the V&E budget amount had not been transferred to the various depts. that V&E is involved with. Also that the GL code "661" has been used for ordering parts

**Port Ops. Ctr.**- 5/25-materials arrived and the site work been finished, sewer tank was tank installed. 6/5-Project manager arrived and went over the schedule and the invoicing for the materials for the building.

**Bethel Bank Stabilization Project** – 5/24 received notice of that the match for this project is 1.25M dollars. Meetings for concerning the construction of the project will start before the end of the month. 5/30 Certification of the Active parcel needed for the BBSP has been resolved. The parcel in front of the Yukon Lodge belonging to the Active Estate has not been resolved. This parcel is the one that East Ave is trespassing on. The Actives did not like the BIA's appraisal of this property. We will not go any further with this parcel till the BIA hears from the Actives. 6/6- Forwarded a Budget Mod to Council for 1.125 million dollars for the BBSP. We are hoping to be credited with at least hlf that

amount for in kind matches for the purchases of the properties that were required for this project.

**Wind Turbine-** the data line was severed due to the power pole leaning over to far. The yearly required maintenance is being scheduled. Still waiting for AVECV to stand the pole upright. Materials has been order to repair the cable. Northern Power is due next week if we are finished stringing the data cable.

**Courthouse Lease-5/18-** Emailed the procurement officer requesting a tele-conference concerning the Courthouse lease. 5/25-e-mailed requested clarifications about the contract. 5/30 Sent appraisal, comments about parking, janitorial services.6/5- Meet with courts procurement officers and came to an agreement that needs to be put into writing yet. I think we are just about ready for council's approval.

**Parks-** the ball field at Pinky's park is being extended to the legal dimensions required for a soccer and football field.

**ONC-** 5/16- received a MOU for funding for 70K for roads that needs to be reviewed by the City Attorney. Forwarded Ordinance #17-? For ONC's review.5/30- Mark-up of the MOU was sent back to ONC for comments.

**DOT/YKTP-**meet with City Administration regarding the STIP nominations. The H-Marker lake road was discussed and the DOT will resolve the ROW concerns using the property belonging to the airport within three months. The next step will be to develop a scope work for a proposed route. It looks like no matter what route is chosen, it will 3-5 yrs. before a project is started. Next year Ridgecrest Dr. will be completed. In 2019 the Ch. Eddie Hoffman Highway will be rehabilitated along with the new traffic scheme for the new hospital. Bethel population is pushing the mark where the highway might qualify for three lanes. This also means that an East-West route could be consider, or we could T-bone the road that would run between the highway and the other side of town. I will attend the PSTC meeting on 6/7.

**Police Dept.-**Removed all of the HR records and brought them to the HR Dept. at City Hall.

**Planning;** meet with rep. of the Blue Sky sub-division too look over the details of this proposed sub-division.

**Delta Western-** 5/25 signed an extension for supplying fuel to the COB.

**Union Neg.-** 5/24 & 25- H.R. Fin Dir. and myself had our first meeting with the APEA/AFT. We will meet again on 6/7 to 6/8.



City  
of  
Bethel

Peter Williams <pwilliams@cityofbethel.net>

## Library update for City Council

1 message

Theresa Quiner <tquiner@alaska.edu>

Fri, Jun 2, 2017 at 6:37 PM

To: Peter Williams <pwilliams@cityofbethel.net>, Lori Strickler <lstrickler@cityofbethel.net>, robb@cityofbethel.net, fwatson@cityofbethel.net, Leif Albertson <leifalbertson@gmail.com>, nshabani@cityofbethel.net, arwelch@cityofbethel.net, nayagalria@cityofbethel.net

Good afternoon,

Since the library receives funding from the city, it was recommended to me that I provide regular updates regarding what we are using the money for, and highlight what the city is getting for this contribution.

First I want to highlight that the mission of the library is to meet the educational, recreational, and information needs of both the community of Bethel and the KUC campus. However, the vast majority of our clientele are residents of Bethel, not KUC students. The majority of our funding comes from KUC. My goal is for the library to be a community center that provides weekly programming that meets the needs of all of the different demographics of Bethel so that there is something for everyone at the library. We regularly, especially in the winter months, serve hundreds of people a day. After school we regularly have between 20-30 kids hanging out in the library reading, playing games, and using the computers. We recently expanded our hours from 30 hours a week to 40 hours a week because of the need for longer hours.

