

CITY OF BETHEL

City Council Meeting Agenda, May 25, 2021 – 6:30 PM

Website: <https://www.cityofbethel.org/council>

Location: Council Chambers, City Hall, 300 Chief Eddie Hoffman Highway, Bethel

Council Members: Mayor Michelle DeWitt, Vice-Mayor Haley Hanson, Perry Barr, Alyssa Leary, Mark Springer, Rose Henderson, Conrad McCormick



ALL PUBLIC MEETINGS OF THE CITY OF BETHEL WILL BE HELD VIRTUALLY

<https://zoom.us/j/96155206634?pwd=cUZJM2Z5bmJLc1RDWWWhTMW10d2Z3Zz09>

Meeting ID: 961 5520 6634

Passcode: 419164

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WRITTEN PUBLIC TESTIMONY

- 1) Email cityclerk@cityofbethel.net by 4:00pm the day of the meeting.
 - 2) Specify the written submission is for People To Be Heard.
 - 3) Provide full real name of the person making submission.
- Public testimony may be summarized if the length of the submission exceeds the five minutes time limit.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PEOPLE TO BE HEARD – FIVE MINUTES PER PERSON

5. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA

6. APPROVAL OF MEETING MINUTES

- 6.1. *5-4-2021 Special City Council Budget Meeting
- 6.2. *5-6-2021 Special City Council Budget Meeting
- 6.3. *5-11-2021 Regular City Council Meeting
- 6.4. *5-13-2021 Special City Council Budget Meeting

7. REPORTS OF STANDING COMMITTEES

- 7.1. Committee/Commission/Board Agendas And Draft Meeting Minutes

Posted May 20, 2021 at City Hall, AC Co., Swanson's, and the Post Office.

Kevin Morgan, Deputy City Clerk

City Clerk's Office Contact Information: Email cityclerk@cityofbethel.net Phone 907-543-1384

Items noted with an asterisk (*) are consent agenda items, unless removed from the consent agenda they are approved upon the approval of the agenda. Ordinances introduced at this meeting may be set for public hearing at the next regular meeting.

The Council may by unanimous consent, after 12:00 AM Fix the Time to Which To Adjourn until the following day at 6:30 PM

8. SPECIAL ORDER OF BUSINESS

- 8.1. Alaska Redistricting Presentation From The Alaska Redistricting Board's Deputy Director, TJ Presley (Mayor DeWitt)

9. UNFINISHED BUSINESS

- 9.1. Public Hearing Of Ordinance 21-14: Amending Bethel Municipal Code 4.16.160 Sales Tax Exemptions And Limitations (Interim City Manager Williams)
- 9.2. Public Hearing Of Ordinance 21-20: Repealing Chapters 2.24 (Planning Commission), 2.25 (Public Safety And Transportation Commission), 2.52 (Boards, Committees And Commissions), And 14.04 (Port Commission) And Establishing Chapter 2.60 (Committees Commissions And Ad Hoc Committees) (Mayor DeWitt)
- 9.3. Public Hearing Of Ordinance 21-21: Amending Chapter 5.20 (General Provisions Related To Taxicabs, Chauffeurs, And Dispatch Services) By Removing The Public Safety And Transportation Commission From That Chapter (Mayor DeWitt)
- 9.4. Public Hearing Of Ordinance 21-22: Authorizing The Acquisition Of Interest In Land For A Utility Easement From Frank Jones Involving The Bethel Avenues Piped Water And Sewer Project - Phase I (City Manager Williams)
- 9.5. Public Hearing Of Budget Ordinance 20-12(n): Amending The City Of Bethel Fiscal Year 2021 Budget- Fuel Tank Farm Review (City Manager Williams)

10. NEW BUSINESS

- 10.1. Public Hearing Of Emergency Ordinance 21-25: Extending And Amending Emergency Ordinances 21-17, 21-10, 21-03, 20-38, 20-34, And 20-27 Establishing A Mandate Within The City Of Bethel That Masks Or Similar Face-Coverings Be Worn Under Certain Conditions (Mayor DeWitt)
- 10.2. *Introduction Of Ordinance 21-23: Amending Bethel Municipal Code Chapter 13.08 Sewer Services To Clarify The Responsibilities And Liabilities Of Customers To Monitor And Maintain Sewage Holding Tanks (Public Works Committee)
- 10.3. *Introduction Of Ordinance 21-24 Amending Bethel Municipal Code To Clarify Utility Rates For Extra Water Delivery And Extra Sewage Tank Evacuation (Public Works Committee)
- 10.4. *Introduction Of Budget Ordinance 20-12(o): Amending The City Of Bethel Fiscal Year 2021 Budget To Allocate Funds For Rental Space For In Person Meetings (City Manager Williams)
- 10.5. *Introduction Of Ordinance 21-25: Establishing A City Of Bethel Budget For Fiscal Year 2022 Beginning July 1, 2021 Ending June 30, 2022 (City Manager Williams)
- 10.6. AM 21-11: Authorizing The Relocation Of City Of Bethel Public Meetings From City Hall, 300 Chief Eddie Hoffman Highway To The ONC Multi-Purpose Building (City Manager Williams)
- 10.7. *AM 21-12: Appointment Of Committee/Commission/Board Members- John Jordan II- Public Works Committee (Mayor DeWitt)

Posted May 20, 2021 at City Hall, AC Co., Swanson's, and the Post Office.

Kevin Morgan, Deputy City Clerk

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The Council may by unanimous consent, after 12:00 AM Fix the Time to Which To Adjourn until the following day at 6:30 PM

10.8. *Personnel Leave- City Attorney- June 24 through July 1, and July 22 through August 9 (Mayor DeWitt)

11. REPORTS

11.1. Mayor's Report

11.2. City Manager's Report

11.3. Clerk's Report

12. COUNCIL MEMBER COMMENTS

13. EXECUTIVE SESSION

14. ADJOURNMENT

Posted May 20, 2021 at City Hall, AC Co., Swanson's, and the Post Office.

Kevin Morgan, Deputy City Clerk

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The Council may by unanimous consent, after 12:00 AM Fix the Time to Which To Adjourn until the following day at 6:30 PM

1. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on May 4, 2021 at 6:30 p.m., in the Council chambers, Bethel, Alaska.

Mayor DeWitt called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Comprising a quorum of the Council, the following members were present:
Vice-Mayor Haley Hanson (telephonically) City Council Member Alyssa Leary (telephonically) Mayor Michelle DeWitt (telephonically) City Council Member Rose Henderson (telephonically) City Council Member Conrad McCormick (telephonically) City Council Member Mark Springer (telephonically) <i>arrived after roll call 6:04 p.m.</i>
Members Absent:
City Council Member Perry Barr
Also in attendance were the following:
Interim City Manager Peter Williams (telephonically), Deputy City Clerk Kevin Morgan (telephonically), City Attorney Libby Bakalar (telephonically)

5. APPROVAL OF AGENDA

Motion: Approve the Agenda.

Moved by:	Rose Henderson
Seconded by:	(not recorded)
In favor:	Haley Hanson, Alyssa Leary, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

4. PEOPLE TO BE HEARD – Five minutes per person

Council Member Springer joins the meeting at 6:04 p.m.

No one present to be heard.

6. UNFINISHED BUSINESS

7. NEW BUSINESS

Item 7.1. - Fiscal Year 2022 Operating and Capital Budget Review/Amendment

Main Motion: Move into Committee of the Whole.

Moved by:	Rose Henderson
Seconded by:	Haley Hanson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Main Motion: Move out of Committee of the Whole.

Moved by:	Rose Henderson
Seconded by:	Mark Springer
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to Amend General Fund Revenues 414, Community Assistance Program, Strike "75,000" insert "104,143".

Moved by:	Rose Henderson
Seconded by:	Haley Hanson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to Amend Administration 10-51-541, Travel, Strike "10,000" insert "5,000".

Moved by:	Alyssa Leary
Seconded by:	Rose Henderson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to Amend Administration 10-51-545, Training, Strike "10,000" insert "5,000".

Moved by:	Haley Hanson
Seconded by:	Alyssa Leary
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to Amend Planning Department 10-54-502, Overtime, Strike "2,000" insert "0".

Moved by:	Alyssa Leary
Seconded by:	Rose Henderson
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

8. ADJOURNMENT

Main Motion: Adjournment.

Moved by:	Haley Hanson
Seconded by:	Mark Springer
In favor:	Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Meeting ended at 9:09 p.m.

Michelle DeWitt, Mayor

ATTEST:

Deputy City Clerk,
Kevin Morgan

1. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on May 6, 2021 at 6:00 p.m., in the Council chambers, Bethel, Alaska.

Mayor DeWitt called the meeting to order at 6:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Comprising a quorum of the Council, the following members were present:
City Council Member Conrad McCormick (telephonically) City Council Member Rose Henderson (telephonically) Mayor Michelle DeWitt (telephonically) City Council Member Alyssa Leary (telephonically) Vice-Mayor Haley Hanson (telephonically) City Council Member Perry Barr (telephonically)
Members Absent:
City Council Member Mark Springer
Also in attendance were the following:
Interim City Manager Peter Williams (telephonically), Deputy City Clerk Kevin Morgan (telephonically), City Attorney Libby Bakalar (telephonically)

4. PEOPLE TO BE HEARD – Five minutes per person

No one present to be heard.

5. APPROVAL OF AGENDA

Main Motion: Approve the Agenda.

Moved by:	Haley Hanson
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None

Results: | Motion Carries

6. UNFINISHED BUSINESS

Item 6.1. - Fiscal Year 2022 Operating and Capital Budget Review/Amendment

Motion: Enter Committee of the Whole

Moved by:	Haley Hanson
Seconded by:	Rose Henderson
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Mayor DeWitt leaves the meeting from 6:34 p.m.to 6:36 p.m.

Council Member Barr lost audio from 6:43 p.m. to 6:46 p.m.

Motion: Exit Committee of the Whole.

Moved by:	Haley Hanson
Seconded by:	Rose Henderson
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to make the following amendments:

Legal Department 10-56-732, Rents and Leases, strike "9,400" and insert "10,346"

Fire Department 10-60-501, Summer intern program, strike "0" and insert "11,200"

Fire Department 10-60-649, Volunteer Stipend, strike "24,000" and 10-60-502 volunteer stipend insert "24,000"

Fire Department create line item 10-60-690, Ladder Truck, insert "71,238"

Community Services 10-72-745, Kuskokwim Consortium Library, strike" 70,000" and insert "72,600"

Community Services 10-72-626, Senior Center w/s/g ONC, strike "ONC" and Insert "Bethel Winter House"

Moved by:	Rose Henderson
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion: Adopt Clerical errors from the document "City of Bethel FY22 Budget Draft with Clerical Errors 4-28-2021"

Which changes the following line items:

10-60 General Revenue Fire, Strike "1,568,352" Insert "1,550,803"

10-60 Payments on debt Fire Strike "0" insert "71,000"

10-66 Payments on debt Streets and roads Strike "0" insert "27,000"

10-66 Project Expenditures Public Works Streets, currently blank, Insert "260,000"

10-70 Project Expenditures Public Works Property maintenance, currently blank, insert "52,000"

Transfers Xfer out to Fleet Replacement Fund strike "0" insert "100,000"

Transfers Xfer out to YK Regional Health and Aquatic Safety Training Center strike "(40,000)" insert "40,000"

Transfers Xfer LifeQuest to Fire Department Strike "100,000" insert "0"

Transfers Xfer in from Fund Balance 10-39900 for Capital Expenditures, currently blank, to delete row.

413 General revenues Municipal Assistance/Safe Communities, Strike "0" insert "104,143"

The second line of 10-60-996 Admin-Overhead-IT SVCS is a duplicate. strike "17,539" insert "0"

Moved by:	Haley Hanson
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Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

7. NEW BUSINESS

8. ADJOURNMENT

Main Motion: Adjournment.

Moved by:	Haley Hanson
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Meeting ended at 8:39 p.m.

Michelle DeWitt, Mayor

ATTEST:

Deputy City Clerk,
Kevin Morgan

1. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on May 11, 2021 at 6:30 p.m., in the Council chambers, Bethel, Alaska.

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

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Comprising a quorum of the Council, the following members were present:
City Council Member Alyssa Leary (telephonically) City Council Member Mark Springer (telephonically) City Council Member Rose Henderson (telephonically) City Council Member Conrad McCormick (telephonically) City Council Member Perry Barr (telephonically) Vice-Mayor Haley Hanson (telephonically) Mayor Michelle DeWitt (telephonically)
Members Absent:
Also in attendance were the following:
City Manager Peter Williams (telephonically), City Clerk Lori Strickler (telephonically), City Attorney Libby Bakalar (telephonically)

4. PEOPLE TO BE HEARD – Five minutes per person

Lorin Bradbury- Provided some history on the sales tax ordinance and presented some suggested amendments to the council for consideration. Asked council to review the realtor sales tax. Additionally, requested that the Council not continue to adopt the mask mandate and allow business and organizations to make decisions on mask requirements.

Susan Taylor- With the Sugar Sweetened Beverage Tax postponed indefinitely, suggested closure to the issue by having the public vote on an advisory vote.

Mary Mathias submitted written email testimony suggesting the City Council consider

adopting regulations on oil use.

5. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda.

Moved by:	Haley Hanson
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Council Member Springer, Remove Item 10.5, Introduction of Ordinance 21-20, from the consent agenda.

Vice-Mayor Hanson remove Item 10.9, Resolution 21-09, from the consent agenda.

6. APPROVAL OF MEETING MINUTES

Item 6.1. - *4-27-2021 Regular City Council Meeting
Passed on the consent agenda.

7. REPORTS OF STANDING COMMITTEES

Item 7.1. - Committee/Commission/Board Draft Meeting Minutes And Agendas

Port Commission, Council Member Springer- Have not been informed of a meeting.

Planning Commission, Vice-Mayor Hanson- Next meeting will have two Public Hearings, a Conditional Use Permit for a retail marijuana store and an industrial zoning designation for a bulk tank fuel farm for BNC.

Community Action Grant Technical Review Board, Council Member Barr- The application period will close on May 30th. Following the submissions of the applications, the committee will meet in June to review the applications.

Parks, Recreation, Aquatic Health and Safety Center Committee, Mayor DeWitt- Discussed the YK Fitness Center feasibility study with City Manager Williams and the

firm Agnew Beck.

Finance Committee, Council Member McCormick- No meeting since last meeting.

Public Works Committee, Council Member Leary- No meeting since last meeting.

Public Safety and Transportation Commission, Council Member Henderson- Discussed the Police and Fire Department budget. Made motions to support: the summer program, a new fire truck, and increasing the staff for each department.

8. SPECIAL ORDER OF BUSINESS

9. UNFINISHED BUSINESS

Item 9.1. - Public Hearing Of Ordinance 21-14: Amending Bethel Municipal Code 4.16.160 Sales Tax Exemptions And Limitations (Interim City Manager Williams)

Mayor DeWitt was determined to have a conflict of interest on this issue at a previous regular meeting by a majority vote of the members. Mayor DeWitt did not participate or vote on this item. Vice-Mayor Hanson presided over this item of business.

Vice-Mayor Hanson opened the Public Hearing.

Lorin Bradbury, requested the council consider an amendment regarding exempting utilities for landlords.

Vice-Mayor Hanson closed the Public Hearing.

Motion to adopt was made at the April 27th Regular Meeting by Council Member McCormick and seconded by Council Member Henderson.

Motion to amend: insert subsection R under 4.16.160 Rental Units. Costs incurred by owners/landlords for rental units, such as included utilities, fuel, or any other expenses, are not exempt unless the sales tax is paid by owners/landlords in the purchase of fuel and electricity when the cost of such purchase is provided as a part of the total rental cost.

Moved by:	Rose Henderson
Seconded by:	Alyssa Leary
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Rose Henderson,

	Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to amend: Subsection N. 1. Strike new language "provided that any income from the exempt sale is also exempt from federal taxation" 2. Insert new language "Exceptions: A sale of goods or services to any nonprofit when the sale of the goods or services is used to support for-profit business operations or operations that compete with persons engaged in similar business operations, are not exempt from taxation."

Moved by:	Alyssa Leary
Seconded by:	Rose Henderson
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to postpone until the next regular meeting to host another public hearing.

Moved by:	Rose Henderson
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Item 9.2. - Public Hearing Of Ordinance 21-15: Temporarily Reducing Payments Listed Under 5.20.160 A. Of The Bethel Municipal Code For Taxicab, River Taxi, Limousine Or Bus Permit Not In Operational Statues As A Result Of COVID-19 (Public Safety And Transportation Commission)

Mayor DeWitt opened the Public Hearing.

No one present to be heard.

Mayor DeWitt closed the Public Hearing.

Main Motion: Adopt Ordinance 21-15.

Moved by:	Rose Henderson
Seconded by:	Alyssa Leary
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None

Results: | Motion Carries

Item 9.3. - Public Hearing Of Budget Ordinance 20-12(m): Amending The City Of Bethel Fiscal Year 2021 Budget- Property Maintenance- Piped Water- Hauled Sewer (Interim City Manager Williams)

Mayor DeWitt opened the Public Hearing.

No one present to be heard.

Mayor DeWitt closed the Public Hearing.

Main Motion: Adopt Budget Ordinance 20-12(m).

Moved by:	Alyssa Leary
Seconded by:	Rose Henderson
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

10. NEW BUSINESS

Item 10.1. - Emergency Ordinance 21-16 Extending The Declaration Of Emergency Issued Through Ordinances 21-08, 21-02, 20-38, 20-32, 20-29, 20-11, 20-09 And 20-08 (Mayor DeWitt)

Mayor DeWitt opened the Public Hearing.

No one present to be heard.

Mayor DeWitt closed the Public Hearing.

Main Motion: Adopt Emergency Ordinance 21-16.

Moved by:	Conrad McCormick
Seconded by:	Mark Springer
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Item 10.2. - Emergency Ordinance 21-17: Extending Emergency Ordinance 21-10, 21-03, 20-38, 20-34 And 20-27 Establishing A Mandate Within The City Of Bethel That Masks Or Similar Face-Coverings Be Worn In Public In Indoor And Indoor-Adjacent Spaces, And Under Certain Conditions In Outdoor Spaces, During The Covid-19 Public Health Emergency (Mayor DeWitt)

Mayor DeWitt opened the Public Hearing.

No one present to be heard.

Mayor DeWitt closed the Public Hearing.

Main Motion: Adopt Emergency Ordinance 21-17.

Moved by:	Mark Springer
Seconded by:	Alyssa Leary
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Make a motion to amend Ordinance 21-17 to insert three new bullet points under Section 3, exemptions to read:

- Persons who are fully vaccinated can visit with other fully vaccinated people in private residences indoors without wearing masks or physical distancing.
- Persons who are fully vaccinated can visit with unvaccinated persons (including children) from a single household who are at low risk for severe COVID-19 disease in a private residence indoors without wearing masks or physical distancing.
- Persons who are fully vaccinated can participate in outdoor activities and recreation without a mask, except in certain crowded settings and venues.

Moved by:	Haley Hanson
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Item 10.3. - Emergency Ordinance 21-18: Repealing And Replacing Ordinance 21-

16 Testing And Quarantine Mandates And Adopting Mandates That Allow For Quarantine And Testing Exemptions If The Traveler Has Received The Recommended Covid-19 Vaccination (Mayor DeWitt)

Mayor DeWitt opened the Public Hearing.

No one present to be heard.

Mayor DeWitt closed the Public Hearing.

Main Motion: Adopt Emergency Ordinance 21-18.

Moved by:	Rose Henderson
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Motion to amend Ordinance 21-18 under Section 2, Testing isolation and Quarantine Requirements, Subsection 4 to strike 14 days and insert 10 days for the quarantine requirements if an individual does not get a molecular test.

Moved by:	Haley Hanson
Seconded by:	Rose Henderson
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Item 10.4. - Emergency Ordinance 21-19: Exempting 13.04.290 Of The Bethel Municipal Code To Prevent Water Shut Off For Non-Payment For An Additional 60 Days (Mayor DeWitt)

Mayor DeWitt opened the Public Hearing.

No one present to be heard.

Mayor DeWitt closed the Public Hearing.

Main Motion: Adopt Emergency Ordinance 21-19.

Moved by:	Mark Springer
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick

Opposed: | None
Results: | Motion Carries

Item 10.5. - *Introduction Of Ordinance 21-20: Repealing Chapters 2.24 (Planning Commission), 2.25 (Public Safety And Transportation Commission), 2.52 (Boards, Committees And Commissions), And 14.04 (Port Commission) And Establishing Chapter 2.60 (Committees Commissions And Ad Hoc Committees) (Mayor DeWitt)

Main Motion: Introduce Ordinance 21-20.

Moved by: | Conrad McCormick
Seconded by: | Alyssa Leary
In favor: | Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed: | None
Results: | Motion Carries

Motion to amend to strike the name of the Parks Recreation Aquatic Health and Safety Center Committee to the Community Parks and Recreation Committee.

Moved by: | Conrad McCormick
Seconded by: | Alyssa Leary
In favor: | Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed: | None
Results: | Motion Carries

Item 10.6. - *Introduction of Ordinance 21-21: Amending Chapter 5.20 (General Provisions Related To Taxicabs, Chauffeurs, And Dispatch Services) By Removing The Public Safety And Transportation Commission From That Chapter (Mayor DeWitt)

Passed on the consent agenda.

Item 10.7. - *Introduction Of Ordinance 21-22: Authorizing The Acquisition Of Interest In Land For A Utility Easement From Frank Jones Involving The Bethel Avenues Piped Water And Sewer Project - Phase I (City Manager Williams)

Passed on the consent agenda.

Item 10.8. - *Introduction Of Budget Ordinance 20-12(n): Amending The City Of

Bethel Fiscal Year 2021 Budget- Fuel Tank Farm Review (City Manager Williams)

Passed on the consent agenda.

Item 10.9. - *Resolution 21-09: Formally Naming Unnamed Municipal Parks (PRAHS Committee)

Main Motion: Adopt Resolution 21-09.

Moved by:	Haley Hanson
Seconded by:	Conrad McCormick
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Item 10.10. - *AM 21-10: Direct Administration To Negotiate And Execute A Three-Year Contract Between The City Of Bethel And The Company Whose Proposal Scored The Highest Number Of Points For Marine Transportation Services. BMC Section 4.20.040 Prevents The Revelation Of The Company Name Until After City Council Approves The Contract Award (City Manager Williams)

Passed on the consent agenda.

Item 10.11. - Amendment To Employment Agreement Between The City of Bethel And Lori Strickler (Mayor DeWitt)

Main Motion: Approve amendment to employment agreement between the City of Bethel and Lori Strickler.