Here are a few of the highlights of what we are offering the community besides just a warm space to hang out:

- Free internet and computer access. **Please note that the United Nations recently published a statement that broadband access is a basic human right.** <https://www.thoughtco.com/united-nations-broadband-access-is-a-basic-human-right-436784>
- A weekly early literacy program on Saturdays.
- A weekly Lego Club for children. Please see the ALSC statement on the importance of play in early literacy. <http://www.ala.org/alsc/publications-resources/white-papers/importance-play>
- A weekly Spanish Conversation hour.
- A weekly basic computer skills and job searching class for beginners. We cover web basics, resume writing, and job searching. This is a collaborative effort with ONC and the job center.
- Monthly family movie night. This is a family friendly, alcohol free event that gives families something to do on a Friday night. It is our most popular library program, and we hope to expand this to two events a month starting in the fall- a family movie night and a teen movie night. This event has grown from 25 attendees for the first event, to 80 in April and 120 in May.
- A clean up green up event around the library and fire station. 30 people attended and we picked up all of the trash around the library and fire station. We had a free cookout after for everyone who helped.
- A collaborative camp with the 4-H Youth Center at the library when school was out in March to give kids something to do when they weren't at school. 25 kids attended. We will expand this program next school year.
- Kids like to read and we encourage kids to think of reading as fun. We provide popular books and graphic novels that match the interests of juvenile patrons.

We are always looking for ways to expand our programming to further meet the needs of the community. Here are some upcoming programs you will see at the library.

- A weekly summer reading program starting in July with the theme **Build a Better World with Science**. We will do a weekly science activity and pass out free books for kids to keep and incentivize kids to read with prizes. Summer reading programs help prevent summer reading loss which is especially prevalent in low income children.
- We will do a weekly literacy outreach program on the river in July and early August and take books up and down the river passing out books to kids.
- We will start providing a weekly program for middle and high school age kids starting in the fall. This will be a collaborative effort with the 4-H Youth Center.
- Three Alaska authors will visit the library this fall to give a book talk and meet with our book club.
- Our Jesuit Volunteer will start at the library in August, and we will be developing programming to better meet the needs of our homeless and unemployed residents.

We asked for a small increase to the amount that they city contributes to our youth services position for next fiscal year. We have a very difficult time recruiting a qualified person for this position and retaining someone in this position due to the low salary. We have gone through three employees in the last two years. The city actually reduced the amount that they contribute recently, lowering the salary even more. There is a need for youth and family friendly events in this community, and the library needs qualified staff in order to provide the level of programming that we are currently providing and hope to provide in the future.

I am asking for City Council to acknowledge the important role that the library plays in this community and to continue to show your support by honoring our request for a small increase for next fiscal year.

Thank you very much,

Theresa Quiner, Library Director  
Kuskokwim Consortium Library  
PO Box 368  
Bethel, AK 99559  
907-543-4517

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# ***Management Team Reports***

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# YK FITNESS MARKETING CALENDAR



	July	August	September
<b>Marketing/Communication</b>	<ul style="list-style-type: none"> <li>• Suurvik Cinema Weekly Advertising</li> <li>• Talk line Weekly Advertising</li> <li>• Social Media Advertising</li> <li>• Flyers</li> </ul>	<ul style="list-style-type: none"> <li>• Upcoming Events/Programs Newsletter/Member Email</li> <li>• Table Marketing-AC, Saturday Market,</li> <li>• Suurvik Cinema Weekly Advertising</li> <li>• Talk line Weekly Advertising</li> <li>• Social Media Advertising</li> <li>• Flyers</li> </ul>	<ul style="list-style-type: none"> <li>• Upcoming Events/Programs Newsletter/Member Email</li> <li>• Table Marketing Swansons, Saturday Market, BRHS</li> <li>• Suurvik Cinema Weekly Advertising</li> <li>• Talk line Weekly Advertising</li> <li>• Social Media Advertising</li> <li>• Flyers</li> </ul>
<b>Programming</b>	<ul style="list-style-type: none"> <li>• Group Fitness Summer II Session</li> <li>• Aquatic Summer II Session</li> <li>• Instruction Summer II Session</li> <li>• Sport Camps (Tues-Fri)</li> </ul>	<ul style="list-style-type: none"> <li>• Group Fitness Summer II Session</li> <li>• Aquatic Summer II Session</li> <li>• Instruction Summer II Session</li> <li>• Sport Camps (Tues-Fri)</li> <li>• Trial Week of Group/Instructional Programs</li> </ul>	<ul style="list-style-type: none"> <li>• Group Fitness Fall I Session</li> <li>• Aquatic Fall I Session</li> <li>• Instruction Fall I Session</li> <li>• After School Program</li> <li>• Competitive Sport Leagues</li> </ul>
<b>Recreation/Special Events</b>	<ul style="list-style-type: none"> <li>• Community Clean Project</li> </ul>	<ul style="list-style-type: none"> <li>• Chess Tournament</li> <li>• Community Clean Project</li> <li>• Back to School Party</li> </ul>	<ul style="list-style-type: none"> <li>• Community Clean Project</li> <li>• Child Obesity Prevention</li> <li>• Ping Pong Day</li> </ul>
<b>Motivation/Incentive Programming</b>		<ul style="list-style-type: none"> <li>• Back to School Weight Loss (8 week program)</li> </ul>	<ul style="list-style-type: none"> <li>• Back to School Weight Loss (8 week program)</li> </ul>
<b>Targeted Member Engagement</b>		<ul style="list-style-type: none"> <li>• Member (annual) Contact by Staff</li> <li>• Employee Spotlight</li> </ul>	<ul style="list-style-type: none"> <li>• Member (annual) Contact by Staff</li> <li>• PFD Special Membership Pricing</li> <li>• Member Spotlight</li> </ul>
<b>Facility Management</b>	<ul style="list-style-type: none"> <li>• Ensuring Facility Tidiness</li> <li>• Weight Room Deep Clean</li> <li>• Equipment Preventative Maintenance</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring Facility Tidiness</li> <li>• Equipment Preventative Maintenance</li> <li>• Locker Room Deep Clean</li> </ul>	<ul style="list-style-type: none"> <li>• Ensuring Facility Tidiness</li> <li>• Pool Deep Clean</li> <li>• Equipment Preventative Maintenance</li> </ul>
<b>Staff Development</b>	<ul style="list-style-type: none"> <li>• Front Desk In-Service Training</li> </ul>	<ul style="list-style-type: none"> <li>• Professional Skill Development</li> <li>• Lifeguard In-Service Training</li> </ul>	<ul style="list-style-type: none"> <li>• Time Management Development</li> <li>• Facility Attendant In-Service Training</li> </ul>

# YK FITNESS MARKETING CALENDAR



	July	August	September
<b>Marketing/Communication</b>	<ul style="list-style-type: none"> <li>• Talk line Weekly Advertising</li> <li>• Social Media Advertising</li> <li>• Flyers</li> </ul>	<ul style="list-style-type: none"> <li>• Talk line Weekly Advertising</li> <li>• Social Media Advertising</li> <li>• Flyers</li> <li>• Suurvik Cinema Weekly Advertising</li> </ul>	<ul style="list-style-type: none"> <li>• Talk line Weekly Advertising</li> <li>• Social Media Advertising</li> <li>• Flyers</li> <li>• Suurvik Cinema Weekly Advertising</li> </ul>
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<b>Recreation/Special Events</b>	<ul style="list-style-type: none"> <li>• Community Clean Project</li> </ul>	<ul style="list-style-type: none"> <li>• Community Clean Project</li> </ul>	<ul style="list-style-type: none"> <li>• Community Clean Project</li> </ul>
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<b>Staff Development</b>	<ul style="list-style-type: none"> <li>• Front Desk In-Service Training</li> </ul>	<ul style="list-style-type: none"> <li>• Lifeguard In-Service Training</li> </ul>	<ul style="list-style-type: none"> <li>• Facility Attendant In-Service Training</li> </ul>



# OF BETHEL

Box 1388  
Bethel, Alaska 99559  
Voice: 907-543-2310

Fax: 907-543-2311

TO: Peter Williams  
FROM: Allen Wold Acting Port Director  
SUBJECT: May 2017 Managers Report

- **Small Boat Harbor**
  - Hired Port Attendants
  - Putting in floats, catwalks, and anchors
  - Brought Shack to the Harbor
  - Cleaned embankments and ever where else in the SBH
  - Pulling up sunken boats
  - Pushing out boats during tides
  - Selling permits
- **City Dock/Beach 1**
  - First Mainline barge arrived 5/25/17 (AML)
  - New office and loader arrived
  - Graded Dock using D-5 and Loader, Watering Dock with Water truck
  - Put in ladders
  - Every tug/barge except Vitus off Beach 1
  - Ak Logistics expected to arrive on 6/3/17
- **Petroleum Dock**
  - Crowley bringing in smaller fuel barges (287,000 Diesel) (31,000 Unleaded)
  - Filled in pipes on the seawall with river run gravel
- **Port Office**
  - The first pieces of the new Port Office arrived on First Mainline Barge.
  - TC Construction on job site (5-29-17)
  - Started foundation for the new Port Office. Having Streets and Roads help. Using Excavator, Compactor, D-5 Dozer and 3 dump trucks.
- **Admin**
  - Monthly Storage Billing for customers.
  - Selling permits and float spaces
  - Getting point of contacts with every company
  - Training with Port Admin. Classes.