Moved by:	Alyssa Leary
Seconded by:	Rose Henderson
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Item 10.12. - *IM 21-07: Presentation Of The City's Water And Sewer Services Expenditures Compared To Budget From July 1, 2020 To April 30, 2021 – Utilities Maintenance – Water And Wastewater Activity Report (City Manager Williams)

Passed on the consent agenda.

11. REPORTS

Item 11.1. - Mayor's Report

Item 11.2. - City Manager's Report

Item 11.3. - Clerk's Report

12. COUNCIL MEMBER COMMENTS

Mayor DeWitt- No comment.

Vice-Mayor Hanson- No comment.

Council Member Barr- No comment.

Council Member Leary- Encouraged members of the public to get vaccinated.

Council Member Springer- Sends condolences to the Michael family in Kwethluk for their loss. Lillian Atmak Michael, long time KYUK employee.

Council Member Henderson- Encouraged the residents using four-wheelers to slow down and to not use the side of the road that has the pedestrian walking path when travelling on the side of the road.

Council Member McCormick- Echoed Council Member Henderson's concerns about four-wheelers and added that in residential areas to please drive less than 15 mph to reduce the amount of dust in the air.

13. EXECUTIVE SESSION

Item 13.1. - In Accordance With AS 44.62.310.C(2)- Subjects That Tend To Prejudice The Reputation And Character Of Any Person, Provided The Person May

Request A Public Discussion- City Clerk Annual Evaluation (Mayor DeWitt)

Main Motion: Move into executive session, following a ten minute break, in accordance with as 44.62.310.c(2)- subjects that tend to prejudice the reputation and character of any person, provided the person may request a public discussion- City Clerk annual evaluation.

Those attending are Council Members and City Clerk Strickler.

Moved by:	Mark Springer
Seconded by:	Haley Hanson
In favor:	Perry Barr, Haley Hanson, Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Council Member Leary departed the meeting at 10:20 p.m.

Motion to provide an annual increase to the City Clerk in the amount of 3%.

Moved by:	Mark Springer
Seconded by:	Rose Henderson
In favor:	Perry Barr, Haley Hanson, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

14. ADJOURNMENT

Main Motion: Adjournment.

Moved by:	Mark Springer
Seconded by:	Haley Hanson
In favor:	Perry Barr, Haley Hanson, Mark Springer, Michelle DeWitt, Rose Henderson, Conrad McCormick
Opposed:	None
Results:	Motion Carries

Meeting ended at 10:30 p.m.

Michelle DeWitt, Mayor

ATTEST:

Lori Strickler, City Clerk

1. CALL TO ORDER

A Special Meeting of the Bethel City Council was held on May 13, 2021 at 6:00 p.m., in the Council chambers, Bethel, Alaska.

Mayor DeWitt called the meeting to order at 6:19 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Comprising a quorum of the Council, the following members were present:
City Council Member Mark Springer (telephonically) City Council Member Alyssa Leary (telephonically) City Council Member Rose Henderson (telephonically) Mayor Michelle DeWitt (telephonically) City Council Member Conrad McCormick (telephonically) <i>arrived after roll call 7:34 p.m.</i>
Members Absent:
City Council Member Perry Barr Vice-Mayor Haley Hanson
Also in attendance were the following:
City Manager Peter Williams (telephonically), City Clerk Lori Strickler (telephonically), City Attorney Libby Bakalar (telephonically)

4. PEOPLE TO BE HEARD – Five minutes per person

No one present to be heard.

5. APPROVAL OF AGENDA

Motion to approve the agenda.

Moved by:	Alyssa Leary
Seconded by:	Mark Springer
In favor:	Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson
Opposed:	None

Results: | Motion Carries

6. UNFINISHED BUSINESS

Item 6.1. - Fiscal Year 2022 Operating and Capital Budget Review/Amendment
Motion to move into Committee of the Whole.

Moved by:	Mark Springer
Seconded by:	Alyssa Leary
In favor:	Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson
Opposed:	None
Results:	Motion Carries

Council Member McCormick joined the meeting at 7:34 p.m.

Motion to amend:

10-52-622 City Clerk Staff Cell Phone to strike 1,600 and insert 800

51-82- 669 Piped Water Other Purchased Services strike 15,000 insert 1,500

51-84 City Sub WTP R5 25108 Coordinator Strike 84,982 and insert 80,935

51-86 Total Personnel (FY22) strike 562,072 and insert 374,605

Moved by:	Rose Henderson
Seconded by:	Mark Springer
In favor:	Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson
Opposed:	None
Results:	Motion Carries

7. NEW BUSINESS

8. ADJOURNMENT

Motion to adjourn.

Moved by:	Mark Springer
Seconded by:	Rose Henderson
In favor:	Alyssa Leary, Mark Springer, Michelle DeWitt, Rose Henderson, CJ McCormick

Opposed: | None
Results: | Motion Carries

Council adjourned at 9:02 p.m.

Michelle DeWitt, Mayor

ATTEST:

Lori Strickler, City Clerk



CITY OF BETHEL
PARKS RECREATION AQUATIC HEALTH & SAFETY CENTER
COMMISSION AGENDA
MONDAY, MAY 10, 2021, 6:00 p.m.
LOCATION: VIRTUAL ZOOM MEETING

COMMISSION MEMBERS

Brian Lefferts, Chair
Judy Wasierski, Vice Chair
Beverly Hoffman
Garrett Hussion
Kathy Hanson
Michelle DeWitt, Council Rep.
Three Vacancies

STAFF

Public Works Director: Bill Arnold
Admin. Asst.: Charlie Dan
Email: pwadmin@cityofbethel.net
Phone: 907-543-3110
Website : www.cityofbethel.org

Join Zoom Meeting

<https://zoom.us/j/4888456188?pwd=bkN1dGI4MHpGZ1kwOUVYWU5kd0xhZz09>

Meeting ID: 939 7507 5606

Passcode: 004626

Dial by Location

253 215 8782 US (Tacoma)	301 715 8592 US (DC)	833 548 0276 US Toll-free	877 853 5257 US Toll-free
346 248 7799 US (Houston)	312 626 6799 US (Chicago)	833 548 0282 US Toll-free	888 475 4499 US Toll-free
669 900 9128 US (San Jose)	646 558 8656 US (New York)		

I. CALL TO ORDER

II. ROLL CALL

III. PEOPLE TO BE HEARD

IV. APPROVAL OF AGENDA

V. APPROVAL OF MINUTES

VI. UNFINISHED BUSINESS

- A. Phase II Multipurpose Facility
- B. Pinky's Park Developments and Updates Park Names
- C. Sugar-Sweetened Beverage Tax
- D. Contracted Services/Re-establishing Services of a Park and Recreation Department by FY2022
- E. Evaluate 2021 Committee Goals, Tasks, and Priorities
- F. Old Kilbuck Site
- G. YKHC/KUC Boardwalk
- H. Clean up, Green up 2021 Event
- I. 4th of July Event
- J. PRAHSC Committee Name
- K. Winter Trail Access

VII. NEW BUSINESS

VIII. EX OFFICIO MEMBER REPORTS

IX. COMMITTEE MEMBER COMMENTS

X. ADJOURNMENT

People to be Heard Through Written Testimony

- Must be emailed to pwadmin@cityofbethel.net by 4:00 p.m. the day of the meeting.
- Specifically request that it be presented under people to be heard.
- Contain full, real name of the person sending the request.

Posted May 5, 2021 at City Hall, AC Co., Swanson's, and the Post Office.

Charlie Dan, Public Works Assistant

REDISTRICTING BASICS

An Introduction to Redistricting in Alaska

NORTH WESTERN
PUBLISHED

www.akredistrict.org

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COMPILED FOR THE DEPARTMENT

ALASKA'S PROCESS

- **Voters approved Ballot Measure #3 in 1998 creating a 5-member independent Redistricting Board.**
- **Governor appoints 2 members**
- **Senate President 1 member**
- **House Speaker 1 member**
- **Chief Justice of the Supreme Court 1 member**
- **Members must represent various geographic areas of the State**
- **Members must be Alaska residents**
- **Members may not run for legislative office in the next cycle**
- **Board holds sole authority for drawing new legislative district maps and defending them in the Court system**

ALASKA'S BOARD

- **The current Board was appointed and convened in August 2020**
- **Alaska Redistricting Board Members are:**
 - **John Binkley of Fairbanks, Chair**
 - **Melanie Bahnke of Nome**
 - **Nicole Borromeo of Anchorage**
 - **Bethany Marcum of Wasilla**
 - **Budd Simpson of Juneau**

WHY CHANGE WHAT WORKS?



WHY REDISTRICT?

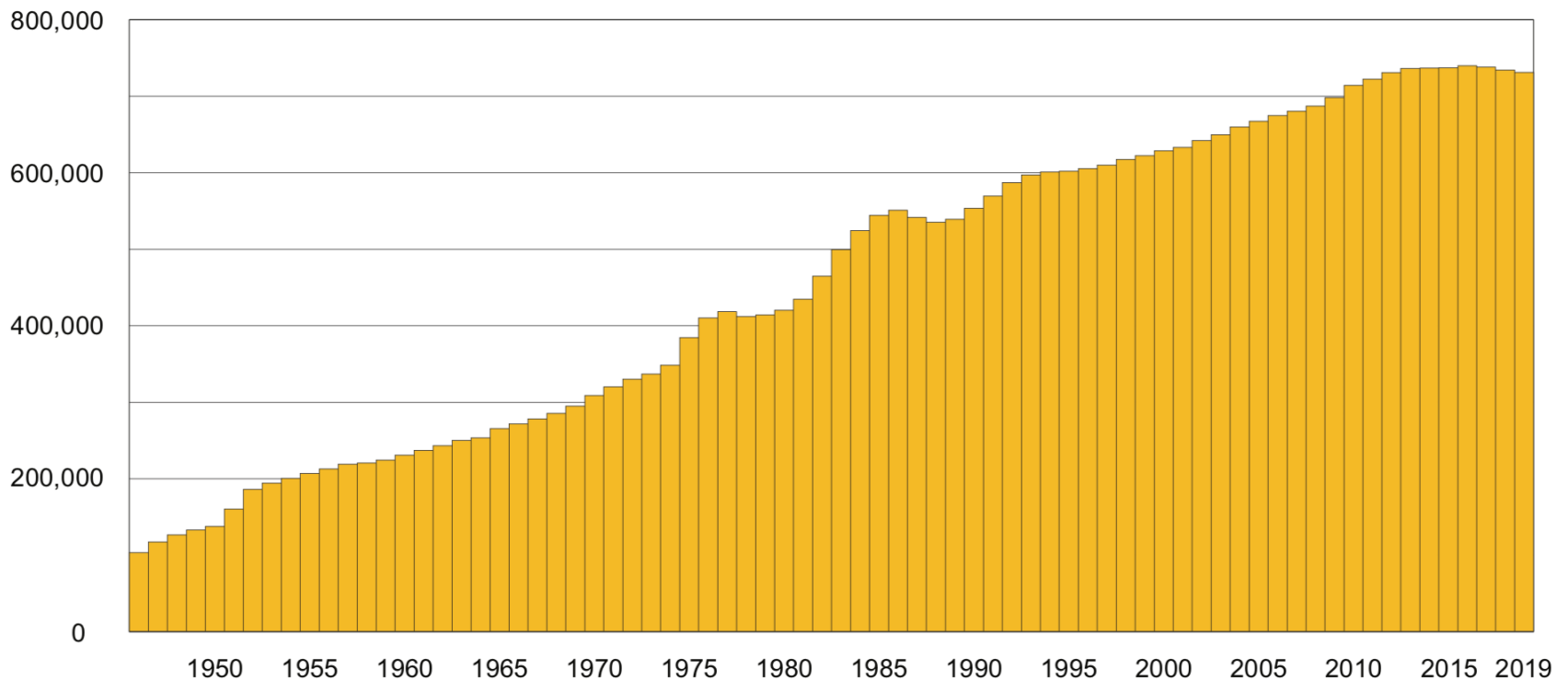
- **The US and Alaska Constitutions' Equal Protection clauses require that each voter have as much influence over an election results as every other voter**
- **One person = One vote**
- **Legislative District lines are fixed, but Alaskans move frequently**

ALASKA CHURN

- **Until recently, in-migration to Alaska averages 6% +40,000**
- **Out-migration from Alaska averages 6% -40,000**
- **Only net population gain in recent years has been births**
- **Some areas churn more than others, for example**
 - **88% of Alaskans in the Bethel Census Area were born in Alaska**
 - **17% of population in the Aleutians West Census area were born in Alaska**

ALASKA GROWS EARLY

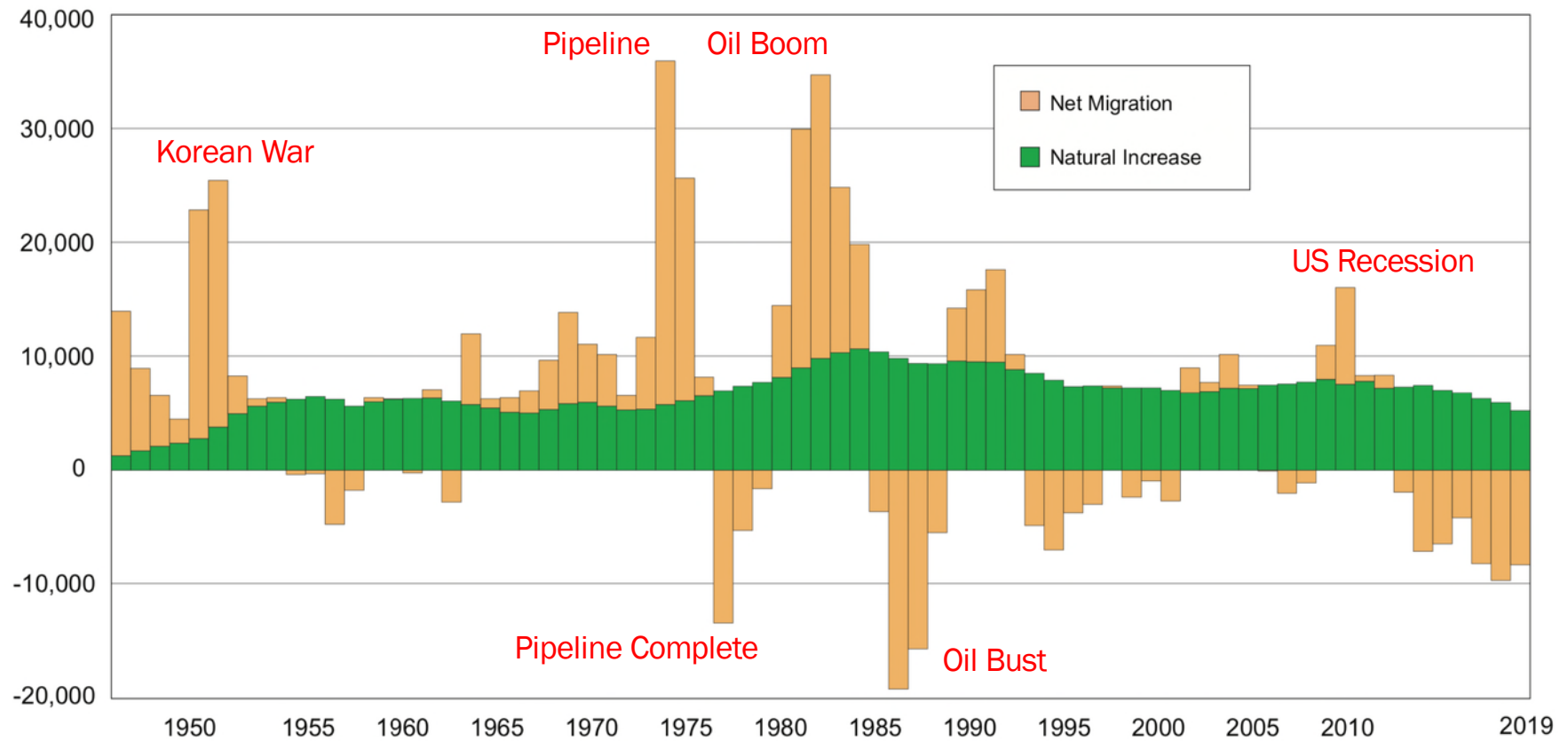
Alaska Total Population, 1946 to 2019



Source: Alaska Department of Labor and Workforce Development

ALASKA CHANGES

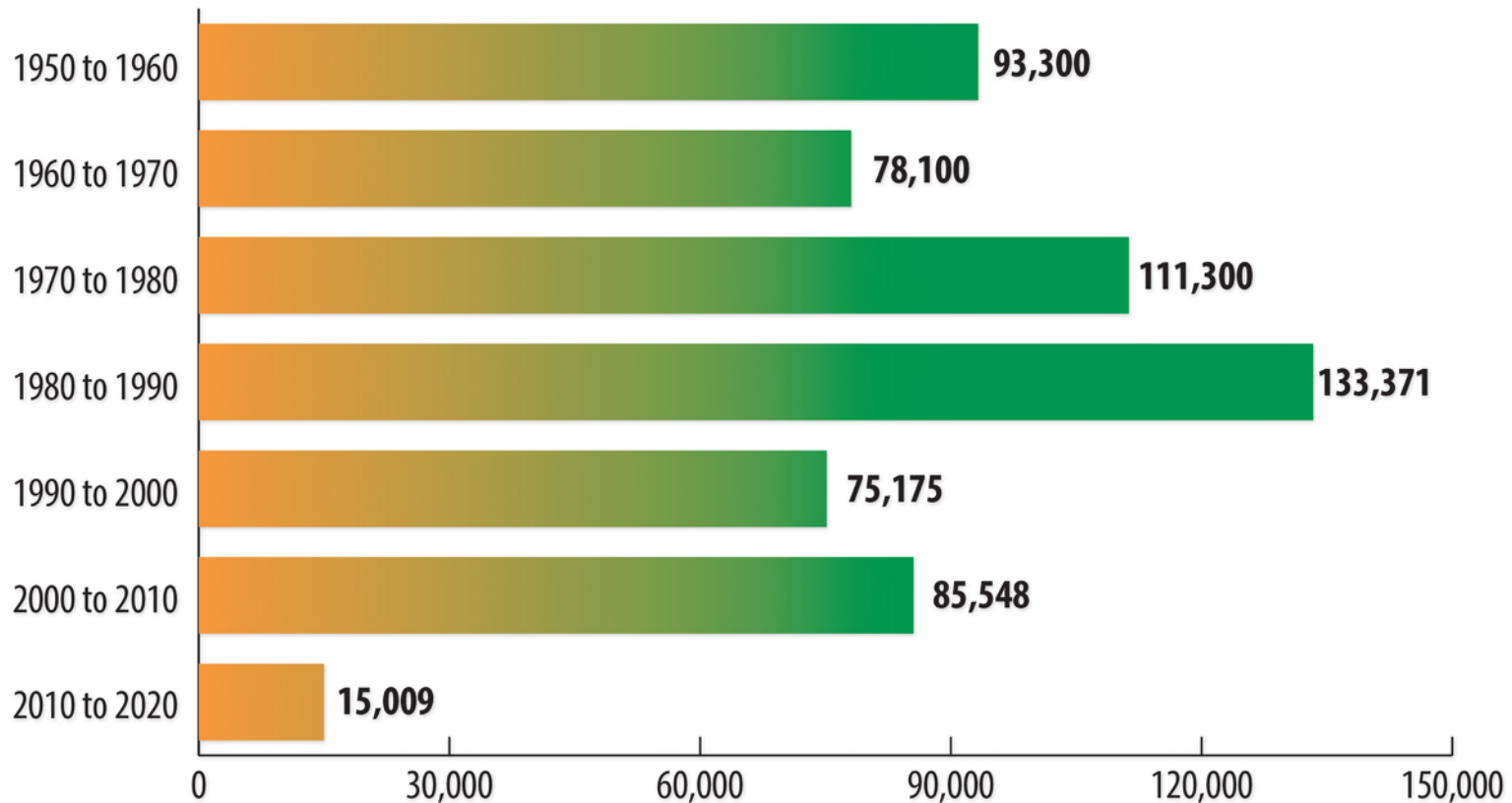
Components of Population Change for Alaska, 1947 to 2019



Source: Alaska Department of Labor and Workforce Development

GROWTH COLLAPSES

Alaska Population Change by Decade



Source: Alaska Department of Labor and Workforce Development

CENSUS DELAYS

 ANCHORAGE DAILY NEWS

LOGIN

Local | Anchorage  35°F

SUBSCRIBE

Nation/World

Census Bureau says it won't deliver redistricting data until end of September

 Author: [Mike Schneider, Associated Press](#)  Updated: February 12  Published February 12

The U.S. Census Bureau said Friday it won't be delivering data used for redrawing congressional and state legislative districts until the end of September, causing headaches for state lawmakers and redistricting commissions facing deadlines to redraw districts this year.

Officials at the statistical agency blamed operational delays during the 2020 census caused by the pandemic.

ALASKA CONSTITUTION

- Alaska Constitution Article VI

§ 10. Redistricting Plan and Proclamation –

(a) Within thirty days after the official reporting of the decennial census of the United States or thirty days after being duly appointed, whichever occurs last, the board shall adopt one or more proposed redistricting plans. The board shall hold public hearings on the proposed plan, or, if no single proposed plan is agreed on, on all plans proposed by the board. No later than ninety days after the board has been appointed and the official reporting of the decennial census of the United States, the board shall adopt a final redistricting plan and issue a proclamation of redistricting. The final plan shall set out boundaries of house and senate districts and shall be effective for the election of members of the legislature until after the official reporting of the next decennial census of the United States.

NORMAL CYCLE TIMELINE

- **March 15, 2021: Census Redistricting Data received**
- **April 14, 2021: Proposed Plans Adopted**
- **June 13, 2021: Final Plans adopted**
- **July 13, 2021: Deadline for Litigation Filings**
- **July 13, 2021 – May 30, 2022: nearly a full year buffer for litigation**
- **June 1, 2022: Legislative Candidate Filing Deadline**

CENSUS DATA WHEN?