## PORT OF BETHEL

Post Office Box 1388

Bethel, Alaska 99559

Phone: 907-543-2310

FAX: 907-543-2311

24 May 2017

To: Richard Robb, Mayor  
Fred Watson, Vice-Mayor  
Peter Williams, City Manager

From: Allen Wold, Acting Port Director

Re: Winter Work, Port FTEs

Dear: Mayor, Vice-Mayor, & City Manager,

It is my understanding that the question of "What do the full time employees of the Port do in the winter months?" has come up. This is a good question considering that our work is intertwined with the water & the water is frozen solid six months out of the year.

This following winter (2017) is still a bit down the line but we already have our work cut out for us. We are planning on rehabilitating several of our wood floats that we put in the Small Boat Harbor every summer. These wood floats were made in 1991 and have been reaching the end of their working life, but with our rehabilitation project we are able to add more seasons to these floats that we never would have been able to before. This is an ongoing project that we have been doing for a number of years. Also slated for winter 2017 is the implementation of the new Port Office. Port Employees perform daily checks of the waterfront this includes the winter months. The importance and need for these checks does not go away when the river freezes.

The Port also plays as caretakers of freight that could not be delivered or was intentionally stored on the City Dock, Beach 1, Petro Port, Small Boat Harbor, or Beach 2. All of the Port customers are billed out in house eliminating the need to rely heavily on the Finance Department.

Winter months are really our time to get our ducks in order for the following summer to ensure everything runs smoothly, during these months we make sure all of our equipment is up to par, all our forms and permits are worked and or re-worked during this time frame. The Port offers staff support to the Port Commission which meets once a month, as well as to other city departments as needed.

In previous years we have taken on various projects, a few years back during the winter we dredged Brown's Slough.

Respectfully,

Allen Wold, Acting Port Director

*"Deep Sea and Transportation Center of the Kuskokwim"*

## **MEMORANDUM**



DATE: June 6, 2017

TO: Peter Williams, City Manager

FROM: John Sargent, Grant Manager

SUBJECT: Grant Manager's Report – June 13, 2017 Bethel City Council Meeting

### **Grant Projects**

#### Sewage Lagoon Rehabilitation

The two contracts are signed that paves the way for CH2M to design the dredging and baffle replacement project and the truck deposit site (jetty). Bid documents for dredging and baffle replacement were prepared and submitted to the City for review and comment.

I am revising the Water and Sewer Utilities Business Plan per the suggestions by the Alaska Department of Environmental Conservation. The revised document will then be sent to another State engineer for review.

#### LED Streetlights

I spent the last of the grant funds to purchase 10 LED 30 streetlights and 13 LED 120 streetlights, 23 photo sensors, light bars as replacement pieces, and mast arms. The LED streetlights will be stored at the AVEC warehouse by the power plant and installed by AVEC at the City's direction. This grant will be closed for the period ending June 30, 2017.

#### YK Fitness Center

The City bought LED lights to replace the fluorescent lights originally installed throughout the fitness center. This purchase exhausted the grant funds so that the City can close the grant for the period ending June 30, 2017.

#### New Police Station

The City spent the remaining new police station grant funds for the new police station on a new video surveillance system, a server, and wifi access points. This video camera system replaces the original system that never worked well. This grant will be closed for the period ending June 30, 2017.

### **Request for Bids/Proposals**

#### Chemicals

I prepared and the City issued a Request for Bids to purchase water treatment chemicals, calcium chloride and sodium chloride for the Streets and Roads Division, and muriatic acid for the pool.

#### Billing and Collections

I prepared a Request for Proposals for the City to hire a company to provide ambulance billing services, sales tax collections, and protective custody billing. This RFP will be issued after a legal review.