- **Feb 12th** Census notified states that Redistricting data should be “expected by September 30”
- **State of Ohio** sued Census over the delay until September
- **March 15**, the Census said it “recently determined” that data in the older format used in 2010 could be available by “mid-August”
- **April 1**, the Census re-states that numerically identical data will be available “mid-to-late August, currently scheduling for the third week of August.”
- **April 15**, the Census says that initial data will be out August 16.
- **Census Info** page on www.akredistrict.org has actual emails

** September 30 is the currently published deadline, but data may be received sooner (days or weeks)*

2021 LATE-AUGUST TIMING

- **August 24, 2021*:** Census Redistricting Data received
- **September 23, 2021:** Deadline for Proposed Plans to be Adopted
- **November 22, 2021:** Deadline for Final Plan to be Adopted
- **December 22, 2021:** Deadline for Litigation Filings
- **Dec. 22 – June 1, 2022,** allows a max five month litigation window
- **June 1, 2022:** Legislative Candidate Filing Deadline

** August 24 is for example only. No fixed date has yet been announced by the Census Bureau*

2021 SEPT. 30 TIMING

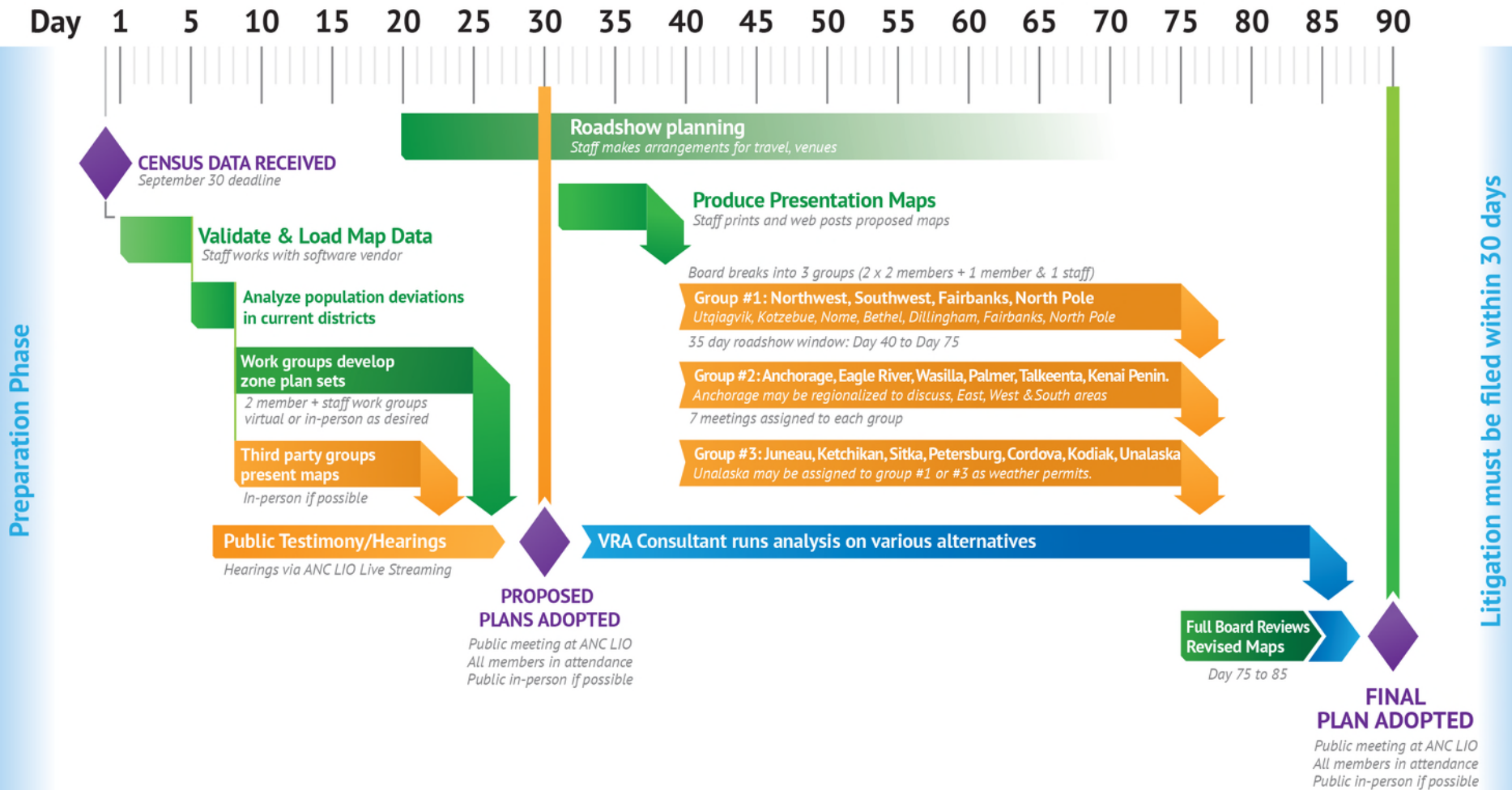
- **September 30, 2021*:** Census Redistricting Data received
- **October 30, 2021:** Deadline for Proposed Plans to be Adopted
- **December 29, 2021:** Deadline for Final Plan to be Adopted
- **January 28, 2021:** Deadline for Litigation Filings
- **Jan. 28 – June 1, 2022,** allows a max four month litigation window
- **June 1, 2022:** Legislative Candidate Filing Deadline

** September 30 is the currently published deadline, but data may be received sooner (days or weeks)*

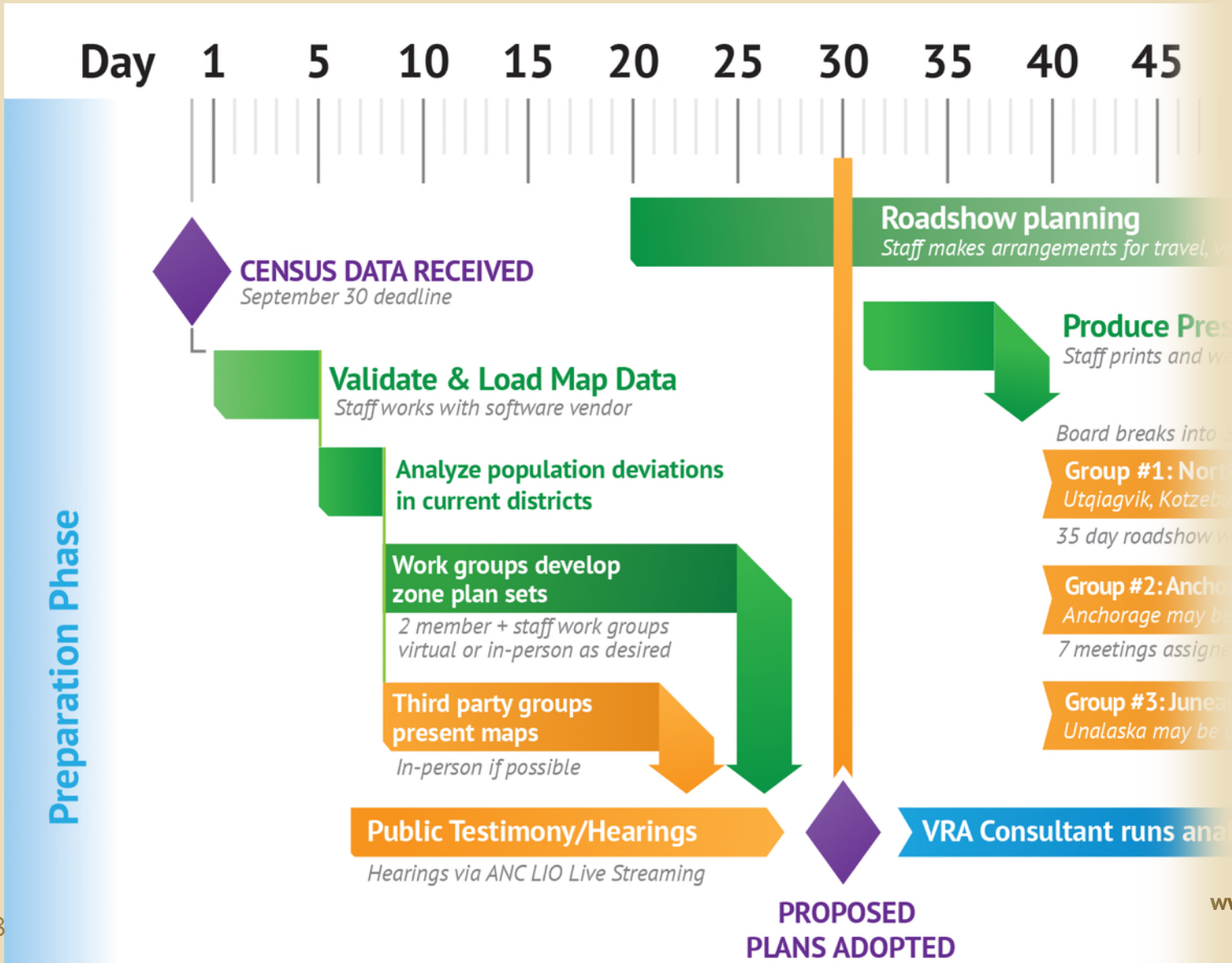
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- June 1, 2022: Legislative Candidate Filing Deadline

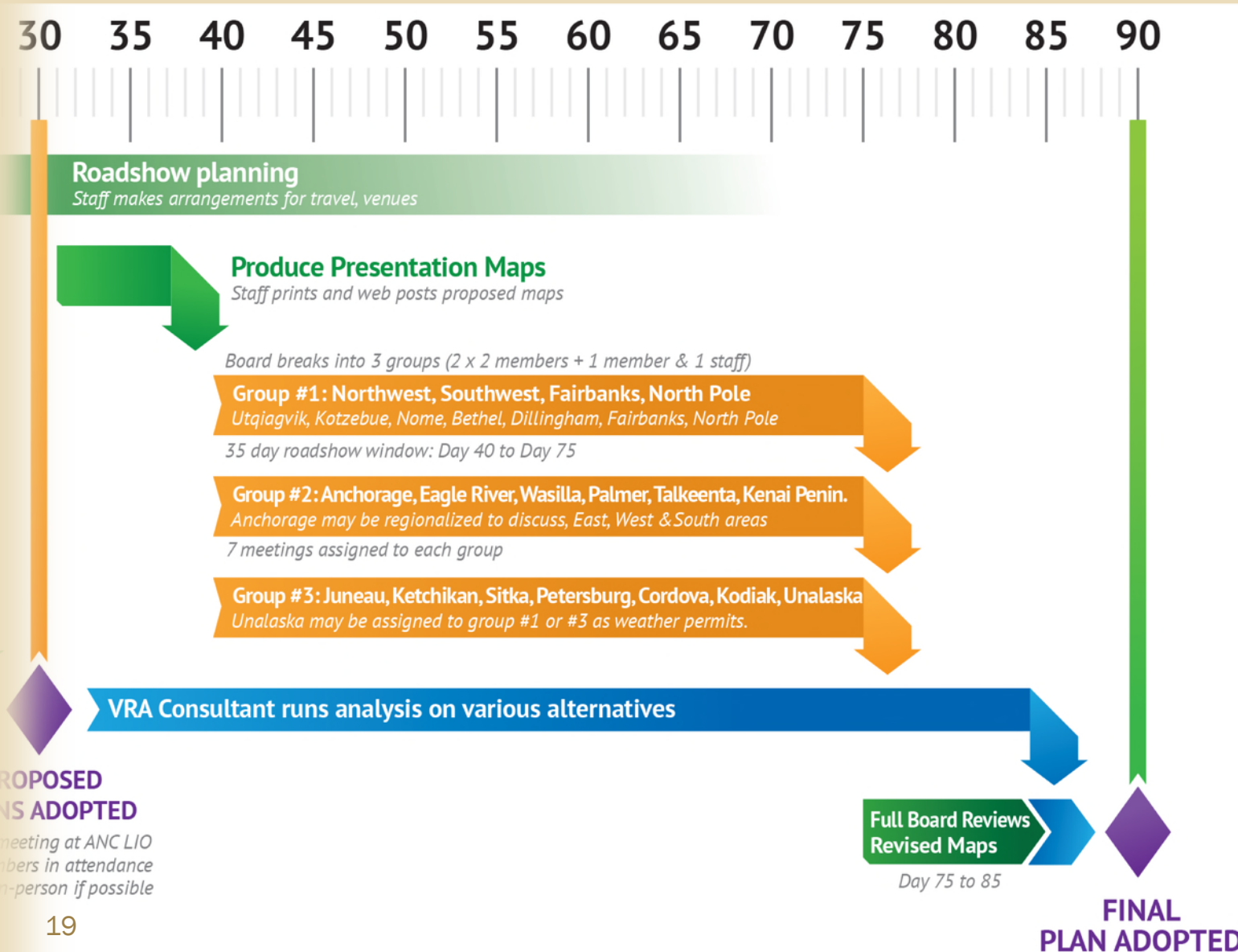
DRAFT TIMELINE DETAIL



DRAFT TIMELINE DETAIL



DRAFT TIMELINE DETAIL



THIS CYCLE IS UNIQUE

- Less than a single Alaska House seat in total population growth
- 2000 legislative district target was 15,700
- 2010 legislative district target was 17,756
- **2020 Census count: 733,391: District target will be 18,355**
- COVID delays introduce uncertainty into Census reporting timing
- Candidates may file for office before Census data is available or any new maps have been drawn
- Possible that candidate will file for District X, but will end up in District Y once population changes are accounted for
- Board keenly aware of this challenge, but not at liberty to change timeline
- COVID may force virtualized road show

WEBSITE AVAILABLE

www.akredistrict.org



ALASKA MAP BY CHARLES SUMNER CIRCA 1867

ANNOUNCEMENTS

[Census Redistricting Data Delayed](#)
On February 12th the U.S. Census notified the Board that redistricting data will be provided no later than September 30, 2021, pushing the deadline for a final plan to late December. [See more U.S. Census Info >](#)

[Redistricting Board Adopts Policies](#)
In public meetings on Dec. 29 and Jan. 26 the Board unanimously adopted a revised procurement code and suite of open meetings, records, compensation and travel policies. [See Board Policy Page >](#)

[Alaska Redistricting Board Retains Key Staff](#)
Today the Alaska Redistricting Board is pleased to announce the hiring of Peter Torkelson as Executive Director and TJ Presley as Deputy Director. [Full Story >](#)

GET INVOLVED

Stay Informed
Signup for email updates to receive advanced notice of upcoming board meetings and activities. [Signup Now >](#)

Make Your Voice Heard
Submit your comments on any map or matter under consideration by the board. Submissions become part of the public record and will be printed in the public comment section of the next Board Packet. A valid Alaska zip code is required. [Submit Public Comment Now >](#)

Questions or Concerns?
Ask questions or share your concerns on any issue related to the board's redistricting work. [Ask a question or share a concern >](#)

MAP GALLERY

2013 Statewide Proclamation
The current Alaska House districts have been in effect since the summer of 2013 and do not reflect the forthcoming census enumeration. [View Gallery >](#)

Anchorage & Mat-Su Maps
See zoomed-in maps on Southcentral districts from the 2010 redistricting cycle. [View Breakout Maps >](#)

Fairbanks & North Pole Maps
These maps for the Fairbanks/North Pole districts reflect the 2010 redistricting cycle. [View Breakout Map >](#)

Southeast Alaska Maps
These maps reflect the 2010-2013 redistricting cycle and do not reflect the 2020 census information. [View Southeast Map >](#)

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ALASKA REDISTRICTING BOARD
2000 2010 2020 2030 2040

ANNOUNCEMENTS

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MAP GALLERY

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GET INVOLVED

The best way to get involved is to sign up for our notification email service which will alert you in advance of all board meetings, upcoming events, significant dates or breaking news which affects the redistricting effort in Alaska. You may choose your alert level to suit your priorities.

First Name *

John

Last Name *

Smith

Email Address *

john@smith.com

Alert Level *

- ☒ Board Meeting Notices
- ☒ Significant Dates
- ☒ News that Affects Redistricting

Comments

Thanks for keeping me informed!

Submit

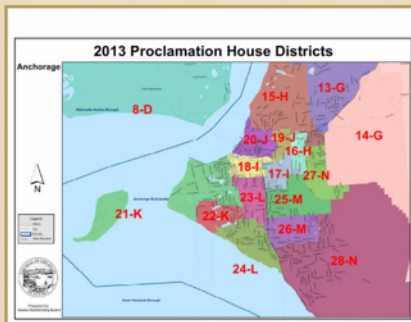
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ALASKA REDISTRICTING BOARD

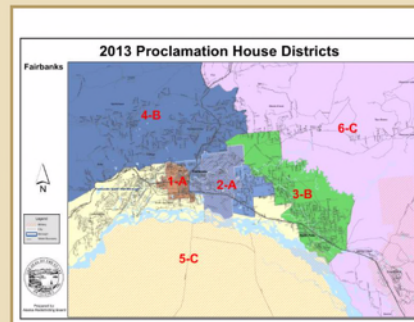
MAP GALLERY

The [2013 Redistricting Board Proclamation](#) maps currently define Alaska legislative districts statewide. These reflect the 2010 U.S. Census enumeration of 710,200 Alaskans for an ideal district population of 17,755.

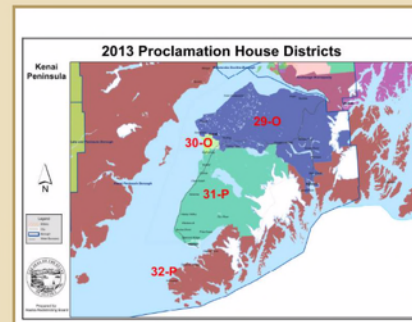
Click an image or map title for hi-resolution PDF file. Right click and choose "Download linked file as..." to download and save PDF for off-line reference.



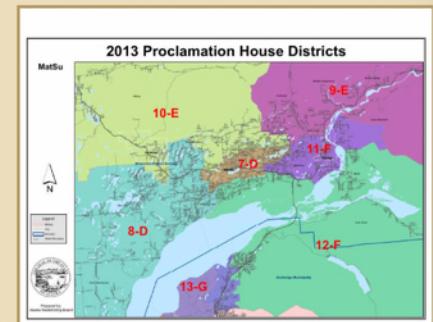
[2013 Proclamation Anchorage](#)



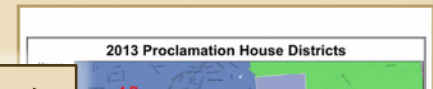
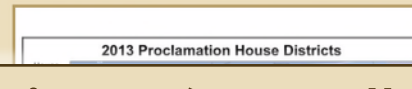
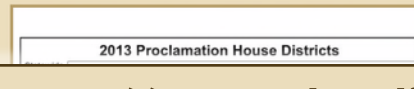
[2013 Proclamation Fairbanks](#)



[2013 Proclamation Kenai](#)



[2013 Proclamation MatSu](#)



<https://www.akredistrict.org/map-gallery/>

WEBSITE MAPS

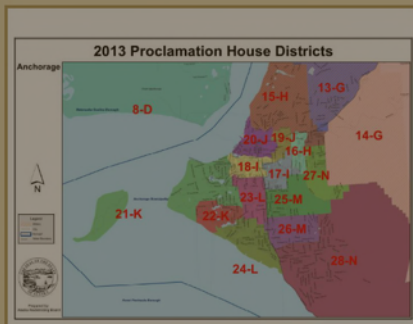
ALASKA
REDISTRICTING
BOARD



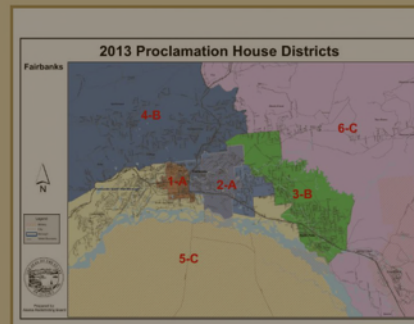
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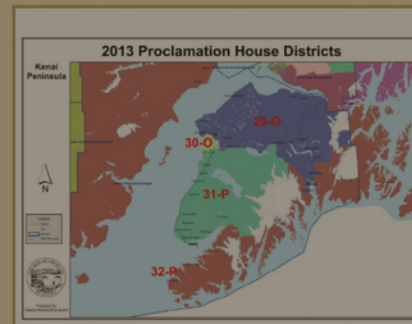
Click an image or map title for hi-resolution PDF file. Right click and choose "Download linked file as..." to download and save PDF for off-line reference.



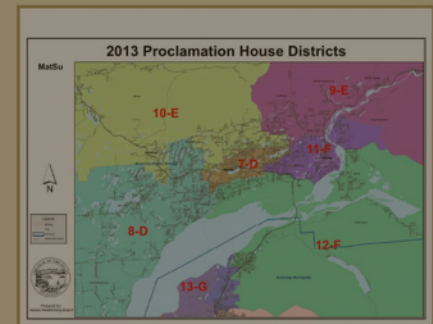
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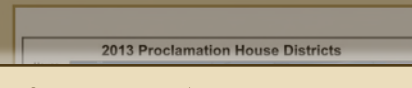
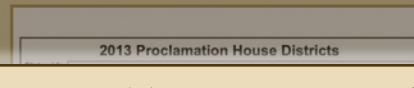
[2013 Proclamation Fairbanks](#)



[2013 Proclamation Kenai](#)



[2013 Proclamation MatSu](#)



<https://www.akredistrict.org/map-gallery/>

WEBSITE MAPS

ALASKA REDISTRICTING BOARD



CENSUS INFORMATION

On February 12, the Census Bureau notified the Board that redistricting data will be delivered by September 30, 2021.
(see email below)

The 2020 United States Census has been an unprecedented effort conducted in the teeth of a pandemic. Delays, lawsuits and counter suits have been seen from every angle with conflicting information in abundance. Deadlines have shifted one direction and then whipsawed another.

- [NCSL has an overview of 2020 Census events >](#)
- [Official Census News & Events Website >](#)
- [Pew Research discussion on Census Accuracy >](#)

Unlike some states, Alaska's constitutional authors foresaw this potential and set the schedule for Alaska redistricting to be triggered "immediately following the official reporting of each decennial census of the United States" (Alaska Constitution, Article VI, §3). After official receipt, the constitution requires that the board adopt a draft plan within 30 days and a final plan within 90 days. [See Governing Law >](#)

From: DIR Redistricting Data Office (CENSUS/DIR) <dir.redistricting.data.office@census.gov>

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Map Comment

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Governing Law

Board Policies

Census Info

ALASKA REDISTRICTING BOARD

THANK YOU

Please reach out to ask questions or share concerns

peter.torkelson@akredistrict.org

tj.presley@akredistrict.org

907-563-0300

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Page 54 of 199

COMPILED FOR THE DEPARTMENT

Introduced by: Finance Committee
Introduction Date: April 27, 2021
Public Hearing Date: May 11, 2021
May 25, 2021
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #21-14

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE 4.16.160 SALES TAX EXEMPTIONS AND LIMITATIONS

WHEREAS, in 2017, the City of Bethel repealed and readopted the City's Municipal Code 4.16, Sales Tax Exemptions;

WHEREAS, in 2020, the City began collecting remote sales tax through the Alaska Remote Seller Sales Tax Commission (ARSSTC);

WHEREAS, in establishing the City's participation in ARSSTC, it became clear that some of the City's sales tax exemptions and limitations were confusing or inconsistent;

WHEREAS, addressing these inconsistencies and clarifying the sales tax exemptions and limitations will improve accurate and timely collection of City sales tax and make the City's sales tax regulations more user-friendly for the City administration and the public.

NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA:

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

SECTION 2. Amendment. Bethel Municipal Code Chapter 4.16.160 Tax Exemptions, is amended as follows, new language is underlined old language is stricken.

4.16.160 Exemptions and Limitations on Exemptions

The following sales and services are exempt from the tax levied under this chapter only in accordance with the exemptions and limitations thereon, as provided for in this section:

- A. *Admissions.* Sales of admission to school entertainments, school athletic events, and events conducted for the benefit of charitable or community organizations are exempt. ~~This exemption does not apply to sales of gaming property.~~
- B. *ATVs/Boats.* That portion of the selling price of an all-terrain vehicle (ATV), snow machine, boat, or boat motor in excess of three thousand five hundred dollars (\$3,500) is exempt, regardless of whether or not such items are purchased simultaneously, or are invoiced or otherwise billed on the same billing document.
- C. *Banking* The following fees, sales and services charged by banks, savings and loan associations, credit unions and investment banks are exempt:
- Fees for the sale, exchange or transfer of currency, stocks, bonds and other securities;
 - Loans.* The principal amount of the loan, the interest charged for loaning of money, escrow collection services, and any fees associated with the loaning of money ~~are exempt~~;
 - Services associated with the sale, exchange or transfer of currency, stocks, bonds and other securities;
 - Pass-through charges on loan transactions which include sales tax;
 - Sale of insurance policies, bonds of guaranty and fidelity (AS [21.09.210](#)).
- D. *Casual and Isolated Sales, Services or Rentals.* Proceeds from casual, occasional or isolated sales which are easily identified as the sale of ~~personal goods or property~~ tangible personal property or goods at such functions as moving, garage, yard, food and bake sales, markets or fairs (such as flea markets and craft fairs), the sale of private vehicles when the seller is not a dealer in used vehicles, or services such as babysitting or house-sitting provided the seller does not regularly engage in the business of selling such goods or services or rentals ~~but are exempt, but~~ only if:
- The sales of goods and services do not occur for more than ten (10) days in a calendar year, and are not made through a dealer, broker, agent or consignee; or

2. The rental of personal tangible property does not exceed sixty (60) days in a calendar year, whether or not consecutive. ~~The rental of real estate is not exempt.~~
3. Sales or rentals made pursuant to a business license or by sellers representing themselves to be in the business of making sure sales, rentals or services are not exempt.
4. The rental of real estate is not exempt.
- E. *Cemetery Plots.* The sale of cemetery/burial plots is exempt.
- F. ~~*Commerce.* Freight and wharfage charges, whether arising out of foreign, interstate or intrastate commerce, are exempt.
Warehouse and storage services transportation of goods, equipment, or other property from one point to another within the city limits by commercial movers is are not exempt.~~
- G. *Compliance with State and Federal Laws.* Gross receipts or proceeds derived from sales or services which the city is prohibited from taxing under the laws of the state or under the laws and the Constitution of the United States, including, but not limited to the following:
 1. Sales by the U.S. Postal Service are exempt;
 2. Purchases made under the authority of or made with any type of certificate issued pursuant to [42](#) USC Sections [1771](#) through [1789](#) (Child Nutrition Act of 1966) are exempt;
 3. *Repealed by Ord. 20-06.*
 4. ~~Air transportation including that portion of any chartered fishing or hunting expedition which covers the cost of air transportation;~~ Air transportation precluded from taxation under AS 29.45.820 is exempt.
 5. Gross receipts or proceeds derived from sales to the United States Government, the state, a city or any political department thereof are exempt. However, the exemption shall not apply to the sale of materials and supplies to contractors for the manufacture or production of property or rendering services for sale to such government units or agencies on a contract bid

- award, in which event the contractor shall be deemed the buyer, subject to the payment of the tax.
6. A sale or rental to an employee of the state, its political subdivisions, or the federal government is ~~only~~ exempt, but only when the government employee provides proof that the sale is for government business by paying for the sale with a government voucher, purchase order, check, credit card, or warrant, or providing other verifiable documentation to the seller to allow the seller to readily determine that the sale is for government business.
7. A sale or rental to a federally recognized tribe is exempt, but only when the tribal employee provides proof that the sale is for tribal government business by paying for the sale with a tribal voucher, purchase order, check, credit card, or warrant, or providing other verifiable documentation to the seller to allow the seller to readily determine that the sale is for tribal government business.
- H. *Credit Unions*. Sales to or by federally chartered credit unions or credit unions organized under AS 06.45 are exempt.
- I. *Dues*. Dues or fees paid to clubs, labor unions and other organizations solely for the privilege of membership are exempt.
- J. *Freight and Wharfage*. Freight and wharfage charges, whether arising out of foreign, interstate or intrastate commerce, are exempt unless such delivery services are included in a through bill of lading in conjunction with interstate commerce. ~~Warehouse, storage services, and delivery services that begin and end within the city of Bethel are taxable, unless such delivery services are included in a through bill of lading in conjunction with interstate commerce.~~ 1. Warehouse and storage services are not exempt. 2. Transportation of goods, equipment, or other property from one point to another within the city limits by commercial movers is not exempt.
- K. *Maximum Tax*. That portion of the selling price for a single piece of equipment or tangible personal property ~~by an individual unit price in excess of ten thousand dollars (\$10,000) is exempt. A single sales unit is any retail merchandise sale in~~ excess of ten thousand dollars (\$10,000) is exempt, where the selling price is

totalled on one (1) invoice or on any sales slip, ~~although this exemption does not apply if any portion of the invoice or sales slip refers to more than~~ under one (1) calendar day.

L. *Medical Services.*

1. Services of a person licensed or certified by the state of Alaska as a doctor of medicine and surgery, a doctor of osteopath and surgery, a chiropractor, a dentist, an optometrist, an audiologist, a hospital, an occupational therapist, a physical therapist or a licensed or practical nurse; provided, that the service is within the scope of the state license or certificate are exempt;
2. Services of a person licensed or certified by the state of Alaska as a psychologist or psychological associate, a clinical social worker, an alcohol or drug counselor, a marital and family therapist or a licensed professional counselor; provided, that the service is within the scope of the state license or certificate are exempt;
3. Fees for supplies, equipment and services provided by a hospital, medical clinic or dental clinic for patient treatment, including laboratory and x-ray services are exempt;
4. Assisted living services provided in accordance with an assisted living plan and in an assisted living home licensed as such by the state are exempt;
5. Gross receipts or proceeds of the retail sale of prescription drugs are exempt;
6. ~~Services rendered by masseurs, even those working for a hospital, chiropractor or other medical provider, are not exempt.~~
Services rendered by massage therapists, including those working for a chiropractor or other medical provider, are not exempt.

M. *Newspapers.* Sales of newspapers are exempt.

N. *Nonprofits.* A sale of goods or services to any ~~entity that, at the time of the sale,~~ is nonprofit able to produce ~~entity that, at the time of sale, can produce~~ a sales tax exemption card and that has:

1. ~~legally constituted and legitimately acting in accordance with~~ a duly authorized federal tax-exempt status pursuant to IRS Regulations, Section

501(c)(3), (4) or (19) is exempt, provided that any income from the exempt sale is also exempt from federal taxation;

~~2. provided any income from the exempt sale is exempt from federal taxation;~~
and

~~3. provided the nonprofit produces a sales tax exemption card.~~

~~Exceptions: Activities provided by the entity where such organization is engaged in business for profit or is competing with other persons engaged in the same manner or in a similar business are not exempt.~~

O. *Public Assistance.* Purchases made with food coupons, food stamps, or other type of certificate issued under [7](#) USC Sections [2011](#) through [2025](#) (Food Stamp Act) or other certificates issued under [42](#) USC [1786](#) (Special Supplemental Food Program for Women, Infants and Children) are exempt.

P. *Real estate sales.* Sale of property consisting of land and/or buildings are exempt.

Q. *Recreational Vehicles.* That portion of the selling price of an all-terrain vehicle (ATV), snow machine, boat, or boat motor in excess of three thousand five hundred dollars (\$3,500) is exempt, ~~is exempt~~ regardless of whether or not such items are purchased simultaneously, or are invoiced or otherwise billed on the same billing document.

R. ~~*Rental Units.* Costs incurred by owners/landlords for rental units, such as included utilities, fuel, or any other expenses, are not exempt.~~

Rental Units. Costs incurred by owners/landlords for rental units, such as included utilities, fuel, or any other expenses, are not exempt unless the sales tax is paid by owners/landlords in the purchase of fuel and electricity when the cost of such purchase is provided as a part of the total rental cost.

S. *Retail Sales of Foods.* ~~Are exempt in~~ Prepared food sold under the following circumstances are exempt as follows:

1. When served in cafeterias or lunchrooms of elementary, secondary, post-secondary schools, colleges or universities which are operated primarily for students and staff, and are not operated for the public or for profit;

2. When served to clients and staff, and not to the public or for profit, as part of services provided by a nonprofit hospital or other nonprofit government organization licensed by the state of Alaska for the care of humans;
 3. Meals delivered by a nonprofit organization to handicapped or senior citizens at their place of residence or meals served on the premises of a nonprofit to senior citizens or the homeless or disadvantaged; provided, that the sale price of such meals does not exceed the cost of delivery or service of such meals.
- T. *Sales to Retailers.* Are exempt only if the buyer presents to the seller a valid exemption card, issued by the city pursuant to this section, and for the class of activity involved for which the exemption is sought and:
1. The sale of goods, wares or merchandise to a retail dealer, manufacturer or contractor is for resale within the city as is or incorporated into a product or commodity to be sold by the dealer, manufacturer or contractor within the city, if the subsequent sale is subject to the city sales tax;
 2. and the ~~The~~ product is an item sold as part of the reseller's primary business and ~~must be~~ is of such nature that it can be purchased by the general public in a transaction that is not dependent upon the purchase of another product or service.
 3. ~~The exemption card must be for the class of activities involving the resale of the type of goods for which the exemption is sought.~~
 4. Food products that are purchased for resale must be purchased and sold as is or prepared in a commercial kitchen. ~~If a purchaser buys goods for resale in accordance with this subsection and for personal or other use at the same time, only the goods that are to be sold for resale in accordance with this subsection shall be exempt.~~
 5. ~~Supplies, services, tools, repair services, equipment or any other goods or services purchased to support a business but not for resale in accordance with this subsection are not exempt.~~
- U. *School.*

Introduced by: Finance Committee
Introduction Date: April 27, 2021
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1. Fees and charges for extracurricular activities or events promoted or undertaken by educational or student organizations are exempt;
 2. Sales by any student organization, parent/teacher organization or booster club recognized by the school or educational organization in which it operates, which proceeds are utilized to further the purposes for which the organization was formed are exempt;
 3. Sales and services by schools or other educational organizations made in the course of their regular functions and activities, which proceeds are utilized to further the purposes for which such organization was formed are exempt;
 4. Sales of food and beverages at educational lunchrooms which are operated primarily for staff and/or students, and which are not operated for the purpose of sale to the general public for profit are exempt;
 5. The service of transporting students to and from a school in vehicles when in the regular course of that business is exempt.
- V. *Securities*. The sale of insurance and bonds of guaranty and fidelity, and the commission thereon (AS [21.09.210\(f\)](#), [21.79.130](#), [21.80.130](#)) is exempt.
- W. *Senior Citizen Exemptions*. The following are exempt only if the buyer, or their designee, presents a valid senior citizen exemption certificate and the product or service is intended primarily for the senior citizen holding the exemption card:
1. ~~The sale to a senior citizen of f-Food~~ intended for consumption by the senior citizen, their spouse, or same sex partner living in the same household, or the unemancipated minor children of either the senior citizen or their spouse or same sex partner, who live in the same household. For purposes of this subsection, "food" is defined in accordance with [7](#) USC Section [2012\(g\)](#) (definition of "food" for purposes of the Food Stamp Act).
 2. The payment of rent by a senior citizen on a single dwelling occupied as the senior citizen's primary residence and permanent place of abode.
 3. Payment for telephone, electric, ~~water and sewer utility services, and heating~~ fuel by a senior citizen on a single dwelling occupied as the senior citizen's primary residence and permanent place of abode.

- ~~4. The payment for heating fuel used by a senior citizen for a single dwelling occupied as the senior citizen's primary residence and permanent place of abode.~~
- ~~5. The sale of alcohol, tobacco, bingo cards, raffle tickets, pull tabs, other games of chance and/or marijuana to a senior citizen is not exempt.~~
- X. *Services.* That portion of the selling price of a single service that exceeds twelve thousand dollars ~~(\$12,000)~~ 2,400.00 is exempt. This amount will be adjusted in ~~2019~~ 2022 and every two (2) calendar years thereafter consistent with the Consumer Price Index for all urban consumers for Anchorage metropolitan area compiled by the United States Department of Labor, Bureau of Labor Statistics. Adjustments to the amount listed will be rounded to the nearest one hundred dollars (\$100). For the purposes of this subsection, a single service is an interrelated and interdependent function necessary to perform a specified action. If a single service is performed over a period exceeding one (1) month, the selling price must be apportioned to a monthly or invoice basis, whichever is more frequent, proportionate to the service performed, except for:
1. A commission paid to an agent for negotiating the sale of real property ~~(the commission is taxed at the first twelve thousand dollars (\$12,000) of the sale, regardless of the length of time the agent has taken in selling the property); or~~
 2. A written contingency fee agreement award or settlement ~~(to be collected on the first twelve thousand dollars (\$12,000) of the fee award regardless of the length of time taken to resolve the case).~~
- Y. *Transportation.*
- ~~1. The following types of transportation services are exempt:~~
 - ~~a. 1. The sale of services for transporting passengers by river taxi, taxicab, bus, commercial airline, air charter, air taxi, hover craft, or are exempt.~~
 - ~~b. 2. The sale of passenger seat tickets by a commercial airline is exempt;~~

Introduced by: Finance Committee
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e. 3. The service of transporting disabled or handicapped individuals when in the regular course of that business is exempt.

~~2. The following are not exempt:~~

a. 4. The lease of vehicle for hire permits are not exempt.

b. 5. The portions of a sale of flight seeing or air/water/shore excursion travel or adventure services which are not charges for transportation of persons on a federal airway are exempt;

e. 6. The lease or rental of vehicles is not exempt.

Z. *Utilities.* Payment for city water, sewer and refuse utility services by any and all persons or entities are exempt.

AA. *Wholesale.* Proceeds from products sold as wholesale sales to businesses designated by the state of Alaska as wholesalers are exempt. These include sales of goods, wares or merchandise to a retail dealer, manufacturer or contractor for resale within the city as is or incorporated into a product or commodity to be sold by the dealer, manufacturer or contractor within the city, if the subsequent sale is subject to the city sales tax. In this connection a retailer must stock that merchandise for resale, display the same to the public and hold themselves out as regularly engaged in the business of selling such products.

SECTION 4. This Ordinance shall become effective immediately following adoption by the Bethel City Council.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA
THIS __ DAY OF FEBRUARY 2021 BY A VOTE OF _ IN FAVOR AND _
OPPOSED.**

Michelle DeWitt, Mayor

ATTEST:

City of Bethel

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Ordinance 21-14

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Introduced by: Finance Committee
Introduction Date April 27, 2021
Public Hearing Date: May 11, 2021
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Lori Strickler, City Clerk

SUGGESTED AMENDMENT TO ORDINANCE 21-14

From Administration

Suggested Amendment

Motion to amend to:

1. Strike new language “provided that any income from the exempt sale is also exempt from federal taxation”
 2. Insert new language “Exceptions: A sale of goods or services to any nonprofit when the sale of the goods or services is used to support for-profit business operations or operations that compete with persons engaged in similar business operations, are not exempt from taxation.”
- A. *Nonprofits.* A sale of goods or services to any ~~entity that, at the time of the sale, is nonprofit able to produce~~ entity that, at the time of sale, can produce a sales tax exemption card ~~and that has:~~
- ~~1. legally constituted and legitimately acting in accordance with a duly authorized federal tax-exempt status pursuant to IRS Regulations, Section 501(c)(3), (4) or (19) is exempt, provided that any income from the exempt sale is also exempt from federal taxation;~~
 - ~~2. provided any income from the exempt sale is exempt from federal taxation; and~~
 - ~~3. provided the nonprofit produces a sales tax exemption card.~~

~~Exceptions: Activities provided by the entity where such organization is engaged in business for profit or is competing with other persons engaged in the same manner or in a similar business are not exempt.~~

Exceptions: A sale of goods or services to any nonprofit when the sale of the goods or services is used to support for-profit business operations or operations that compete with persons engaged in similar business operations, are not exempt from taxation.

Bethel Municipal Code 4.16.040 Presumption of taxability, provides: it is presumed that all sales by a person engaging in business are subject to the sales tax. This assumption applies to sales made by nonprofits, even if those sales are to support the mission of the nonprofit. Although that can be assumed through a review and interpretation of the code, a clearer exception to this exemption may help facilitate clearer expectation from the public on collections.

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date: May 25, 2021
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CITY OF BETHEL, ALASKA

Ordinance 21-20

AN ORDINANCE OF THE BETHEL CITY COUNCIL REPEALING CHAPTERS 2.24 (PLANNING COMMISSION), 2.25 (PUBLIC SAFETY AND TRANSPORTATION COMMISSION), 2.52 (BOARDS, COMMITTEES AND COMMISSIONS), AND 14.04 (PORT COMMISSION)

AND ESTABLISHING CHAPTER 2.60 (COMMITTEES COMMISSIONS AND AD HOC COMMITTEES)

WHEREAS, various Bethel Municipal Code chapters govern the structure, duties and obligations of boards, committees and commissions and their members and staff;

WHEREAS, a review, update, and consolidation of these provisions clarifies and streamlines the duties and obligations of these bodies and provides consistency in the City's facilitation of board, committee and commission meetings;

WHEREAS, the City recognizes that the goal of citizen involvement is to seek objective opinions from a diverse array of residents and to value the expression of citizen viewpoints in all areas;

WHEREAS, the City wishes to provide stronger support and guidance to the volunteer boards, committees, and commissions by clarifying duties and responsibilities for each of these recommending bodies;

WHEREAS, the City wishes to promote civic engagement and encourage participation in municipal government among the youth of our community by allowing youth volunteers to be appointed to boards, committees and commissions;

WHEREAS, Ordinance 21-21, amending Chapter 5.20 of the Bethel Municipal Code is linked to this Ordinance; however, because of changes to the Public Safety and Transportation Commission's duties and the impacts those changes may have on the transportation industry, that ordinance is presented separately;

NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA:

City of Bethel, Alaska

Ordinance #21-20

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Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
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SECTION 1. Classification. This is a codified ordinance of general and permanent nature and shall become part of the Bethel Municipal Code.

SECTION 2. Amendment. Bethel Municipal Code 2.24 Planning Commission is repealed.

Chapter 2.24

PLANNING COMMISSION

Sections:

~~2.24.010 — Assumption of power.~~

~~2.24.020 — Establishment of commission.~~

~~2.24.030 — Planning, subdivision and land use functions.~~

~~2.24.040 — Composition and staff.~~

~~2.24.050 — General procedures.~~

~~2.24.010 — Assumption of power.~~

Pursuant to AS ~~29.35.260(c)~~, the city has assumed the powers of planning, platting and land use regulation. [Ord. 12-01 § 2; Ord. 01-05 § 4.]

~~2.24.020 — Establishment of commission.~~

Pursuant to AS ~~29.35.260(c)~~ and ~~29.40.020~~, there is established the city planning commission. Its duties, functions, procedures and composition shall be as specified in this chapter. [Ord. 12-01 § 2; Ord. 01-05 § 4.]