**City of Bethel  
Grant Summary  
Calendar Year 2017**

**Preparing**

<b>Sponsor</b>	<b>Name</b>	<b>Products/Services</b>	<b>City Depts. (Partners)</b>	<b>Date</b>	<b>\$ Grant \$ City Match</b>
Village Safe Water	Capital Improvement Projects	Preliminary engineering report and environmental report for Avenues piped W&S project.	Public Works	6/2/17	\$53,000 0
USDA-RD and DEC	Water and Sewer grants and loan	Sewer Lagoon Rehabilitation Project	Public Works	Ongoing	USDA: \$3,332,358 DEC: \$4,464,167

**Submitted in Calendar Year 2017**

Most recent first

<b>Sponsor</b>	<b>Name</b>	<b>Products/Services</b>	<b>City Depts.</b>	<b>Date</b>	<b>\$ Grant \$ Match</b>
AK Dept. of Health & Social Services	Community Service Patrol Grant	Fund 3 CSPs, gasoline, minor equipment	Police	4/26/17	\$323,081
EPA, IHS, USDA, ANTHC	Sanitation Deficiency Database	Sewer pipe to connect 18 homes on 6 <sup>th</sup> & 7 <sup>th</sup> Aves.	Public Works	3/14/17	\$1,800,000 0
EPA, IHS, USDA, ANTHC	Sanitation Deficiency Database	Sewer pipe to connect 33 homes on 6th & 7th Aves.	Public Works	3/14/17	\$2,150,000
AK Division of Homeland Security & Emergency Mgmt.	State Homeland Security Program	Video camera system, repeaters for radio signals, police active shooter training.	Police, Fire, Port, Public Works	2/17/17	\$1,822,905
State of Alaska	State Capital Requests	Inst. Corridor, Road Around H-Marker Lake, Ladder Truck, Small Boat Harbor.	PW, Fire, Port	12/16	\$9,670,752

<b>Approved in Calendar Year 2017</b>					Most recent first
AK Dept. of Transportation & Public Facilities	FY 2018 Community Transit Grant	Bethel Transit System operations.	Public Works	12/16	\$250,597 \$80,580
Alaska Public Entity Insurance	Surface Material Grant	Playground surface material (woodchips)	Parks & Rec.	1/16	\$10,000 \$10,000
				Total	\$260,597
<b>Not Approved</b>					Most recent first

To: Pete Williams, City Manager  
From: Ted Meyer, Planner  
Subject: **May 2017 Manager's Report**  
Date: June 1, 2017

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### **Planning Commission Business**

1. The Preliminary Plat for the Blue Sky Subdivision was approved by the Planning Commission on May 11.
2. The Conditional Use Permit for the Hospital Expansion Project was approved by the Planning Commission on June 1.
3. The Planning Commission approved a resolution recommending a Right-of-Way Vacation regarding a petition to vacate an unimproved 70-foot radius temporary turnaround easement in the Kasayuli Subdivision on June 1.

### **Site Plan Permit Applications**

Eleven Site Plan Permits were approved in May.

### **Time Off**

Took a few days off in conjunction with the Memorial Holiday.



# CITY OF BETHEL

Post Office Box 1388

Bethel, Alaska 99559

Phone: 907-543-2047

TO: City Manager  
FROM: Human Resources  
SUBJECT: May 2017 Manager Report

DATE: June 1, 2017

The following identifies significant projects that were in addition to general personnel action-based activities (hiring, terminations, disciplinary, etc.):

## **Training/Conferences**

Attended the 2017 Alaska State HR Conference in Anchorage. Conference was focused on professional development seminars that met the criteria for continuing education credits in the HR field. Specific topics that will be addressed in a trip report included:

- Compensation Strategies and Implementation
- Transgender Issues/Transitions in the Workplace
- Negotiation Skills for the HR Professional Related to Bargaining Unit Contracts
- Developments in Marijuana Legalization in Alaska and the Impact on Employers
- Delegation Strategies to Strengthen Teams and Team/Individual Performance
- Finance for the HR Professional
- Reasonable Accommodation – Requirements, Limitations, Managing, and “When is Enough, Enough?”
- Employee Discipline and Terminations – Protecting Your Employer from Legal Risk

## **Union Negotiations**

Opened negotiations with the bargaining unit and serving as Spokesperson for Management in those discussions. Follow-up meetings are tentatively scheduled for every two weeks.

## **Applications and Hiring**

Unadvertised vacancies during the period included:

- Admin Assistant I – Administration
- IT Technician
- City Dock Attendant (Current employee serving as Acting Port Director)

A total of 29 applications were received during May of 2017 for advertised positions.

Position	Number of Vacancies	Number of New Applications	Number Hired During Period	Number of Vacancies Remaining	Number Still in Department Review Process
Dispatch Supervisor	1	0	0	1	
Water and Wastewater Foreman	1	0	0	1	
Mechanic II	1	3	0	1	
Driver – Hauled Utility	2	2	0	2	3
Property (Facilities, Land, Parks) Maintenance Worker	4 (2 temp)	6	1	3	7
Police Lieutenant	1	0	0	1	1
Admin Assistant I - Port	1	0	1	0	
Seasonal Port/Harbor	1	6	3	0	
Parts Inventory Clerk	1	5	0	1	Conditional Offer for June 5 <sup>th</sup> Hire
Admin Assistant II – Police	1	7	0	1	Conditional Offer for June 6 <sup>th</sup> Hire
Community Service Patrol/Officer	1	0	0	1	Conditional Offer for June 9 <sup>th</sup> Hire 3 in “pool”
Dispatcher	0	0	0	0	2 in “pool”
Police Officer	5	0	0	3	Conditional Offers for June 9 <sup>th</sup> and July 28 <sup>th</sup> 2 in “pool”
Firefighter/EMT	0	0	N/A	0	6 in “pool”
<b>TOTALS</b>	<b>20</b>	<b>29</b>	<b>5</b>	<b>15</b>	

### **Health Care**

Preparing for mandatory employee training on the City’s Health Care benefit. Scheduled for June 6<sup>th</sup> and 7<sup>th</sup>, in two-hour blocks, the training will include an explanation of what self-insurance means, “who” pays the bills, how much the benefit costs the City to provide and how to help the City minimize costs by responsibly using the benefit options. Employees will also be completing their re-enrollment paperwork at the session.

Extensively reviewed the City’s expected COBRA rates and recommended employee premiums in conformance with the bargaining agreement and related to similar organizations Alaska.

Reviewed the current Employee Assistance Program and recommended non-renewal for the contract with current provider, Magellan. The same services and employee support is available for no extra charge from the City’s new Life Insurance vendor.

Participated in a Compliance Assessment for the City’s Health Benefits program. The audit reviewed plan documents, conformance with ACA and other legal requirements, and requiring

filing and payments. Awaiting the final results, which are expected to include some recommended procedural improvements to our employee communications and reporting responsibilities.

Continuing to track what is now SCS CSHB 23, which provides for continued health benefits to dependents of peace officers killed in the line of duty. Dependents must already be enrolled in the Plan to be eligible for continued benefits. The Bill is awaiting transfer to the governor. The final version includes an opt-in component for municipalities; optional participation will require recurring payments from the City as determined by the State.



CITY OF BETHEL  
Fire Department

*William F. Howell III, Fire Chief*  
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*Celebrating 50 Years of Service*

DATE: May 31, 2017  
TO: Pete Williams, City Manager  
FROM: Bill Howell, Fire Chief  
SUBJECT: May 2017 Management Report

**Current Events**

- A draft RFP for ambulance billing services was submitted to finance for review.
- The department is working with the architects for the new YKHC clinic building to determine interior standpipe locations and other fire service features.
- A review of fire hydrant locations was conducted for the institutional corridor project on May 9. We are working closely with the Public Works Director and the system engineer.
- The department administrative staff is drafting a new Policies, Procedures, S.O.P., Rules and Regulations manual for the department. The new PPM will roll out in the next few months.
- Department staff have substantially completed annual hose and ground ladder testing. These activities ensure equipment safety, while also being an essential part of the documentation required to maintain community fire insurance rates.
- House bill 176, GEMT legislation is currently on hold in the Health and Social Services committee. There is a high probability this will be passed to House Finance once the regular session resumes in 2018. This bill is alive but was not carried into the extended session.
- Medics 6 fundraising continued with our annual Memorial Day Garage sale and the Bethel Bowls fundraiser in April. An additional \$4,500 was raised for the new ambulance during this period.

## **Training**

- An EMT 1 class is scheduled for November 2017 for anyone interested in volunteering or even eventual employment as a Firefighter/EMT.
- On 5-2-17 EMS Training 7p.m Fire Station. Review BFD Medical Standing Orders regarding trauma treatment guidelines and practiced trauma management techniques, including: Oxygen delivery, Bleeding Control, IV fluid therapy, C-Collar placement, Long Back Board, and Cardiac Monitoring.
- On 5-16-17 EMS Training 7p.m. Fire Station. Review BFD Medical Standing Orders and State of Alaska EMT Skill Sheets, practice treatment techniques for the management of thoracic (chest) trauma.
- On 5-25-17 Fire Training 7p.m. Fire Station. Review fire attack techniques with regard to modern fire behavior (SLICE-RS, VEIS, etc.), fire attack drills at the BFD Training Tower.
- On 5-12-17 through 5-14-17 Firefighter/EMT Haviland attended the Marine Firefighter Symposium Training In Homer. He learned Firefighting techniques in boats and fuel tank farms.
- Month of May, the Firefighter one course held training every Monday, Wednesday, most Friday's and every Saturday, at the Fire station and at the Fire Training Tower. Topics included, Firefighter Survival, Ladders, Water Supply/ Hydrants, Hose, Fire Attack, Search and Rescue. The Firefighter One class will continue through July 2017.