~~2.24.030 — Planning, subdivision and land use functions.~~

~~A. The planning commission may:~~

~~1. Review and make recommendations on existing and proposed federal, state and city land selection, acquisition, disposal or management practices that affect the city;~~

~~2. Make recommendations concerning the city's annual planning budget and work program;~~

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59 ~~3. Make recommendations concerning all planning consulting contracts to which~~
60 ~~the city is or proposes to be a party;~~

61 ~~4. Make recommendations concerning needed or proposed public improvements;~~

62 ~~5. Recommend to the city council the prioritization of the projects in the city's~~
63 ~~annual and long-term capital improvements program;~~

64 ~~6. Recommend to the city council adoption of and changes to subdivision, land~~
65 ~~use, site plan, land acquisition and disposal, flood control, housing, building and~~
66 ~~similar codes.~~

67 ~~B. The planning commission shall:~~

68 ~~1. Maintain and update the official map of the city;~~

69 ~~2. Recommend to the city council integrated or consolidated land use and related~~
70 ~~codes;~~

71 ~~3. Regularly review the comprehensive plan or its components and recommend to~~
72 ~~the city council updates or other changes. The comprehensive plan should include:~~

73 ~~a. Statements of policies, goals and standards;~~

74 ~~b. A land use plan;~~

75 ~~c. A community facilities plan;~~

76 ~~d. A transportation plan; and~~

77 ~~e. Recommendations for implementation of the comprehensive plan;~~

78 ~~4. Recommend to the city council ordinances to implement the comprehensive~~
79 ~~plan;~~

80 ~~5. Act as the platting authority for the city;~~

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81 ~~6. Perform such other duties and functions as are provided for in BMC Titles 15,~~
82 ~~16, 17 and 18 and other provisions of this code.~~

83 ~~2.24.040 — Composition and staff.~~

84 ~~A. The voting members of the planning commission shall be six (6) citizens who have~~
85 ~~been residents of the city for at least one (1) year. The seventh (7th) voting member~~
86 ~~shall be a member of the city council. The planning department manager or their~~
87 ~~designee will act as staff to the commission and may participate in commission~~
88 ~~discussions, except appeals of decisions of the planning manager or planning staff, but~~
89 ~~is not allowed to vote.~~

90 ~~B. Members shall be appointed to the commission by the mayor and shall be~~
91 ~~confirmed by the council. Appointments to fill vacancies shall be for the unexpired term.~~

92 ~~C. The term of office shall be three (3) years. Two (2) commission members' terms~~
93 ~~shall expire each year on December thirty first (31st).~~

94 ~~D. The planning commission shall designate a member to preside as chairperson for a~~
95 ~~period of one (1) year. The commission shall also designate as its vice chairperson a~~
96 ~~member who shall exercise the powers of the chairperson during the absence of the~~
97 ~~chairperson.~~

98 ~~E. Four (4) members constitute a quorum. Any act of the commission requires an~~
99 ~~affirmative vote of at least four (4) members.~~

100 ~~F. The planning department shall provide administrative support to the commission.~~

101 ~~G. *Alternate Members.* The mayor shall appoint up to two (2) additional members to~~
102 ~~serve as alternate members, subject to confirmation by the council. An alternate~~
103 ~~member will be activated as a voting member whenever there is an absence or conflict~~
104 ~~of interest of another member. At all other times the alternate member shall be an ex~~
105 ~~officio member. [Ord. 12-01 § 2; Ord. 09-09 § 3; Ord. 01-05 § 4.]~~

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106 ~~2.24.050 — General procedures.~~

107 ~~A. Regular meetings shall be held on a schedule established by the planning~~
108 ~~commission. The schedule of the regular meeting dates, times and places shall be~~
109 ~~published at least twice in a newspaper of general circulation in the city. The publication~~
110 ~~shall cover the regular meetings scheduled for the next twelve (12) months or through~~
111 ~~the end of the next calendar year. The two (2) publications should be within five (5) to~~
112 ~~fifteen (15) days of each other. Publication of notice of a specific regular meeting may~~
113 ~~also be made, but is not necessary unless required by other provisions of this code. A~~
114 ~~copy of the proposed agenda shall be posted at least five (5) days before the meeting~~
115 ~~at City Hall and in three (3) other public places where such notices are regularly posted.~~

116 ~~B. *Postponing or Rescheduling of Regular Meetings.* A regular meeting may be~~
117 ~~postponed or rescheduled to another date upon a vote of the majority of the members~~
118 ~~at a previous regular or special meeting. A regular meeting may be postponed or~~
119 ~~rescheduled because of an expected lack of a quorum of the members at a scheduled~~
120 ~~regular meeting. Notice of the postponing or rescheduling of a regular meeting shall be~~
121 ~~given in accordance with subsection C of this section. If a regular meeting is~~
122 ~~rescheduled, it may not be rescheduled before five (5) days after the last regular~~
123 ~~meeting in order to give the public notice of the rescheduled date.~~

124 ~~C. Special meetings may be called by the chairperson or shall be called by the~~
125 ~~chairperson at the request of two (2) members of the commission. Notice of special~~
126 ~~meetings shall be given by posting notice of the date, time and place of the meeting at~~
127 ~~least five (5) days prior to the meeting at City Hall and three (3) other public places~~
128 ~~where such notices are regularly posted.~~

129 ~~D. Meetings shall be public and minutes shall be kept. Minutes shall be retained as a~~
130 ~~public record in the office of the city clerk.~~

131 ~~E. Meetings shall be conducted under Robert's Rules of Order with such modifications~~
132 ~~and additions as may be adopted by the commission.~~

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~~F.—*Office and Staff.* The commission and its staff shall be provided office space suitable for its needs with adequate room to file its journals, resolutions, records, reference materials, correspondence, maps, plats and charts, all of which shall constitute public records of the city. The city manager shall make available to the commission, its staff and consultants the public records to aid the furtherance of the performance of the commission's duties.~~

~~G.—All formal actions of the commission shall be by resolution bearing:~~

~~1.—The heading "Resolution of the Bethel Planning Commission";~~

~~2.—The space for the resolution number to be assigned, "Resolution No. (number)";~~

~~3.—A short and concise title descriptive of its subject and purpose;~~

~~4.—A short list of "Whereas" clauses descriptive of the reasons for the resolution, if necessary;~~

~~5.—The resolving clause "THEREFORE, BE IT RESOLVED THAT..."; followed by a statement of the action approved by the commission and such factual findings, conclusions and other matters as may be appropriate; and~~

~~6.—A declaration of the date the resolution was adopted: "Adopted (date)" and designated lines for the signatures of the chairperson and the commission clerk.~~

~~H.—All funds received by the commission or the planning department as fees, charges, or otherwise shall be deposited in the general fund of the city and may be expended only pursuant to an appropriation.~~

~~I.—Members of the planning commission may be paid a fee or honorarium and reimbursed for expenses as provided by resolution of the city council.~~

SECTION 3. Amendment. Bethel Municipal Code 2.25 Public Safety and Transportation Commission is repealed.

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
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Chapter 2.25

~~PUBLIC SAFETY AND TRANSPORTATION COMMISSION~~

~~Sections:~~

~~2.25.010 — Establishment of commission.~~

~~2.25.020 — Powers and duties.~~

~~2.25.030 — Composition.~~

~~2.25.040 — Ex officio members and staff.~~

~~2.25.050 — Application of Chapter 2.52 BMC.~~

~~2.25.060 — Regulations.~~

~~2.25.070 — Public and private ground transportation facilities defined.~~

~~2.25.010 — Establishment of commission.~~

~~There is established a public safety and transportation commission (PSTC). The PSTC shall provide advice regarding public safety and transportation issues, and regulate taxicabs, river taxis, buses, limousines or airport limousines, chauffeurs and dispatch services in accordance with this chapter, Chapters 5.20 through 5.50 BMC and other applicable law.~~

~~2.25.020 — Powers and duties.~~

~~A. With respect to providing advice regarding public safety and transportation issues, the PSTC shall:~~

~~1. Hear and review public safety and transportation concerns and advise the city council on these issues;~~

~~2. Hear and review citizen complaints regarding the police and fire departments and provide suggestions for resolution of the complaints to the city manager;~~

~~3. Produce reports on specific public safety and transportation concerns when appropriate;~~

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- 183 ~~4. Inform the city council on municipal and state legislation relevant to public-~~
184 ~~safety and transportation;~~
- 185 ~~5. Support municipal legislative programs on state issues relevant to public safety-~~
186 ~~and transportation, when appropriate;~~
- 187 ~~6. Review information presented regarding the availability of all federal, state,-~~
188 ~~municipal and private resources for public safety and transportation in the city, and-~~
189 ~~advise the city council;~~
- 190 ~~7. Advise the council with respect to the operation, management, regulation, and-~~
191 ~~control of the city's public and private ground transportation facilities;~~
- 192 ~~8. Advise the council with respect to the operation, management, regulation, and-~~
193 ~~control of the city's public and private ground transportation facilities in accordance-~~
194 ~~with Chapters 5.20, 5.30, 5.40, 5.45 and 5.50 BMC, and other applicable ordinances~~
195 ~~now in effect or hereinafter enacted;~~
- 196 ~~9. Advise the council with respect to the integration of public and private ground-~~
197 ~~transportation facilities within Bethel;~~
- 198 ~~10. Periodically review the budget, capital improvement programs and funding of-~~
199 ~~city owned ground transportation systems and report its findings to the city council;~~
- 200 ~~11. Periodically study and advise the city council with respect to location and-~~
201 ~~development of transportation systems, transportation coders, traffic movement,-~~
202 ~~and those aspects of urban growth which facilitate or impede movement of people-~~
203 ~~and goods, and those aspects of transportation that contribute to orderly economic-~~
204 ~~development within the city;~~
- 205 ~~12. Perform such other duties as the city council may refer to it from time to time;~~
- 206 ~~13. Do such other acts as are necessary and proper to the performance of the-~~
207 ~~duties and functions set forth in this chapter.~~

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208 ~~B. With respect to regulating taxicabs, river taxis, buses, limousines or airport-~~
209 ~~limousines, chauffeurs and dispatch services, the PSTC shall:~~

210 ~~1. Regulate taxicabs, river taxis, buses, limousines or airport limousines,-~~
211 ~~chauffeurs and dispatch services in accordance with Chapters 5.20 through 5.50-~~
212 ~~BMC and other applicable law;~~

213 ~~2. Hold public hearings as necessary to investigate the quality of service rendered-~~
214 ~~by taxicabs, river taxis, buses, limousines or airport limousines, chauffeurs and-~~
215 ~~dispatch services and make such recommendations to the council as it deems-~~
216 ~~necessary for the improvement of such services;~~

217 ~~3. Administer oaths, certify to all official acts, and issue subpoenas and other-~~
218 ~~process to compel the attendance of witnesses and the production of testimony,-~~
219 ~~records, papers, accounts and documents in an inquiry, investigation, hearing or~~
220 ~~proceeding before the PSTC for the purpose of regulating taxicabs, river taxis,-~~
221 ~~buses, limousines or airport limousines, chauffeurs and dispatch services. The-~~
222 ~~commission may petition a court of the state to enforce its subpoenas or other-~~
223 ~~process;~~

224 ~~4. Conduct hearings pursuant to Chapter 5.20 BMC and other applicable-~~
225 ~~ordinances now in effect or hereinafter enacted;~~

226 ~~5. Perform such other duties as the city council may refer to it from time to time;~~

227 ~~6. Do such other acts as are necessary and proper to the performance of the-~~
228 ~~duties and functions set forth in this chapter.~~

229 ~~C. Nothing in this chapter should be construed to provide the following authority to the~~
230 ~~PSTC:~~

231 ~~1. To hear or advise on any concerns or complaints related to potential or pending-~~
232 ~~litigation with the city;~~

233 ~~2. To review or advise on any complaints, concerns or negotiation strategies-~~
234 ~~related to labor contracts with the city;~~

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~~3. To review or advise on any hiring or disciplinary decisions made by the Bethel police or fire departments;~~

~~4. To review or advise on past, pending or potential grievance, arbitration or administrative matters that pertain to public safety personnel;~~

~~5. To review any personnel files of public safety employees;~~

~~6. To review police reports and records unless, prior to review by the PSTC, the city attorney determines that review of such reports and records complies with applicable law;~~

~~7. To issue subpoenas and other process to compel the attendance of witnesses and the production of testimony, records, papers, accounts and documents in an inquiry, investigation, hearing or proceeding before the PSTC for any purpose other than for the purpose of regulating taxicabs, limousines or airport limousines, chauffeurs and dispatch services.~~

~~2.25.030 — Composition.~~

~~A. *Membership.* The voting members of the PSTC shall be seven (7) citizens who have been residents of the city for at least one (1) year and otherwise comply with the requirements of BMC 2.52.040 and this chapter. The seventh (7th) voting member shall be a member of the city council. No more than one (1) member may have an interest in the vehicle for hire industry. A person who applies for a seat on the commission shall disclose in the application all interests the person has in the vehicle for hire industry. A member of the commission who becomes a person with an interest in the vehicle for hire industry after appointment to the commission shall immediately disclose that interest and forfeits their seat on the commission if there already exists one (1) member with an interest in the vehicle for hire industry.~~

~~B. *Term.* The terms of each member shall be as provided for in BMC 2.52.050.~~

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~~C. — *Presiding Officer.* The PSTC shall designate a member to preside as chairperson for a period of one (1) year. The PSTC shall also designate as its vice chairperson a member to serve in the absence of the chairperson.~~

~~D. — *Alternate Members.* The mayor shall appoint up to two (2) additional members to serve as alternate members, subject to confirmation by the council. An alternate member will be activated as a voting member whenever there is an absence or conflict of interest of another member. At all other times the alternate member shall be an ex-officio member.~~

~~2.25.040 — Ex officio members and staff.~~

~~The police and fire chiefs, or their designees, shall serve as ex-officio members of the PSTC in accordance with BMC 2.52.170. They shall ensure that the PSTC is provided with information requested by it in order to perform its functions under this chapter in a reasonable time to allow the PSTC to conduct its business, except if provision of such information is prohibited by law.~~

~~2.25.050 — Application of Chapter 2.52 BMC.~~

~~The provisions of Chapter 2.52 BMC apply to the PSTC unless a specific, different procedure is provided for in this chapter.~~

~~2.25.060 — Regulations.~~

~~The PSTC may promulgate regulations relating to operation of, and rates to be charged for services provided by, taxicabs, river taxis, buses, limousines or airport limousines and dispatch services not inconsistent with the provisions of Chapters 5.20, 5.30, 5.40, 5.45 and 5.50 BMC, and other applicable ordinances now in effect or hereinafter enacted.~~

~~2.25.070 — Public and private ground transportation facilities defined.~~

~~"Public and private ground transportation facilities" mean and include but are not limited to buses, taxicabs, river taxis, limousines or airport limousines, and other motor-driven passenger conveyances offered for public hire.~~

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287 **SECTION 4. Amendment.** Bethel Municipal Code Chapter 2.52 Boards, Committees
288 and Commissions is repealed and replaced by Chapter 2.60 Committees, Commissions,
289 and Ad Hoc Committees.

290 Chapter 2.52

291 ~~BOARDS, COMMITTEES AND COMMISSIONS—General—~~

292 Sections:

293 ~~2.52.010—Applicability.~~
294 ~~2.52.020—Powers and duties.~~
295 ~~2.52.025—Committees.~~
296 ~~2.52.030—Appointments.~~
297 ~~2.52.035—Composition and voting.~~
298 ~~2.52.040—Qualifications.~~
299 ~~2.52.050—Terms.~~
300 ~~2.52.060—Compensation.~~
301 ~~2.52.070—Vacancies.~~
302 ~~2.52.080—Notice of vacancy.~~
303 ~~2.52.090—Applications.~~
304 ~~2.52.110—Officers.~~
305 ~~2.52.120—Quorum and voting requirements.~~
306 ~~2.52.130—Meetings and notice of meetings.~~
307 ~~2.52.140—Conflict of interest.~~
308 ~~2.52.150—Procedure.~~
309 ~~2.52.160—Reports and minutes.~~
310 ~~2.52.170—Ex officio members and staff.~~

311 ~~2.52.010—Applicability.~~

312 ~~A. The provisions of BMC 2.52.020 through 2.52.170 apply to all appointed bodies—~~

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created by the council unless otherwise specifically provided in this code or in the ordinance creating the body, whether the body is a board, commission, committee, study group, task force or other appointed body, whether advisory or given governmental powers, and whether having a limited or unlimited life. The provisions of this chapter do not apply to bodies consisting entirely of city councilmembers appointed by the mayor nor to bodies created by any municipal officer, department, agency or any municipal body other than the city council. An appointed body created by an appointed body governed by this chapter, or by a municipal officer, department, or agency may not be delegated or exercise any governmental power, establish city policies or make decisions for the city.

B. Unless a different meaning is indicated by the context, in the remainder of this chapter the words "body" and "appointed body" refer to appointed bodies governed by this chapter whose members are appointed by the mayor and the word "member" refers to a member of such an appointed body.

2.52.020 — Powers and duties.

The council may by ordinance establish advisory, administrative, technical or quasi-judicial boards or commissions. The ordinance shall prescribe the duties and additional qualifications of members and the authority of the body.

2.52.025 — Committees.

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

B. The authority of these committees shall be advisory and recommendations shall be made to the city council.

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343
344 C. ~~These committees shall be subject to all provisions of BMC 2.52.020 through~~
345 ~~2.52.170.~~
346
347 D. ~~These committees shall use Robert's Rules of Order. Regular meeting of these~~
348 ~~committees shall be at least quarterly. Special meetings may be called at the discretion~~
349 ~~of the chairperson or by two (2) members of the committee.~~
350 E. ~~These committees shall each be composed of seven (7) voting members and two~~
351 ~~(2) alternate members who shall be residents of the city; (6) of which shall be~~
352 ~~appointed by the mayor, subject to confirmation by the city council and the seventh~~
353 ~~(7th) member shall be appointed by the mayor from the city council as council~~
354 ~~representative.~~
355
356 F. ~~All seven (7) members of each of the committees shall be voting members.~~
357
358 G. ~~The terms of the appointments to the committees shall be for a period of three (3)~~
359 ~~years except for the councilmember appointment which shall be for a period of one (1)~~
360 ~~year. In the event of a vacancy, the mayor shall appoint a person to serve the~~
361 ~~remaining term and in the case of a citizen member, said appointment shall be subject~~
362 ~~to confirmation by the city council.~~
363
364 H. ~~If there are a total of seven (7) combined commissions and committees, one (1) of~~
365 ~~the members of the city council shall serve as a council representative on each of the~~
366 ~~commissions and committees. If there are less than seven (7) combined commissions~~
367 ~~and committees, the mayor shall not serve as a council representative to a commission~~
368 ~~or committee.~~
369
370 I. ~~Committee members can be removed from office for cause only, and removal is~~
371 ~~subject to an appeal by the member to the city council.~~
372

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~~J.—A majority of the seven (7) voting members of an advisory board, committee or commission shall constitute a quorum for the transaction of business. Four (4) affirmative votes shall be necessary to carry any question unless the body is acting in a quasi-judicial capacity.—~~

~~K.—An agenda of meetings shall be prepared and published according to established rules of the city council.~~

~~L.—Permanent records, or minutes, shall be kept for all meetings held. All resolutions and minutes of each committee or a similar report shall be presented to the city council by a member of the council appointed to serve on the respective committee or, in their absence, by the city manager. The minutes shall be properly filed in the office of the city clerk and shall be open to inspection by the public.—~~

~~2.52.030 — Appointments.~~

~~A.—Members shall be appointed by the mayor and confirmed by the council. The mayor may withdraw an appointment at any time prior to confirmation by the council.~~

~~B.—Alternate Members. For each board or commission, the mayor shall appoint up to two (2) additional members to serve as alternate members, subject to confirmation by the council. An alternate member will be activated as a voting member whenever there is an absence or conflict of interest of another member. At all other times the alternate member shall be an ex officio member.—~~

~~2.52.035 — Composition and voting.~~

~~A.—Membership. The number of members of each board, committee or commission shall be determined by the city council in the ordinance establishing the body. Unless provided otherwise in the ordinance establishing the body, the city council member of the body shall be a voting member of the body.—~~

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401 ~~2.52.040 — Qualifications.~~

402 ~~In addition to any other qualifications required by this code, a member:~~

403 ~~A. Shall have been a resident of the city for six (6) months; and~~

404 ~~B. Shall remain a resident of the city while in office.~~

405 ~~C. Except as provided in BMC [2.52.170](#), a city employee shall not be appointed to a~~
406 ~~committee, commission or board which conducts any business that concerns or relates~~
407 ~~to the department where the employee works. A city employee may, however, be~~
408 ~~appointed to a committee, commission or board which conducts business that concerns~~
409 ~~or relates to another city department.~~

410 ~~2.52.050 — Terms.~~

411 ~~The term of each member is three (3) years, except that the term of a councilmember~~
412 ~~appointed to a commission or committee shall be for one (1) year. The term of any~~
413 ~~commission or committee member, including a councilmember, appointed to fill out the~~
414 ~~term of a vacated seat, shall expire on the regularly scheduled date of that position.~~
415 ~~The terms of initial appointments shall be staggered so that, as nearly as possible, a pro~~
416 ~~rata number of members shall be appointed for each year during the regular term of~~
417 ~~office established for the members. The regular term shall, unless otherwise specified~~
418 ~~by ordinance, commence on January first (1st) of the year of appointment and shall~~
419 ~~expire on December thirty first (31st) of the year the term expires; provided, a member~~
420 ~~whose term has expired but seeks reappointment may continue to hold office for a~~
421 ~~period not longer than thirty (30) days from the date of expiration.~~

422

423 ~~2.52.060 — Compensation.~~

424 ~~No member shall be compensated for services as a member of the body.~~

425

426 ~~2.52.070 — Vacancies.~~

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

431 ~~1. Is absent from the city for more than ninety (90) days without first (1st) being~~
432 ~~excused by the body;~~

433 ~~2. Fails to attend three (3) regularly scheduled meetings within any calendar year~~
434 ~~without being excused by the body;~~

435 ~~3. Fails to attend three (3) special meetings within any calendar year without~~
436 ~~being excused by the body;~~

437 ~~4. Repealed by Ord. 20-07;~~

438 ~~5. Repealed by Ord. 20-07;~~

439 ~~6. Submits a written resignation which is accepted by the body or the mayor;~~

440 ~~7. Dies;~~

441 ~~8. Fails to qualify and give the oath of office within forty-five (45) days after city~~
442 ~~council confirmation of the appointment;~~

443 ~~9. Ceases to be a resident of the city;~~

444 ~~10. Is convicted of a felony or an offense involving a violation of the oath of office~~
445 ~~for the body; or~~

446 ~~11. Becomes disqualified from holding the seat under other provisions of this code.~~

447 ~~B. A vacancy may be declared by the body when a member:~~

448 ~~1. Fails to attend a minimum of sixty-five (65) percent of regular meetings held~~
449 ~~within any calendar year whether excused or unexcused;~~

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2. ~~Fails to attend a minimum of sixty five (65) percent of special meetings held within any calendar year whether excused or unexcused.~~

~~C. 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.~~

~~D. 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.~~

~~E. 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.~~

~~2.52.080 Notice of vacancy.~~

~~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.~~

~~2.52.090 Applications.~~

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477 ~~The city clerk shall provide a standard information and application form for interested~~
478 ~~persons to complete. The application form, letters or other expressions of interest shall~~
479 ~~be submitted to the city clerk.~~

480

481 ~~2.52.110 — Officers.~~

482 ~~The members shall annually elect a chair and vice chair. The vice chair shall act in the~~
483 ~~absence of the chair or in the inability of the chair to act.~~

484

485 ~~2.52.120 — Quorum and voting requirements.~~

486 ~~A majority of the authorized members shall be a quorum for the transaction of~~
487 ~~business. The affirmative votes of the majority of the authorized members shall be~~
488 ~~required to carry a question. In the absence of a quorum for the transaction of~~
489 ~~business, any number less than a quorum may recess to a later time or date.~~

490

491 ~~2.52.130 — Meetings and notice of meetings.~~

492 ~~A. *Meetings.* Regularly scheduled meetings shall be held at a time and place~~
493 ~~designated by the body. Special meetings may be called by the chair, the city employee~~
494 ~~designated as an ex officio member pursuant to BMC 2.52.170, and shall be called by~~
495 ~~the chairperson at the request of two (2) members.~~

496

497 ~~B. *Postponing or Rescheduling of Regular Meetings.* A regular meeting may be~~
498 ~~postponed or rescheduled to another date upon a vote of the majority of the members~~
499 ~~at a previous regular or special meeting. A regular meeting may be postponed or~~
500 ~~rescheduled because of an expected lack of a quorum of the members at a scheduled~~
501 ~~regular meeting. Notice of the postponing or rescheduling of a regular meeting shall be~~
502 ~~given in accordance with subsection C of this section. If a regular meeting is~~
503 ~~rescheduled, it may not be rescheduled before five (5) days after the last regular~~
504 ~~meeting in order to give the public notice of the rescheduled date.~~

505

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~~C.—*Notice of Meetings.* A notice of the date, time, and place of all meetings of a body shall be prepared and posted in at least three (3) conspicuous public places within the city. Notice of a regular meeting shall be posted no later than five (5) days before the meeting. Notice of a special meeting shall be posted no later than three (3) days before the meeting. The agenda for the meeting and materials to be considered by the body at the meeting may be posted with the notice, but are not required to be posted. An agenda or other materials posted with the notice do not limit the matters that may be considered and acted upon by the body. The city clerk may delegate to a department head the responsibility for providing public notice of meetings of a body that provides advice primarily to the department or that is otherwise clearly associated with a particular department.~~

~~D.—*Open Meetings.* The meetings of all bodies shall be open to the public as required by the Alaska Open Meetings Act.~~

~~2.52.140—Conflict of interest.~~

~~Every member shall vote on all questions unless the member has a direct or substantial indirect financial interest in the matter being discussed. No member may represent any person before the body of which he or she is a member.~~

~~2.52.150—Procedure.~~

~~Procedural rules and order of business shall be established by the body, except as otherwise provided by ordinance, subject to approval of the council. An appellate or quasi-judicial body, or a body that hears appeals or otherwise acts in a quasi-judicial capacity shall establish rules governing appeal or other quasi-judicial proceedings before the body, subject to approval by the council. In all matters of procedure not covered by rules approved by the council, Robert's Rules of Order, as revised, shall be applicable and shall govern; provided, rules established by a body shall be promptly submitted to the council for approval and shall govern proceedings of the body until rejected or modified by the council.~~

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535 ~~2.52.160 — Reports and minutes.~~

536 ~~The ex officio member, or his or her designee, of the body appointed by the city-~~
537 ~~manager in accordance with BMC 2.52.170 shall keep minutes of the proceedings and-~~
538 ~~such minutes shall record the votes of each member upon every question formally-~~
539 ~~presented for consideration. The signed, original minutes shall be filed in the office of-~~
540 ~~the clerk and shall be a public record, open to inspection by any person.~~

541 ~~2.52.170 — Ex officio members and staff.~~

542 ~~The city manager may appoint a city employee as an ex officio member for the purpose-~~
543 ~~of acting as secretary or clerk to the body or to furnish technical advice and information-~~
544 ~~if not provided for in the specific provisions pertaining to the body. An ex officio-~~
545 ~~member appointed by the manager may take part in discussions of matters before the-~~
546 ~~body but is not entitled to vote on any question and is not counted as a member for the-~~
547 ~~purpose of establishing a quorum. Unless otherwise provided in the ordinance-~~
548 ~~establishing the body, the manager shall provide or designate the staff required to-~~
549 ~~assist the body in discharging its duties. The designated staff remains under the-~~
550 ~~authority of the city manager and no staff member shall work directly for or be-~~
551 ~~controlled by the body.~~

552

553 **Chapter 2.60**

554 **Committees, Commissions, and Ad Hoc Committees**

555

556 **Sections**

557

558 **Article I** General Provisions.