## **Responses**

- There were 151 calls for service in May: 139 Medical and 12 Fire. Of the Medical calls, 53% are alcohol related.
- On 5-4-17 at 3:03 p.m. medics responded to the area of Joe Lomack Beach for a person bleeding out of his stomach. Pt transported to the hospital.
- On 5-5-17 at fire fighters responded to the area behind LKSD for report of grass fire. The fire was extinguished and fire fighters returned to quarters.
- On 05-08-17 at or around 8:26 a.m. firefighters responded to the Kuskokwim River near Standard Oil Road for the report of two intoxicated individuals floating on a large ice flow. One victims returned to shore by themselves. The other was combative towards rescuers, but brought to shore by boat. Bethel Police Department Officers placed the individual in custody.
- On 05-11-17 at 1:12 p.m. medics responded to Ptarmigan Road for the report of a child who fell out of a vehicle and was bleeding from the head. Medics assessed, bandaged, and transported the patient to the hospital.
- On 5-21-17 at 6:00 p.m. medics responded to the area of City Sub for a person not breathing. Patient pronounced dead on scene and transferred scene to BPD.

- 05-25-17 at 8:35 a.m. medics responded to Morgan House for the report of a person who was unresponsive and not breathing. Upon arrival, medics pronounced the patient as deceased and made no attempt at resuscitation. Medics cleared the scene and Bethel Police Department officers conducted an investigation.
- On 5-27-17 at 4:00 p.m., Medics and Firefighters responded to Front street for the report of an explosion and injury. There was one patient found and transported to YKER. There was no fire.
- On 5-28-17 at 7:00 p.m., Medics responded to Standard Oil Road for the report of a Patient who has a seizure. When medics arrived, they found two patients; one assaulted and one who had a seizure. The patients were evaluated and transported to the Hospital.

### **Budget/Financial**

- The department is working diligently on our FY 18 budget proposal. The Fire Chief and or staff have attended all budget meetings.
- As we reach the final month of the FY17, we are reviewing all department accounts for overages and discrepancies. Excluding overtime and insurance, fire department accounts are operating within acceptable limits.
- Demands on personnel, career and volunteer have been significant this year with unprecedented call volume. The department is using off duty staff on standby and call back pay to cover open slots in the shifts and provide a minimum of two personnel on duty at all times. Callback is currently \$18,879 over budget. FLSA overtime is \$10,358 over budget.
- An account deficit in the department's insurance 10-60-721 account was forwarded to the finance department for review. This account is \$23,228 over budget.

### **Grants**

- The Department received \$7,500 in funding for portable radios through the 2017 VFA grant. Purchases under this grant will be made soon.
- The Department applied to the FEMA Assistance to Firefighters Grant for 38 sets of firefighter turnouts. The request totaled \$102,000 with a match of only 5%. We are waiting for a response.

### **Staffing/recruitment**

- The Department is fully staffed but needs an additional FTE position and volunteers to meet increased demand.
- Volunteer Firefighters and EMT's are needed. If you or someone you know might be interested, please invite them to contact the Fire Chief or Fire Captain.

Applications are available at the fire station or can be emailed to potential applicants.

## **Vehicles & Equipment**

- The Medic 6 build is moving forward quickly. Several pieces of equipment have been sent to the factory for inclusion in the build of the ambulance. Delivery is “booked” and expected in September of 2018. Fundraising continues for equipment for this vehicle.
- The department is continuing to refine the specifications for a new ladder truck and tender to replace the two 1980 vehicles that are identified in our FY 18 budget for replacement.
- The department’s 1980 Ladder Truck is currently out of service due to a non-working boom and defunct pump.
- Engine three, our 1986 Grumman reserve pumper, is still out of service to repair a leaking tank, relief valve, tank to pump valve and pump packing. This work is being performed by department staff. Fire fighters began descaling the tank with hand electric grinders. A sandblaster is ordered to descale the water tank in preparation for epoxy coating. Failure to treat the water tank in this fashion would result in continued pitting and eventual catastrophic failure.