559 2.60.010 Definitions.

560 2.60.020 Creation of committees, commissions, and ad hoc committees.

561 2.60.030 Appointment, term, vacancy, and removal of members.

562 2.60.040 Composition of committees, commissions, and ad hoc committees.

563 2.60.050 Quorum and voting.

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564 2.60.060 Notice of public meetings.
565 2.60.070 Meeting agendas, packets, and minutes.
566
567 Article II Planning Commission.
568 2.60.080 Establishment of planning commission.
569 2.60.090 Planning commission powers and duties.
570
571 Article III Port Commission.
572 2.60.100 Establishment of the port commission.
573 2.60.110 Port commission powers and duties.
574
575 Article IV Public Safety and Transportation Commission.
576 2.60.120 Establishment of the public safety and transportation commission.
577 2.60.130 Public safety and transportation commission powers and duties.
578
579 Article V Community Action Grant Committee
580 2.60.140 Establishment of community action grant committee.
581 2.60.150 Community action grant committee duties.
582
583 Article VI Finance Committee
584 2.60.160 Establishment of the finance committee.
585 2.60.170 Finance committee duties.
586
587 Article VII ~~Parks, Recreation, and Aquatic Health and Safety Center Committee~~
588 Community Parks and Recreation Committee
589 2.60.180 Establishment of the ~~parks, recreation, and aquatic health and safety~~
590 ~~center committee.~~ Community Parks and Recreation Committee.
591 2.60.190 ~~Parks, recreation, and aquatic health and safety center committee~~
592 Community Parks and Recreation Committee duties.
593
594 Article VIII Public Works Committee
595 2.60.200 Establishment of the public works committee.
596 2.60.210 Public works committee duties.
597

598 **Article 1.**
599 **General Provisions**

600 **2.60.010 Definitions.**

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- 601 A. "Ad Hoc Committee" means a temporary advisory committee appointed by the
602 city council for a specific term to accomplish a specific task or project.
- 603 B. "Alternate member" means a member appointed by the city council to an
604 advisory committee, commission, or ad hoc committee. An Alternate member has
605 the same rights as a voting member, but may vote only when one of the seven
606 voting members is absent or has a conflict of interest on the matter under
607 consideration.
- 608 C. "Body" refers to the collective members of each individual advisory committee,
609 commission, or ad hoc committee.
- 610 D. "Commission" means a standing advisory committee that is required by state law
611 or to which the council has delegated final decision-making and quasi-judicial
612 authority.
- 613 E. "Committee" means an advisory committee appointed by the council to advise
614 and make recommendations to the council regarding topics as specified in the
615 committee's duties.
- 616 F. "Ex Officio member" means a member that is appointed by the city manager to
617 support the function of an advisory committee, commission, or ad hoc
618 committee. Ex officio members are non-voting members.
- 619 G. "Voting Member" means a member that is appointed by the council to a
620 committee, commission, or ad hoc committee.
- 621 H. "Quorum" means the minimum number of members of a committee,
622 commission, or ad hoc committee that must be present at any meeting to
623 conduct business.
- 624 I. "Youth member" means a member under the age of 18 but at least 14 who is
625 appointed to a committee, commission, or ad hoc committee by the council.
626 Youth members are non-voting members.

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2.60.020 Creation of committees, commissions, and ad hoc committees.

The council may create citizen committees, commissions, or ad hoc committees to aid the council in the conduct of public affairs. All committees, commissions, and ad hoc committees shall be governed by this chapter, except that if a provision of this chapter conflicts with an applicable state statute, the statute shall prevail.

- A. Committees and commissions shall be created by ordinance as amendments to this chapter. In addition to the powers and duties established for each committee or commission, the council may from time to time assign such other duties or projects as the council deems appropriate.
- B. Ad hoc committees shall be created by resolution of the council. The resolution shall set forth: the number of members, the term of the committee, the task or project to be accomplished, the timeline for completion of the task or the project, and other such direction as the council deems appropriate.

2.06.030 Appointment, term, vacancy, and removal of members.

- A. Applications. Volunteers interested in filling a vacancy on a committee, commission, or ad hoc committee shall submit an application for appointment to the city clerk's office, on a form provided by the city clerk's office.
- B. Eligibility. The city clerk's office shall screen applicants and confirm their eligibility. A member must be a resident of Bethel for six (6) months prior to appointment. The city clerk's office shall review and identify any potential conflicts of interest that may affect the appointment of the individual.

A city employee shall not be appointed as a voting member or alternate member to a committee, commission, or ad hoc committee which conducts any business that concerns or relates to the department where the employee works.

- C. Appointment. The city council, following sponsorship by the mayor, is the appointing authority for committees, commissions, and ad hoc committee voting

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Commented [11]: Substantial change- All Committee/Commissions need to be created/amended through the amendment of chapter 2.60. Previous language simply stated the body needed to be created by Ordinance.

Removing reference to Board, Study Group, task force and narrowing the types of meetings to Committee/Committees and Ad Hoc Committees.

Allows ad hoc committees (temporary in nature) to be created through resolution.

Commented [12]: Substantial Change:

Taking out the mayor's appointment with council confirmation and has the council as the appointing authority. The City Clerk's Office will work with the mayor for sponsorship of the AM appointing the member but consideration of appointment will be held with the Council as opposed to one person.

Subsection C. Updated the language to pull in the City's policy on the prevention of discrimination.

Subsection D. Previously the Committee had to declare the seat vacant if the member didn't complete their oath of office within 45 days of appointment. Modified the process to prevent the applicant from becoming a member until the oath is completed and for the City Clerk's Office to simply notify necessary parties if the applicant fails to meet the membership requirements through the oath. This update is also reflected in subsection F of this section, requirement for vacancy because of the oath is removed.

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
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members, alternate members, and youth members. Members shall be appointed without discrimination based on race, national origin, color, age, religious creed, sex, political affiliation, marital status, physical disability, or other statuses protected by law. Members shall not receive compensation for their services.

D. Official Oaths. All applicants under this chapter shall take an oath of office within 45 days following council's appointment and prior to participating in any meeting of the appointed body. If an applicant does not take their oath of office within 45 days following appointment, the city clerk's office shall provide notice to the applicant, city council, and the relevant committee that the appointment is invalid and the vacancy stands.

E. Term. The term of office for positions on committees and commissions shall be three years and expire on December 31; provided, a member whose term has expired but seeks reappointment may continue to hold office for a period not longer than 30 days following term expiration. The term of an ad hoc committee shall be established in the resolution creating the committee.

If a position on a committee, commission or ad hoc committee become vacant before the expiration of the term, the city clerk shall review the vacancy and recommend that the council's appointment to fill the vacancy be given a term that is staggered from the other members of the body. When a new committee or commission is created, the terms shall be staggered.

The term of the council representative is one (1) year.

The term of the youth member is one (1) year.

F. Vacancy. Except as otherwise provided in this chapter, council appointed-members of committees, commissions, and ad hoc committees shall serve at the pleasure of the council. Vacancies on committees, commissions, and ad hoc committee:

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
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1. Shall be declared by the committee, commission, or ad hoc committee when a member:
 - a. Is absent from the city for more than ninety (90) days without first being excused by the body;
 - b. Fails to attend three (3) regularly scheduled meetings within any calendar year without being excused by the body;
 - c. Fails to attend three (3) special meetings within any calendar year without being excused by the body;
 - d. Submits a written resignation that is accepted by the body;
 - e. Dies;
 - f. Ceases to be a resident of the city;
 - g. Is convicted of a felony or an offense involving a violation of the oath of office for the body; or
 - h. Becomes disqualified from holding the seat under other provisions of this code.
2. May be declared by the committee, commission, or ad hoc committee when a member:
 - a. Fails to attend at least sixty-five (65) percent of regular meetings held within any calendar year, whether excused or unexcused;
 - b. Fails to attend at least sixty-five (65) percent of special meetings held within any calendar year, whether excused or unexcused.
3. May be declared by the city council for any reason.
4. The member whose seat is being considered for declaration of vacancy shall be provided an opportunity to address the body or the council at the public meeting at which the vacancy is being considered.
5. Public notices of vacancies will be provided by the city clerk.

2.60.040 Composition of committees, commissions, and ad hoc committees.

City of Bethel, Alaska

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Commented [13]: Substantial Change;
Creation of the youth member.

Establishes standards for ad hoc committee membership.

Subsection D. The Chair is required to be a voting member of the body.

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

- 706 A. All committees and commissions shall consist of seven council-appointed adult
707 voting members. One member shall be a member of the city council and act as
708 the council representative to provide a direct line of communication between the
709 advisory board and the city council.
- 710 B. In addition to the seven adult voting members, the council may appoint up to
711 two alternative members and one youth member to any advisory committee or
712 commission.
- 713 C. An ad hoc committee may have fewer but not more members than the number
714 provided under subsection A and B of this section, and in no event less than five
715 members.
- 716 D. Each committee or commission shall annually elect a chair and a vice-chair from
717 its membership. An ad hoc committee shall elect a chair and vice-chair at the
718 first meeting of the body. The vice-chair shall act in the absence of the chair or
719 in the event the chair is unable to act.
- 720 E. The city manager is responsible for the effective management of committee,
721 commission, and ad hoc committee operations and shall provide the staff
722 required to assist the body in discharging its duties. The city manager shall
723 appoint at least one ex officio member to provide staff support to each
724 committee, commission, and ad hoc committee. Ex officio members report to
725 and take direction from the city manager and not from the body to which they
726 are appointed.
- 727 The duties of the ex officio member include but are not limited to: preparation
728 and posting of agendas, packet materials, meeting minutes, and other relevant
729 documents in accordance with Alaska Statutes (44.62.310-.319), Bethel
730 Municipal Code, and city policy. The ex officio member appointed to the body
731 shall also provide subject matter expertise to the that body.
- 732 An ex officio member is a non-voting member of the body, but may add items to
733 the agenda and participate in discussion.

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Introduced by: Mayor DeWitt
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734 **2.60.050 Quorum and voting.**

- 735 A. Four (4) members shall constitute a quorum for the transaction of business for
736 committees and commissions and four (4) affirmative votes shall be necessary to
737 carry any question, unless the body is acting in a quasi-judicial capacity.
- 738 B. A majority of the total voting membership of any ad hoc committee shall
739 constitute a quorum for the transaction of business and shall be necessary to
740 carry any question.
- 741 C. Members are required to vote on all questions presented to the body unless
742 there is a conflict of interest ruled on by the chair or majority of the body, when
743 applicable.
- 744 D. An alternate member will be activated as a voting member whenever there is an
745 absence or conflict of interest of another member. When two alternate members
746 are present and only one alternate member is needed to fill the seat of a voting
747 member, the alternate with seniority on the body shall act as the voting member.

748 **2.06.060 Notice of public meetings.**

- 749 A. Regular meetings shall be scheduled once a month unless otherwise authorized
750 by council. A regular meeting may be postponed or rescheduled to another date
751 upon a vote of the majority of the members at a previous regular or special
752 meeting.
- 753 B. Special meetings are called to transact business held outside the regular meeting
754 schedule. Special meetings may be called at any date and time by the chair, or
755 by three (3) voting members.
- 756 C. Meetings shall be held at City Hall, 300 Chief Eddie Hoffman Highway, whenever
757 reasonably possible.

Commented [14]: Substantial change:
Subsection D. outlines the "pecking order" if there are two
alternative members appointed to the body.

Commented [15]: Substantial change:
Subsection C. Requires public meetings governed by this
chapter to be held at City Hall whenever possible. This is to
help ensure consistency for our public meetings.

Subsection H. provides standards for
committees/commissions to create sub committees.

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Agendas constitute the meeting notice and shall contain, at a minimum, the date, place and time of the meeting, the name of the body, the names of the members of the body, people to be heard, and any item to be discussed by the body.

D. Public notice of meetings shall be prepared and posted in at least four (4) conspicuous public places within the city, including at the location of the meeting. Notice of a regular meeting shall be posted no later than five (5) days before the meeting. Notice of a special meeting shall be posted no later than three (3) days before the meeting, except the planning commission special meeting agenda shall be posted no later than five (5) days before the meeting.

E. The meetings of all bodies shall be open to the public in accordance with the Alaska Open Meetings Act.

F. Each committee, commission, and ad hoc committee shall follow Roberts Rules of Order Newly Revised; however, the rules of debate may be relaxed by the body to promote discussion.

G. Committee, commission, and ad hoc committee reports and recommendations shall be decided by a quorum of the body at a public meeting.

H. Any committee, commission and ad hoc committee may appoint seated members of its body to a subcommittee. The number of members appointed to a subcommittee shall be three or fewer, to avoid creating a quorum of the body. The subcommittee can make such investigation or exercise such authority as may be delegated to it by the advisory board. A subcommittee reports to the body from which it was appointed, and not to the council. No action of the subcommittee is official until approved by a majority vote of the advisory body.

2.60.070 Meeting agendas, packets, and minutes.

Commented [16]: Substantial change:
Codified the deadlines for committee material following the city council deadline schedule. This is intended to help prevent late submissions to ex officio members, allowing us to say in compliance with meeting public notices.

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
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A. The ex officio member assigned to the body and appointed members may add items to the agenda not later than 5:00 p.m. one day in advance of the meetings public notice deadline.

B. The ex officio member shall prepare and post the agenda and distribute the packet material containing all relevant reports, communications and documents for the meeting in accordance with the public meeting notice requirements and deadlines in BMC 2.06.060.

C. Official meeting minutes shall contain, at a minimum: the date, place and time of the meeting, the names of those members present and absent, the name of the presiding officer, and the names and items presented under people to be heard. Minutes shall also contain any official action or vote taken by the body. The ex officio member shall file the minutes with the city clerk's office for permanent retention following approval by the body.

Article II

PLANNING COMMISSION

Sections:

2.60.080 Establishment of the planning commission.

2.60.090 Planning commission powers and duties.

2.60.080 Establishment of the planning commission.

Pursuant to AS 29.35.260(c), the city has assumed the powers of planning, platting and land use regulation. Pursuant to AS 29.35.260(c) and 29.40.020, there is established the city planning commission.

2.60.090 Planning commission powers and duties.

A. The planning commission shall:

1. Conduct public hearings to consider the approval, conditional approval, or denial of:

a. Variance applications;

Commented [17]: The duties of the Planning Commission were found in Chapter 2.24 which is being repealed by this ordinance. In addition to that chapter, the duties were sprinkled throughout the code. Our attempt was to pull the pieces into one chapter.

Substantial change:

Subsection C. provides guidance to the commission on subjects they may consider.

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
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Action:
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- 811 b. Conditional use permit applications; and
812 c. Special use permits for tall structures in accordance with BMC 16.10.
813 2. In accordance with AS 29.40.030 and BMC 16.08, and after holding public
814 hearings, recommend to the council amendments and updates to the
815 comprehensive plan for the physical development of the city. The
816 comprehensive plan, with the accompanying maps, plats, charts, and
817 descriptive and explanatory matter, shall show the commission's
818 recommendations and may include, among other things, the general location
819 and extent of streets and other methods of circulation and transportation;
820 the general location and extent of public utilities; the general location and
821 extent of parks, playgrounds, and drainage facilities; and the use of land.
822 The comprehensive plan shall include:
823 a. Statements of policies, goals and standards;
824 b. A land use plan;
825 c. A community facilities plan;
826 d. A transportation plan; and
827 e. Recommendations for implementation of the comprehensive plan;
828 3. Approve subdivision plans and plats and provide recommendations to council
829 on the adoption of a subdivision agreement in accordance with BMC 17.04.
830 4. Hear appeals from the decision of the planning director. The city council shall
831 be the appellate body, sitting as the board of adjustment, for the planning
832 commission.
833 5. Act as the platting authority for the city.
834 6. Review and make recommendations to the council on the adoption of and
835 changes to subdivision, land use, site plan, land acquisition and disposal,
836 flood control, housing, building and similar codes.
837 7. Provide a forum for public comment and input regarding planning, zoning,
838 and land use.
839 8. Perform such other duties and functions as are provided for in BMC Titles 15,
840 16, 17 and 18 and other provisions of this code or as may be referred by the
841 city council.

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Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
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- B. All formal actions of the commission shall be by resolution bearing:
1. The heading "Resolution of the Bethel Planning Commission";
 2. The space for the resolution number to be assigned, "Resolution No. (number)";
 3. A short and concise title descriptive of its subject and purpose;
 4. A short list of "Whereas" clauses descriptive of the reasons for the resolution, if necessary;
 5. The resolving clause "THEREFORE, BE IT RESOLVED THAT..."; followed by a statement of the action approved by the commission and such factual findings, conclusions and other matters as may be appropriate; and
 6. A declaration of the date the resolution was adopted: "Adopted (date)" and designated lines for the signatures of the chairperson and the commission ex officio member responsible for recording the actions in the meeting.
- C. The planning commission may make recommendations to the council on:
1. Necessary, proposed, or existing federal, state and/or city land selection, acquisition, disposal or management practices that affect the city.
 2. Proposed or existing public improvements and the prioritization of the projects in the city's annual and long-term capital improvement programs.
 3. The city's annual planning budget and work program.

Article III

PORT COMMISSION

Sections:

- 2.60.120 Establishment of the port commission.
- 2.60.130 Port commission powers and duties.

2.60.100 Establishment of the port commission.

There is established a port commission for the purpose of advising the city council on the operation, maintenance, and improvement of the port of Bethel's facilities, and for such additional purposes as the city council may from time to time designate.

City of Bethel, Alaska

Ordinance #21-20

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Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
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2.60.110 Port commission powers and duties.

A. The port commission shall:

1. Regulate the operation of the port facilities by promulgating and providing recommendations to the council on the terminal tariff containing rates, charges, rules, and regulations applicable at the port, subject to approval by the council.
2. Hear appeals of the decision of the port director.
3. Periodically review the budget, capital improvement programs, funding of port facilities and systems, and report its findings to the city council;
4. Provide a forum for public comment and input regarding port operations.
5. Review and provide recommendation to the council regarding goals set forth in the city's comprehensive plan as they relate to port operations.
6. Perform other such duties as the city council may refer to it from time to time or as may be set out in Title 14 of this code.

B. The port commission may make recommendations to council on:

1. Existing or proposed federal, state, and city issues relevant to port operations.
2. The operation, management, regulation, and control of the city's public and private ground transportation facilities in accordance with Title 14 of this code.
3. Necessary or proposed public improvements and the prioritization of the projects in the city's annual and long-term capital improvement programs related to the port.

Article IV

PUBLIC SAFETY AND TRANSPORTATION COMMISSION

Sections:

- 2.60.120 Establishment of the public safety and transportation commission.
2.60.130 Public safety and transportation commission powers and duties.

Commented [18]: The duties of the Port Commission were found in Chapter 14.04 which is being repealed by this ordinance. We worked to consolidate the ideas behind the original duties and streamline the points. Our attempt was to pull the pieces into one chapter.
Substantial change:
Subsection B. provides guidance to the commission on subjects they may consider.

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

2.60.120 Establishment of the public safety and transportation commission.

There is established a public safety and transportation commission (PSTC). The PSTC shall act as the regulating body for taxicabs, river taxis, buses, limousines or airport limousines, chauffeurs and dispatch services in accordance with this chapter, Chapters 5.20 through 5.50 BMC and other applicable law.

2.60.130 Public safety and transportation commission powers and duties.

A. The Public Safety and Transportation Commission shall:

1. Review and make recommendations to the council on the adoption of and changes to taxicabs, river taxis, buses, limousines or airport limousines, chauffeurs and dispatch services operations in accordance with Chapters 5.20 through 5.50 BMC and other applicable laws.
2. Monitor and provide recommendation to the council on the operations, management, regulations, and control of the city's public and private ground transportation facilities in accordance with BMC Chapters 5.20, 5.30, 5.40, 5.45, 5.50, and other applicable laws.
3. Recommend to council the adoption of maximum rates and may recommend the establishment of minimum rates to be charged for services provided by regulated vehicles as defined under BMC 5.20.010.
4. Hear appeals from a decision of the transportation inspector.
5. Review citizen complaints against chauffeurs of regulated vehicles or against the condition of a regulated vehicle.
6. Hold at least one (1) public hearing annually to investigate the quality of services rendered by regulated vehicles, permittees, chauffeurs, and dispatch services.
7. Collect, process, and adjudicate complaints against chauffeurs of regulated vehicles.
8. Review and make recommendations to the council on progress toward achieving goals set forth in the city's comprehensive plan as they relate to public safety and transportation.

Commented [19]: Substantial change:
The duties of the Public Safety and Transportation Commission were a mess and consisted of not only duties but task to which they needed to complete.
Through a separate but corresponding ordinance, we updated Chapter 5.20 to realign the duties between the commission (pulled them in here) and the transportation inspector which is now the focus of chapter 5.20.
Substantial change:
Subsection B. provides guidance to the commission on subjects they may consider.

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

9. Review and make recommendations to the council on the development of transportation systems, transportation codes, traffic movement, road repair, and walking paths.
10. Provide a forum for public comment and input regarding public transportation and public safety.
11. Perform such other duties and functions as are provided for in BMC Chapter 5.20 through 5.50 and other provisions of this code or as may be referred by the city council.

B. The Public Safety and Transportation Commission may make recommendations to council on:

1. Existing or proposed federal, state, and city issues relevant to public safety and transportation.
2. Necessary or proposed public improvements and the prioritization of the projects in the city's annual and long-term capital improvement programs related to public safety and transportation.
3. The annual police department and fire department budget and work program.

Article V

COMMUNITY ACTION GRANT COMMITTEE

Sections:

- 2.60.140 Establishment of community action grant committee.
- 2.60.150 Community action grant committee duties.

2.60.140 Establishment of community action grant committee

There is established a community action grant committee for the purpose of advising the city council regarding the funding of community action grants.

2.60.150 Community action grant committee duties.

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Commented [110]: Substantial change:

This body is becoming a committee as opposed to a technical review board.
We additionally pulled the duties from the establishing document which was not codified.

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

958 A. The community action grant committee shall:

- 959 1. Make recommendations to the city council on funding opportunities to
960 individuals and organizations that request financial support through the
961 Community Action Grant Program.
- 962 2. Hold two meetings each fiscal quarter.
- 963 3. Review grant applications submitted to the city and evaluate the qualifications
964 of the applicant and the request for funding.
- 965 4. Score the qualifying applications and make recommendations to the city council
966 on funding. The review and scoring of the applications shall focus on advancing
967 the community's opportunities, sustainability, and wellbeing with components
968 that foster community wellness, positive impact to the community's vulnerable
969 populations, and/or civic engagement of Bethel residents and project
970 beneficiaries.
- 971 5. Review and make recommendations to the council on the progress toward
972 achieving the goals set out in the city's comprehensive plan as they relate to
973 programs and needs of the community that may be supported by the grant
974 program.
- 975 6. Monitor the community action grant fund balance and associated transfers from
976 the alcohol tax revenue.
- 977 7. Provide a forum for public comment and input regarding the Community Action
978 Grant Program.
- 979 8. Perform other such duties as the city council may from time to time refer.

980
981 **Article VI**

982 **FINANCE COMMITTEE**

983 Sections:

- 984 2.60.160 Establishment of finance committee.
- 985 2.60.170 Finance committee duties.

986
987 **2.60.160 Establishment of finance committee.**

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Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
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Vote:

988 There is established a finance committee for the purpose of advising the city council on
989 finance-related matters.

990 **2.60.170 Finance committee duties.**

991 A. The finance committee may review and make recommendations to the council on:

- 992 1. Finance-related policies and procedures.
993 2. Monthly financial reports of revenues, and expenditures.
994 3. The city's investment funds.
995 4. Capital planning and implementation of projects.
996 5. Progress toward achieving the organization's vision, accomplishing goals,
997 and implementing benchmarks for the budget process.
998 6. The annual budget and budget process.
999 7. The progress toward achieving the goals set out in the City's
1000 comprehensive plan as they relate to finance.

1001 B. The finance committee shall:

- 1002 1. Provide a forum for public comment and input regarding the city's budget,
1003 audit, sales tax collection, business licenses operations, purchasing
1004 procedures, and other such topics related to the City's finances.
1005 2. Perform other such duties as the city council may from time to time refer.
1006

1007 **Article VII**

1008 ~~**PARKS, RECREATION, AQUATIC HEALTH AND SAFETY CENTER COMMITTEE**~~
1009 **COMMUNITY PARKS AND RECREATION COMMITTEE**

Commented [111]: Substantial change-Creation of duties.

1010
1011
1012 Sections:

1013 2.60.180 Establishment of ~~parks, recreation, aquatic health and safety center~~
1014 ~~committee.~~ the Community parks and recreation committee.

1015 2.60.190 ~~Parks, recreation, aquatic health and safety center committee duties.~~
1016 Community parks and recreation committee duties.
1017

Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

~~2.60.180 Establishment of parks, recreation, aquatic health and safety center committee.~~ Community parks and recreation committee.

There is established a ~~parks, recreation, aquatic health and safety center committee~~ Community parks and recreation committee for the purpose of advising the city council on parks, recreational, and recreation facility-related matters.

~~2.60.190 Parks, recreation, and aquatic health and safety center committee~~ Community parks and recreation committee duties.

- A. The ~~parks, recreation, aquatic health and safety center committee~~ Community parks and recreation committee may review and make recommendations to the council on:
1. Capital planning and implementation of projects related to parks, recreation, and recreation facilities.
 2. The budget, capital improvement programs, and the funding of recreation facilities and programs.
 3. The progress toward achieving the goals set out in the City's comprehensive plan as they relate to parks, recreation, and recreation facilities.
- B. The ~~parks, recreation, aquatic health and safety center committee~~ Community parks and recreation committee may perform other such duties as the city council may from time to time refer.

Article VIII

PUBLIC WORKS COMMITTEE

Commented [112]: Substantial change-Creation of duties.

Sections:

2.60.200 Establishment of public works committee.

2.60.210 Public works committee duties.

2.60.200 Establishment of public works committee.

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date: May 25, 2021
Action:
Vote:

1047 There is established a public works committee for the purpose of advising the city
1048 council on city roads, facilities, utility operations, vehicle and equipment operations, and
1049 other public works-related matters.

1050 **2.60.210 Public works committee duties.**

1051 A. The public works committee may review and make recommendations to the
1052 council on:

- 1053 1. The operations of the city's water and wastewater collection, distribution,
1054 treatment and compliance; and solid waste planning, collection, disposal
1055 and compliance.
- 1056 2. The development, operations, and maintenance of: city properties, roads,
1057 traffic, drainage, snow removal, parks, cemeteries, grounds, and trails.
- 1058 3. The operations of the transit system.
- 1059 4. The operations and maintenance of the city's vehicle fleet and heavy
1060 equipment.
- 1061 5. The budget as it relates to public works operations and capital projects.
- 1062 6. City capital planning and implementation of projects related to public
1063 works.
- 1064 7. Energy and environmental improvements for city operations.
- 1065 8. The progress toward achieving the goals set out in the City's
1066 comprehensive plan as they relate to public works.

1067 B. The public works committee may perform other such duties as the city council may
1068 from time to time refer.

1070 **SECTION 5. Amendment.** Bethel Municipal Code 14.04 Port Commission is repealed.

1071

1072 Chapter 14.04
1073 PORT COMMISSION

1074 Sections:

1075 ~~14.04.010 Establishment of port commission.~~

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Introduced by: Mayor DeWitt
Introduction Date: May11, 2021
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- 1076 ~~14.04.020 — Reservation of powers.~~
1077 ~~14.04.030 — Composition, term of office and procedures.~~
1078 ~~14.04.040 — Duties.~~
1079 ~~14.04.050 — Vacancies.~~
1080 ~~14.04.060 — Administrative support.~~
1081 ~~14.04.070 — Meetings.~~
1082 ~~14.04.080 — Membership in associations.~~
1083 ~~14.04.090 — Schedule of fees and charges.~~
1084 ~~14.04.100 — General powers.~~
1085 ~~14.04.120 — Limitation on authority.~~
- 1086 ~~14.04.010 — Establishment of port commission.~~
1087 ~~A port commission shall be established for the purpose of advising the city council on~~
1088 ~~the operation, maintenance and improvement of the port of Bethel's facilities, and for~~
1089 ~~such additional purposes as the city council may from time to time designate.~~
- 1090 ~~14.04.020 — Reservation of powers.~~
1091 ~~The city council reserves to itself the power and authority to approve or disapprove all~~
1092 ~~regulations, rates, or the acquisition or disposal of any interest in real property~~
1093 ~~pertaining in any manner to the administration of the Bethel port.~~
- 1094 ~~14.04.030 — Composition, term of office and procedures.~~
1095 ~~A. The port commission shall consist of seven (7) members who shall be residents of~~
1096 ~~the city and shall be appointed by the mayor subject to confirmation by the city council.~~
- 1097 ~~B. Any registered Bethel voter is eligible to be appointed as a port commissioner. No~~
1098 ~~person shall be ineligible solely because they hold an elected, appointed or employee~~
1099 ~~position with the city. A commission member who ceases to be eligible to be a city voter~~
1100 ~~forfeits their office as a commissioner.~~
- 1101 ~~C. One (1) of the seven (7) members shall be a city councilmember.~~

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date: May 25, 2021
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- 1102 ~~D. All appointments shall be for staggered three (3) year terms except where an~~
1103 ~~interim appointment is necessary to complete the term of a commissioner who resigns,~~
1104 ~~dies, or is otherwise removed from office.~~
- 1105 ~~E. In the event of vacancies, the mayor, subject to confirmation by the city council,~~
1106 ~~shall make appointments to fill the vacant positions. In the event a seat has six (6)~~
1107 ~~months or less remaining to the unexpired term, the council, at its discretion, may~~
1108 ~~choose to appoint the member to the remainder of the current term as well as to the~~
1109 ~~full term immediately following the expiration date of the unexpired term.~~
- 1110 ~~F. Commissioners can be removed from office for cause only.~~
- 1111 ~~G. The city shall supply staff assistance for the commission.~~
- 1112 ~~H. Terms shall commence on January first (1st).~~
- 1113 ~~I. No employee of the port department or any member of their immediate family may~~
1114 ~~hold a seat on the commission.~~
- 1115 ~~J. The commission shall use Robert's Rules of Order. Regular meetings of the~~
1116 ~~commission will be at least monthly. Special meetings may be called at the discretion of~~
1117 ~~the chairperson or by two (2) members of the commission. All meetings of the~~
1118 ~~commission shall be open to the public.~~
- 1119 ~~K. The commissioners shall elect annually from its members a chair and vice chair and~~
1120 ~~such other officers as it deems necessary. The commission may appoint such~~
1121 ~~committees as it deems necessary.~~
- 1122 ~~L. A majority of the commission shall constitute a quorum for the transaction of~~
1123 ~~business. Four (4) affirmative votes shall be necessary to carry any question.~~
- 1124 ~~M. An agenda of meetings shall be prepared and published according to established~~
1125 ~~rules of the city council.~~

Introduced by: Mayor DeWitt
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1126 ~~N.—Permanent records, or minutes, shall be kept for all meetings held. All resolutions—~~
1127 ~~and minutes of the port commission or a similar report shall be presented to the city—~~
1128 ~~council by a member of the council appointed to serve on the commission or, in their—~~
1129 ~~absence, by the city manager. The minutes shall be properly filed in the office of the—~~
1130 ~~city clerk and shall be open to inspection by the public.~~

1131 ~~O.—Alternate Members. The mayor shall appoint up to two (2) additional members to—~~
1132 ~~serve as alternate members, subject to confirmation by the council. An alternate—~~
1133 ~~member will be activated as a voting member whenever there is an absence or conflict—~~
1134 ~~of interest of another member. At all other times the alternate member shall be an ex—~~
1135 ~~officio member.~~

1136 14.04.040—Duties:
1137 The port commission shall:

1138 A.—Regulate the operation of the port facilities by promulgating a terminal tariff—
1139 containing rates, charges, rules and regulations applicable at the port and subject to the
1140 approval of the council;

1141 B.—Promulgate rules and regulations relating to the operation of terminal and—
1142 transportation facilities at the port;

1143 C.—Advise the city council with respect to the port facilities concerning the acquisition,—
1144 ownership, exchange, transfer, lease, rent, conveyance, or disposal, and use of real or
1145 personal property on port property and interest therein;

1146 D.—Review port contracts prior to their execution and monitor and periodically report to
1147 the city council concerning the status of all contracts executed with respect to the port
1148 facilities;

1149 E.—Advise the city council with respect to the construction, improvement, alteration, or
1150 repair of port facilities;

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- 1151 ~~F. Review plans for construction and development within the confines of the port of~~
1152 ~~Bethel and shall report to the city council the expected impact of such construction or~~
1153 ~~development on the port of Bethel. The port commission shall make appropriate~~
1154 ~~recommendations to the city council concerning such construction or development;~~
- 1155 ~~G. Study and make recommendations generally on Bethel port matters such as, but~~
1156 ~~not limited to, tariff rates, fiscal matters, management services, personnel staffing,~~
1157 ~~safety precautions, expansion or extension of services and public relations;~~
- 1158 ~~H. Assist the city council in developing ways and means whereby the city may~~
1159 ~~encourage and permit the development of port facilities by private and public~~
1160 ~~developers and builders;~~
- 1161 ~~I. Hear appeals resulting from actions of the port director and take action on matters~~
1162 ~~referred to the commission by the port director or city council;~~
- 1163 ~~J. Periodically review the budget, capital improvement programs, funding of port~~
1164 ~~facilities and systems and report its findings to the city council;~~
- 1165 ~~K. Prepare and submit to the city council an annual report of operations and finances,~~
1166 ~~including recommendations for the safe, efficient and economical operation of the~~
1167 ~~Bethel port;~~
- 1168 ~~L. Perform other such duties as the city council may refer to it from time to time;~~
- 1169 ~~M. Do other such acts as are necessary and proper for the performance of the duties~~
1170 ~~and functions set forth in this title;~~
- 1171 ~~N. The port commission may, at its discretion, hold formal public hearings on any~~
1172 ~~question which may come before it;~~
- 1173 ~~O. The city council shall be the board of appeals for all port commission action. The~~
1174 ~~city council may delegate to a hearing officer the authority to hear and decide appeals.~~

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1175 ~~14.04.050—Vacancies.~~

1176 ~~A. A vacancy shall be declared by the commission and filled as provided when a~~
1177 ~~member;~~

1178 ~~1. Fails to qualify and take office within thirty (30) days after confirmation by the~~
1179 ~~city council;~~

1180 ~~2. Departs from the city with the intent to remain away for a period of ninety (90)~~
1181 ~~days or more;~~

1182 ~~3. Submits a resignation to the city mayor, city clerk, commission or port director;~~

1183 ~~4. Is physically or mentally unable to attend port commission meetings or attend~~
1184 ~~to commission business;~~

1185 ~~5. Is absent from three (3) or more consecutive, regular meetings of the port~~
1186 ~~commission without an absence preapproved by the commission.~~

1187 ~~a. For purposes of this section, an absence will be considered excused if due~~
1188 ~~to the following causes and shall require approval by the commission at the~~
1189 ~~next regularly scheduled meeting:~~

1190 ~~i. The illness or injury of the commissioner or a family member;~~

1191 ~~ii. The death of a family member;~~

1192 ~~iii. An employment-related commitment;~~

1193 ~~iv. A commitment for city business; or~~

1194 ~~v. Other good cause approved by the commission.~~

1195 ~~b. Whenever possible absences should be noticed to the commission chair~~
1196 ~~prior to the meeting for purposes of securing a quorum at the meeting.~~

1197 ~~c. A commissioner may participate in a commission meeting by teleconference;~~

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- 1198 ~~6. Misses forty (40) percent or more of the regular board meetings in a twelve—~~
1199 ~~(12) month period;~~
- 1200 ~~7. Is convicted of a felony, or misdemeanor, an element of which is a violation of~~
1201 ~~the oath of office; or~~
- 1202 ~~8. Is or becomes so directly interested in port affairs in the course of their private—~~
1203 ~~affairs that a membership on the port commission creates a conflict or the—~~
1204 ~~reasonable appearance of a conflict of interest.~~
- 1205 ~~B. For the purposes of counting attendance, a member participating telephonically—~~
1206 ~~shall be counted as present.~~
- 1207 ~~C. The chair of the port commission shall notify the city clerk's office of any vacancy—~~
1208 ~~on the commission.~~
- 1209 ~~14.04.060—Administrative support.~~
1210 ~~The port commission shall receive full cooperation and support from the city manager—~~
1211 ~~including full access to any and all information concerning the port of Bethel.~~
- 1212 ~~14.04.070—Meetings.~~
1213 ~~A. A majority of the membership of the commission shall constitute a quorum for the~~
1214 ~~transaction of all business, and the chairperson shall have the vote on all matters. The~~
1215 ~~affirmative vote of a majority of the commission shall be sufficient to pass upon all~~
1216 ~~matters coming before it.~~
- 1217 ~~B. The commission shall choose a chairperson, vice chairperson and, if desired, a~~
1218 ~~secretary, each year at the first (1st) meeting following the qualification of one (1) or~~
1219 ~~more commissioners appointed that year by the city council.~~
- 1220 ~~C. The port commission shall attempt to meet at least nine (9) times each year at a~~
1221 ~~regularly scheduled time. Port commission meetings shall be held at Bethel City Hall. All~~
1222 ~~meetings of the commission shall be open to the public. The secretary (or city—~~
1223 ~~appointed recorder) shall draft the minutes of all regular and special meetings in a—~~

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1224 manner accurately reflecting the actions of the commission and shall file the minutes of
1225 these meetings permanently as public records.

1226 14.04.080—Membership in associations.

1227 The port commission as a whole may maintain membership in any local, state or
1228 national group or association organized and operated for the promotion, improvement
1229 or assistance in the administration of port and harbor facilities and, in connection
1230 therewith, pay dues and fees thereto.

1231 14.04.090—Schedule of fees and charges.

1232 A. The port commission, subject to approval by the city council, shall establish the
1233 rates, charges and fees to be charged for the use of any and all port facilities including,
1234 but not limited to, charges assessed against vessels, their owners, agents or operators
1235 which load or discharge cargo at any of the terminals within the area under the
1236 commission's jurisdiction; charges for dockage while loading or discharging cargo;
1237 charges for administrative expenses in serving the carrier; charges for freight handling
1238 operations; and wharfage, handling, loading, unloading, wharf demurrage rates,
1239 storage rates, fuel through-put fees, mooring to the seawall, small boat harbor,
1240 derelicts, delinquent accounts, use of adjacent property and other charges as
1241 appropriate.

1242 B. Such rates, charges and classifications shall be just, reasonable and
1243 nondiscriminatory and shall be established after a public hearing conducted by the port
1244 commission. Notice specifying the time and place of such hearing shall be given in at
1245 least one (1) publication at least fifteen (15) days before the hearing in a newspaper of
1246 general circulation in the city.

1247 C. At the hearing, interested parties may make such arguments before the port
1248 commission, whether in person or by representative, as they consider proper,
1249 addressing matters at issue, and thereafter the port commission shall prepare a
1250 schedule of rates to be submitted to the council at its next regular meeting.

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1251 ~~D.—The council may adopt the commission’s proposed rates by approval of modification~~
1252 ~~of either the Bethel Fee and Rate Schedule or the Bethel Tariff. The date upon which~~
1253 ~~the rates established or regulated go into effect may not be less than ten (10) days~~
1254 ~~after passage and approval by the council.~~

1255 ~~E.—Terminal tariffs established for the cargo dock are also subject to the approval of~~
1256 ~~the Federal Maritime Commission.~~

1257 ~~14.04.100—General powers.~~

1258 ~~Subject to state laws and city ordinances, the port commission shall generally exercise~~
1259 ~~all powers necessary and incidental to operation of all port facilities in the public~~
1260 ~~interest and in a sound business manner. In particular, and without limitation on the~~
1261 ~~foregoing, the commission shall make recommendations for:~~

1262 ~~A.—The operation, development and marketing of city owned and operated port~~
1263 ~~facilities, including such facilities as boat harbors, docks, boat launching ramps, and~~
1264 ~~related facilities except as designated by the city council by resolution.~~

1265 ~~B.—Adopting, pursuant to the Bethel Municipal Code, and enforcing regulations~~
1266 ~~necessary for the administration of the facilities under its port management.~~

1267 ~~C.—Prescribing the terms under which persons and vessels may use the facilities and~~
1268 ~~shall establish and enforce standards of operation.~~

1269 ~~D.—Administering and disposing of city tideland, submerged land, and other land as~~
1270 ~~provided by the council by ordinance as subject to port commission recommendations,~~
1271 ~~subject to the following limitations:~~

1272 ~~1.—No sale, purchase, or trade of land shall be made without prior review by the~~
1273 ~~planning commission and approval by the city council by ordinance.~~

1274 ~~2.—Unless otherwise designated in advance by the city council by ordinance, any~~
1275 ~~lease of land shall be limited to marine related uses, and those uses accessory to~~
1276 ~~tenancy on the boat harbor or use of the port.~~

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1277 ~~3.—All land transactions recommendations by the commission in accordance with—~~
1278 ~~this section shall be consistent with the comprehensive land management plan—~~
1279 ~~developed under this code.~~

1280 ~~E.—The development, adoption, alteration or revision, subject to approval by the city—~~
1281 ~~council, of a master plan for the physical development of harbor or port facilities for the—~~
1282 ~~city. Such master plan with accompanying maps, plats, charts, descriptive and—~~
1283 ~~explanatory matter shall show the commission's recommendations for the development—~~
1284 ~~of city port facilities and may include, among other things:~~

1285 ~~1.—Development of the type, location and sequence of all public port facilities;~~

1286 ~~2.—The relocation, removal, extension or change of use of existing port facilities.~~

1287 ~~F.—The administration for the design and construction of all capital improvements on—~~
1288 ~~lands managed by the port commission unless otherwise specified by the city council by—~~
1289 ~~resolution. The commission may propose capital improvement projects to and apply for—~~
1290 ~~funding from state and federal agencies; provided, that such requests shall be subject—~~
1291 ~~to prioritization by the city council with other city capital improvement funding requests—~~
1292 ~~prior to application for funds.~~

1293 ~~G.—Subject to city council review and approval, may recommend the port director enter—~~
1294 ~~into memoranda of understanding and similar agreements with public agencies for port—~~
1295 ~~purposes.~~

1296 ~~H.—Contracts for public improvements and, whenever practicable, other purchase of—~~
1297 ~~supplies, materials, equipment, and services, including professional services, shall be—~~
1298 ~~subject to the procurement procedures established in Chapter 4.20 BMC; provided, that—~~
1299 ~~the commission may, for all contracts, a class of contracts, or a particular contract,—~~
1300 ~~specify prior to issuance of a public solicitation that for purposes of applying Chapter—~~
1301 ~~4.20 BMC, all actions required thereby of the city manager or the purchasing officer—~~
1302 ~~shall be performed by the port director; and provided further, that any appeal or any—~~

Introduced by: Mayor DeWitt
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1303 ~~protest of a procurement so administered shall be initially decided by the port-~~
1304 ~~commission instead of the city manager.~~

1305 ~~14.04.120 — Limitation on authority.~~

1306 ~~The port commission members may commit the city to long range port development or~~
1307 ~~capital improvement plans or projects only as authorized in advance by the council by~~
1308 ~~ordinance or resolution.~~

1309 **SECTION 6.** This Ordinance shall become effective 30 days following adoption by the
1310 Bethel City Council.