<b>FIRE DEPARTMENT VEHICLE STATUS</b>			
<b>Vehicle</b>	<b>Type</b>	<b>Year</b>	<b>Status</b>
Medic 4	Ambulance	1999	<i>(Backup ambulance)</i> In service
Medic 5	Ambulance	2003	<i>(Frontline Ambulance)</i> In service, broken headlight fixture. Work order issued. (Plan to remount to new chassis in 2018)
Engine 4	Pumper	2013	<i>(Frontline pumper)</i> In service, Seat belt sensor fault. Work order issued.
Engine 3	Pumper	1986	<i>(Back up pumper)</i> Out of service, Tank and pump repair in progress. Waiting for sandblaster. Brakes locked. Work order issued. (Aged out needs replacement)
Truck 1	Ladder Truck	1980	<i>(Frontline ladder truck)</i> Out of service, Pump and ladder need repair. Decertified. No work order, equipment is obsolete. (Scheduled for replacement in 2018.)
Tanker 1	Tanker (1500 gallon)	1980	In service, runs poorly, needs tune up, Work order issued. (Undersized for Bethel, needs replacement).
Com 1	Pickup	2014	Out of service, needs registration, plow OS.
Com 2	Pickup	2004	In service, plow and running board needs repair.

## **Memorandum**

**Date:** June 1, 2017

**To:** Pete Williams, City Manager

**From:** Bo Foley, IT Director

**Subject:** IT Director's Report

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### **Current Events**

- **Fleet Tracking for Water/Sewer Trucks:** Recently I was able to get with a company that could offer the city options where it concerned being able to track water and sewer trucks. The purpose of this was to see if we'd be able to provide the city's customers with a way of knowing if a truck had already been to their house or not. This would also let Public Works review efficiency in the routes of drivers. Naturally, Bethel is not Anchorage and so many things that might work flawlessly 400 miles East isn't always the case here. So I've been demoing several devices utilizing Bethel's cellular network and satellite coverage. So far, neither option has worked to the extent that we need it to. The limitation is GCI's cellular infrastructure out here and the lack of constant satellite coverage. In the coming week, I will be trying out a few more devices with hopes that we will be able to find an option that functions the way we need it to.
- **Bad Cameras Replaced:** During the installation of the new PD cameras, we ran into a batch of six that seemed to be defective. We got these replaced and the new ones are functioning well. All PD cameras that can be installed now are live. Cameras that need to go in and around the PD garage will require some wire running. Currently the police chief is trying to find someone local for that job. If that doesn't work out, we will need to get quotes for an outside contractor.
- **Remote Support RFP Posted:** This month I was able to get through all the prerequisites in order to receive a go-ahead to have my remote technical support RFP posted. This was done so on the city website and on several other business bulletin sites. With some luck, there will be a company that will be able to provide me with a team of certified experts to assist in user-support for the City of Bethel.
- **Business-As-Usual:** Beyond the aforementioned items, the rest of this month has simply been filled with taking care of run-of-the-mill technical support for city employees.

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# ***City Clerk's Report***

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# City of Bethel, Alaska

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## City Clerk's Office

### Council Meetings and Events

Regular City Council Meeting June 27, 2017

Communicating with ONC to determine dates for Joint Task Force Meeting

### Website

The website redesign is in progress; over the next few months there will continue to be changes to our current page structure and layout. The Office is also going page by page amending fonts, summaries, photos and structure to provide for more conformity within the site and ease of use. We are also trying to consolidate (and make current) the forms and applications on the site to one location.

### Facebook Photo Contest

This has been an incredibly successful project for the City, the traffic increase to the City's page due to the contest is on its own a success but the photos received from the contest will be used to enhance the City's image for years to come.

### Election

The Office has completed the 2017 Election Calendar and begun working on election documents and materials.

Election Equipment is going to be arriving over the summer and training is set for July.

The City Clerk was invited to participate in the Lt. Governor Mallott Election Policy Working Group, the Lt. Gov. convened the first meeting on May 22<sup>nd</sup>. The on-going discussion and focus of the group will work "to ensure that every eligible Alaskan has a meaningful opportunity to cast a ballot have their vote counted, and to conduct impartial, secure and accurate elections."

The City Clerk's Office has a copy of the State's Division of Elections, "2017 Fiscal & Policy Challenges" if the Council is interested in learning more.

### Other Projects

Working with administration on documents and processes for the vehicle disposal at the dump.

Finalized Ordinance 17-36, Alcohol Tax question and continue to work on a process and forms for the Community Action Grants development.

Cemetery management -this summer the office will establish a mapping of the Ridgecrest Cemetery which is long overdue. The City didn't being requiring permits for the cemetery until 2002 and even then wasn't strictly enforced. This has left much of the cemetery without records.

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# ***Executive Session***

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# *Additional Information*

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