1311
1312
1313 **ENACTED THIS 25th DAY OF MAY 2021 BY A VOTE OF _ IN FAVOR AND _**
1314 **OPPOSED.**

1315
1316
1317 _____
1318 Michelle DeWitt, Mayor

1319 ATTEST:
1320 _____
1321 Lori Strickler, City Clerk
1322



City of Bethel

Committees and Commissions

Recommendation to City Council

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

Committee/Commission: PRAHSC Committee	Chairman: Brian Lefferts
Date Submitted: 04/12/2021	Council Rep: Michelle DeWitt
Issue: The Parks, Recreation, Aquatic Health and Safety Center Committee is too long of a committee name.	
Recommendation: The PRAHSC Committee unanimously passed a motion to recommend the Committee be renamed to "Community Parks and Recreation Committee".	

Passed unanimously by the PRAHSC Committee on April 12, 2021.

Received by: _____
Date: _____

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
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Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance 21-21

**AMENDING CHAPTER 5.20 (GENERAL PROVISIONS RELATED TO TAXICABS,
CHAUFFEURS, AND DISPATCH SERVICES) BY REMOVING THE PUBLIC SAFETY
AND TRANSPORTATION COMMISSION FROM THAT CHAPTER**

WHEREAS, various Bethel Municipal Code chapters govern the structure, duties, and obligations of committees and commissions, and their members, and staff;

WHEREAS, a review, update, and consolidation of these provisions clarifies and streamlines the duties and powers of these bodies and provides consistency in the City's facilitation of board, committee and commission meetings;

WHEREAS, the City recognizes that the goal of citizen involvement is to seek objective opinions from a diverse array of residents and to value the expression of citizen viewpoints in all areas;

WHEREAS, the City wishes to provide stronger support and guidance to the volunteer boards, committees, and commissions by clarifying duties and responsibilities for each of these recommending bodies;

WHEREAS, the City wishes to promote civic engagement and encourage participation in municipal government among the youth of our community by allowing youth volunteers to be appointed to boards, committees and commissions;

WHEREAS, this ordinance supplements Ordinance 21-20, which updates and consolidates the powers and duties of committees and commissions by repealing Chapter 2.52 and replacing it with Chapter 2.60, Committees, Commissions, and Ad Hoc Committees;

WHEREAS, given the extensive changes to BMC 5.20 required to remove reference to the Public Safety and Transportation Commission, and the impacts some of these changes may have on the operation of the transportation industry, these amendments are presented separately in this ordinance, which is linked to Ordinance 21-20;

**NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF
BETHEL, ALASKA:**

City of Bethel, Alaska

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Introduced by: Mayor DeWitt
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SECTION 1. Classification. This is a codified ordinance of general and permanent nature and shall become part of the Bethel Municipal Code.

SECTION 2. Amendment. Bethel Municipal Code Chapter 5.20, General Provisions, is amended; new language is underlined and old language is stricken.

Chapter 5.20

~~GENERAL PROVISIONS~~

~~GENERAL PROVISIONS-REGULATIONS PERTAINING TO TAXICABS, CHAUFFEURS, AND DISPATCH SERVICES~~

Sections:

5.20.010 Definitions.

5.20.020 Bethel public safety and transportation commission authority.

~~5.20.030 Bethel public safety and transportation commission Powers and duties.~~

~~5.20.030 Enforcement authority.~~

~~5.20.040 Bethel public safety and transportation commission Regulations.~~

~~5.20.040 Powers and duties of transportation inspector.~~

~~5.20.050 Bethel public safety and transportation commission Regulated vehicle rates for service.~~

~~5.20.055 Bethel public safety and transportation commission Complaints.~~

~~5.20.060 Complaints against chauffeurs of regulated vehicles or against the condition of a regulated vehicle.~~

~~5.20.060 Hearing officer.~~

~~5.20.070 Powers and duties of transportation inspector.~~

~~5.20.080~~ 070 Vehicle operations and inspections.

~~5.20.085~~ 080 Drug and alcohol testing.

~~5.20.090 Enforcement authority.~~

~~5.20.100~~ 090 Hearings— Appeals.

~~5.20.100~~ Hearings of the commission.

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

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- 61 5.20.120 Penalties and remedies.
62 5.20.130 Renewal of license or permit.
63 5.20.140 Duty to maintain current application.
64 5.20.150 Submission, review and certification of applications.
65 5.20.160 Fees.
66 5.20.170 Safety belts, child safety restraints, and vehicle air bags.
- 67 5.20.010 Definitions.
68 When used in BMC Chapters 5.20 through 5.50, unless the context requires otherwise:
- 69 A. "Bus" means a regulated vehicle designated by its manufacturer as a bus used to
70 transport passengers for hire and having a capacity of eight (8) or more passengers,
71 except that any vehicle engaged exclusively in the transport by motor vehicle of
72 students to and from school is not a "bus" for purposes of BMC Chapters 5.20 through
73 5.50.
- 74 B. "Chauffeur" means a person authorized by the transportation inspector through the
75 issuance of a chauffeur's license to operate a vehicle regulated in accordance with BMC
76 Chapters 5.20 through 5.50.
- 77 C. "Commission" means the Bethel public safety and transportation commission.
- 78 D. "Dispatch service" means a business authorized pursuant to Chapter 5.50 BMC to
79 engage in the dispatch of taxicabs or river taxis to persons desiring to hire them.
- 80 E. "Interest" means any share in or right to a permit issued in accordance with BMC
81 Chapters 5.20 through 5.50.
- 82 F. "Lease operator" means a person who has entered into an agreement with a taxicab
83 permittee which allows that person to provide taxicab services pursuant to the
84 permittee's authority under this code, only if such an arrangement is approved in
85 advance by the transportation inspector, and only if such an arrangement is operated in
86 accordance with conditions placed upon it by the transportation inspector.

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87 G. "Licensee" means a person authorized by the transportation inspector to operate a
88 regulated vehicle while it is in service.

89 H. "Limousine" means a regulated vehicle designated by its manufacturer as a
90 limousine used to transport passengers for hire with a chauffeur over unfixed or
91 undefined routes at rates greater than those charged for taxicabs and buses. Curbside
92 and flag stop service are prohibited for limousine chauffeurs; all service must be
93 prearranged.

94 I. "Operate" means to drive, pick up, transport or discharge passengers.

95 J. "Permit" means a written authorization issued by the transportation inspector
96 allowing the operation of a vehicle regulated in accordance with BMC Chapters 5.20
97 through 5.50. A permit to operate may be separate from ownership or lease of the
98 vehicle or service operated. A permit to operate does not include a chauffeur's license.
99 Such a permit is separate and distinct from a chauffeur's license.

100 K. "Permittee" means a person authorized by the transportation inspector to put a
101 regulated vehicle in service.

102 L. "Rate" means every rate, toll, fare, rental charge or other form of compensation
103 demanded, charged or collected by a permittee or chauffeur for its services.

104 M. "Regulated vehicle" means any vehicle regulated by BMC Chapters 5.20 through
105 5.50.

106 N. "River taxi" means any motor vehicle used to transport passengers for hire on a
107 river which operates within the city limits of the city of Bethel.

108 O. "Taxicab" means a chauffeured motor vehicle used to transport passengers for hire
109 having a manufacturer's rated seating capacity of nine (9) or fewer persons, which
110 capacity includes the driver and which is not operated over fixed or defined routes.

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P. "Transfer" (with respect to an interest in a permit issued under Chapters 5.20 through 5.50 BMC) means to sell, lease, convey, give, exchange, or otherwise transfer an interest in a permit issued in accordance with BMC Chapters 5.20 through 5.50 to another person or entity, including but not limited to a transfer of interest through power of attorney.

Q. "Transportation inspector" means the Bethel chief of police or their designee.

5.20.020 Bethel public safety and transportation commission authority.
The Bethel public safety and transportation commission is established in accordance with Chapter ~~2.25~~ 2.60 BMC shall have the authority to regulate all regulated vehicles, chauffeur, and dispatch services in accordance with Chapters 5.20 through 5.50.

~~5.20.030 — Bethel public safety and transportation commission — Powers and duties.~~
~~A. In addition to the powers and duties enumerated in BMC 2.25.020, the commission shall have the powers and duties further enumerated in this section.~~

~~B. The commission shall regulate all regulated vehicles, chauffeurs, and dispatch services in accordance with Chapters 5.20 through 5.50 BMC except for any regulated vehicles which the commission determines are subject to regulation in accordance with a taxicab regulation program established by Alaska or federal law. No motorized vehicle may be offered for hire to transport passengers in Bethel without being a regulated vehicle. The purpose of the provisions set forth in Chapters 5.20 through 5.50 BMC or regulations adopted by the commission shall be to protect the public's interest with respect to the price and quality of service provided by regulated vehicles.~~

~~C. The commission shall hold at least two (2) public hearings annually to investigate the quality of services rendered by regulated vehicles, permittees, chauffeurs and dispatch services, and shall make such recommendations to the city council as it deems necessary for the improvement of such services.~~

~~D. The commission or its designee may administer oaths, certify to all official acts, and issue subpoenas and other process to compel the attendance of witnesses and the~~

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~~production of testimony, records, papers, accounts and documents in an inquiry,
investigation, hearing or proceeding before the commission. The commission may
petition a court of this state to enforce its subpoenas or other process.~~

Commented [11]: Repealed and integrated in the new chapter 2.60.

5.20.030 Enforcement authority.

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

~~5.20.040 — Bethel public safety and transportation commission — Regulations:
The commission may promulgate regulations setting rates and/or other charges for
service and minimum standards for service as well as any other regulations necessary
to carrying out the provisions of Chapters 5.20 through 5.50 BMC. Such regulations
shall be approved or rejected by the city council at or before the third (3rd) city council
meeting following adoption of the regulations by the commission. If such regulations
are not considered by the city council by the third (3rd) city council meeting following
their adoption by the commission, they shall be deemed approved by the city council.~~

5.20.040 Powers and duties of transportation inspector.

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

- A. Keep records relating to permittees, regulated vehicles, chauffeurs, and dispatch
services regulated under BMC Chapters 5.20 through 5.50;
- B. Investigate vehicles, drivers, records, and any and all other persons and things
related to the operation of regulated to ensure that the provisions of BMC
Chapters 5.20 through 5.50 are enforced and obeyed;
- C. Receive and process all applications for permits and licenses required under BMC
Chapters 2.50 through 5.50;
- D. -Require a regulated vehicle to be taken out of service for inspection when the
transportation inspector reasonably believes that the vehicle poses a threat to the

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safety or health of persons or property. The transportation inspector may order the owner of the regulated vehicle to obtain and pay for an inspection report from a designated inspection station. The transportation inspector may keep a vehicle out of service for a reasonable time in order to perform the inspection;

E. Assess a fine against a designated inspection station or the regulated vehicle operator or both, upon submission of an inspection report under BMC 5.20.080 that contains false or misleading information, including any material omission. The fine shall not exceed three hundred dollars (\$300) for each violator for each false or misleading inspection report. This fine shall be in addition to any other remedy or penalty provided by this code, such as denial, revocation, or suspension of a license or permit. Any appeal of the fine shall be in accordance with BMC 5.20.100.

~~5.20.050 Bethel public safety and transportation commission—~~ Regulated Vehicle Rates for Service.

~~A. The commission:~~

~~1. Shall establish maximum rates to be charged for taxicab and river taxi service and may establish minimum rates for such services;~~

~~2. May establish dispatch service, limousine, or bus minimum and/or maximum rates;~~

~~3. May establish maximum lease rates between permittees and lease operators of taxicabs, including daily lease rates for taxicab chauffeurs.~~

A. No unregulated motorized vehicle may be offered for hire to transport passengers in Bethel.

~~B. All rates established by the commission shall be nondiscriminatory, just and reasonable.~~

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190 C. A statement of actual taxicab rates charged by a taxicab, other than flat or group
191 rates established by contractual agreement between dispatch service companies and
192 individuals or other businesses, shall be conspicuously posted on the interior and
193 exterior of every taxicab in a manner prescribed by the transportation inspector.

194 D. No person may require payment of rates other than those established by the
195 commission pursuant to this section.

196 E. No person may require payment of dispatch service rates other than those
197 established by the commission pursuant to this section.

198 F. Rates for permitted ~~transportation area~~ regulated vehicles in the City of Bethel is as
199 follows:

	Maximum Senior Citizen Rate	Maximum Rates
Cab fares within the city (including Bethel Heights)	\$4.00	\$5.00
Fare to the hospital	\$4.00	\$5.00
Fare to the trailer court, Hangar Lake, power plant	\$4.00	\$5.00
Fare to/from the airport (to/from all locations, except Kasayulie Subdivision)	\$6.00	\$8.00
Fare to B.I.A. and Tundra Ridge	\$6.00	\$8.00
Fare to/from Kasayulie Subdivision	\$10.00	\$12.00
Fare to/from Haroldson Subdivision	\$7.00	\$8.00
Half-hour fare charter	\$25.00	\$35.00
Fare airport to airport	\$4.00	\$5.00

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	Maximum Senior Citizen Rate	Maximum Rates
En-route stops	\$1.00 per stop, plus \$1.00 per minute after three minutes	\$1.00 per stop, plus \$1.00 per minute after three minutes

~~5.20.055 5.20.060 Bethel public safety and transportation commission—Complaints.~~

~~The commission, through the transportation inspector, shall: Complaints against
chauffeurs of regulated vehicles or against the condition of a regulated vehicle.~~

~~A. Establish a system for processing and adjudicating citizen complaints against
chauffeurs of regulated vehicles or against the condition of a regulated vehicle and
further establish a system to keep records of all such complaints. The record shall
identify the chauffeur, permit number, and permittee of the vehicle involved in the
complaint, as well as the name, address, and/or telephone number of the complainants
if available. A complainant's identification may be held confidential by the commission
upon request of the complainant(s). Absent additional evidence, an anonymous
complaint does not constitute a sufficient basis for issuance of a civil or criminal citation
or penalty.~~

~~A. The transportation inspector shall accept and report to the commission complaints
against a chauffeur of a regulated vehicle or against the condition of a regulated
vehicle. A complainant's identification will not be kept confidential unless the complaint
is otherwise made confidential by law. Absent additional evidence, an anonymous
complaint is insufficient grounds to issue a civil or criminal citation or penalty.~~

~~B. Require dispatch companies to establish a record of all complaints registered
against chauffeurs of regulated vehicles, or against the condition of a regulated vehicle.
The record shall identify the chauffeur, permit number and permittee of the vehicle
involved in the complaint, as well as the name, address, and/or telephone number of
the complainants if available. A complainant's identification may be withheld from the
complaint log by the dispatch company and instead transmitted confidentially to the~~

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223 ~~transportation inspector upon request of the complainant. Absent additional evidence,~~
224 ~~an anonymous complaint does not constitute a sufficient basis for issuance of a civil or~~
225 ~~criminal citation or penalty. The dispatch companies shall, on a monthly basis, provide~~
226 ~~the transportation inspector with a complete copy of logged complaints.~~

227 ~~C. B.~~ Require that within all All regulated vehicles a commission shall have posted an
228 approved notice of the telephone numbers required for the filing of complaints with the
229 commission and the number of the vehicle utilizing the permit shall be prominently
230 displayed in a manner, size, and location designated by the transportation inspector.

231 ~~D. Provide permittees with a monthly summary of all logged complaints, civil or~~
232 ~~criminal citations, and convictions entered against chauffeurs or vehicles operating~~
233 ~~under the permittee's permit.~~

234 ~~E. C.~~ The transportation inspector may utilize citation and conviction findings in the
235 annual review process to determine whether the renewal of an individual permittee's
236 permit to operate remains in the continued public interest and welfare.

237 ~~F. Provide current information in response to any public request, as to the number of~~
238 ~~citations issued or convictions entered against a chauffeur or permittee within the~~
239 ~~preceding twelve (12) months. [Ord. 01-02 § 3.]~~

240 ~~5.20.060 — Hearing officer.~~

241 ~~A. Except as provided in subsection B of this section, in all appeals to it in accordance~~
242 ~~with BMC 5.20.100, the commission shall provide for a hearing officer to conduct the~~
243 ~~hearings, to make rulings regarding the admission of evidence and procedure, and to~~
244 ~~prepare a proposed decision, with findings of facts and conclusions of law. The~~
245 ~~commission may adopt the hearing officer's decision or decide the matter itself based~~
246 ~~upon the record created before the hearing officer. The record shall include tapes or~~
247 ~~transcripts of the hearing before the hearing officer. The hearing officer who presided~~
248 ~~at the hearing shall be present during the consideration of the case by the commission~~
249 ~~to assist and advise the commission.~~

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250 ~~B. If, in the case of an emergency or an expedited matter, there is not enough time to~~
251 ~~appoint a hearing officer to hear appeals in accordance with subsection A of this~~
252 ~~section, the commission may conduct a hearing without providing for a hearing officer.~~
253 ~~The commission is solely responsible for determining whether or not there is sufficient~~
254 ~~time to appoint a hearing officer. All other provisions of this section apply to the~~
255 ~~conduct of a hearing held without a hearing officer.~~

256 ~~C. Hearings shall be conducted under this section in accordance with AS 44.62.430~~
257 ~~through 44.62.540 (state administrative procedures for the conduct of administrative~~
258 ~~hearings by hearing officers).~~

259 ~~D. A hearing officer may be appointed to conduct appeals without complying with BMC~~
260 ~~4.20.170.~~

261 ~~5.20.070 — Powers and duties of transportation inspector.~~
262 ~~In addition to the other duties and powers granted by Chapters 5.20 through 5.50 BMC,~~
263 ~~the transportation inspector shall:~~

264 ~~A. Keep records relating to permittees, regulated vehicles, chauffeurs, and dispatch~~
265 ~~services regulated under Chapters 5.20 through 5.50 BMC;~~

266 ~~B. Investigate, inspect and examine vehicles, drivers, records and any and all other~~
267 ~~things related to the operation of regulated vehicles to assure that the provisions of~~
268 ~~Chapters 5.20 through 5.50 BMC are enforced and obeyed;~~

269 ~~C. Receive and process all applications for permits and licenses;~~

270 ~~D. Require a regulated vehicle to be taken out of service for an inspection when the~~
271 ~~transportation inspector reasonably believes that it poses a threat to the safety or~~
272 ~~health of persons or property. The transportation inspector may order the owner of the~~
273 ~~regulated vehicle to obtain and pay for an inspection report from a designated~~
274 ~~inspection station. The transportation inspector may keep a vehicle out of service for a~~
275 ~~reasonable time in order to perform the inspection;~~

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276 ~~E. Assess a fine against a designated inspection station or the regulated vehicle~~
277 ~~operator or both, upon submission of an inspection report under BMC 5.20.080 that~~
278 ~~contains false or misleading information, including any material omission. The fine shall~~
279 ~~not exceed three hundred dollars (\$300) for each violator for each false or misleading~~
280 ~~inspection report. This fine shall be in addition to any other remedy or penalty provided~~
281 ~~by this code, such as denial, revocation, or suspension of a license or permit. Any~~
282 ~~appeal of the fine shall be in accordance with BMC 5.20.100; and~~

283 ~~F. Perform those administrative duties of the commission which are delegated to them~~
284 ~~by the commission.~~

285 ~~5.20.080~~ 5.20.070 Vehicle operations and inspections.

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

294 B. When a regulated vehicle has been operating under any permit for two (2) years or
295 has accumulated a total of two hundred thousand (200,000) miles, whichever occurs
296 first ~~(1st)~~, the transportation inspector may increase the required annual inspection
297 frequency to four (4) inspections annually, after reasonable notice to the permittee.

298 C. No person may operate a vehicle as a regulated vehicle unless such vehicle is in a
299 safe, clean condition and in compliance with all applicable laws. If the transportation
300 inspector determines that a regulated vehicle is mechanically unsound, unclean or
301 otherwise out of compliance with all applicable laws, the permittee shall take the vehicle
302 out of service immediately upon notification from the transportation inspector.

303 D. *Mechanical Equipment Standards.*
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1. The steering mechanism shall be in good working order and wheel play shall not exceed two (2) inches;
2. All door hinges and latches shall be in good mechanical working order so that doors open easily and close securely. All door locks shall function as designed;
3. All windows shall be fully operable and composed of approved safety glass. The windshield shall have no chips or stars larger than a twenty-five cent piece (\$0.25) and shall not be cracked above four (4) inches from the bottom or below four (4) inches from the top of the windshield. No cracks in a vertical position are permitted on either side of the windshield. At no time shall a driver's vision be obstructed by damage to the windshield, side windows or rear window. Interior and exterior mirrors shall be firmly attached to the vehicle;
4. All brakes shall be in good mechanical working order. When pressed, the brake pedal shall not be less than one and three-fourths (1 3/4) inches from the floorboard. Brake linings shall not be less than one thirty-second (1/32) of an inch at any point. Brake drums shall not exceed forty-one thousandths (40/1,000) of an inch in excess of factory specifications;
5. The exhaust system, gaskets, tailpipes and mufflers shall be in good condition. Exhaust fumes shall not permeate into the interior of the vehicle;
6. The vehicle shall be equipped with four (4) tires, each of which shall have tread depth measurements at approximately every one hundred twenty (120) degrees of its circumference of not less than two thirty-seconds (2/32) of an inch. There shall be no sidewall damage to the tires;
7. The speedometer shall be properly installed and maintained in good working order and exposed to view;
8. The interior of the vehicle shall be maintained in a clean and sanitary condition, and be free from torn upholstery and from damaged or broken seats;

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- 330 9. All exterior and interior lights and turn signals shall be in good mechanical
331 order. Headlights shall be properly aligned for both high and low beam use.
332 Headlights shall be on when operating the vehicle for hire regardless of time of day.
- 333 10. The horn and two (2) windshield wipers shall be in good mechanical working
334 order;
- 335 11. All wire connections shall be permanent and located out of the way of the
336 driver and passengers;
- 337 12. The vehicle shall be structurally sound and not have cracked or dented fenders
338 and shall be painted so as to provide reasonable protection against structural
339 deterioration. Body and sheet metal should have all the manufactured parts
340 securely mounted with no dangerous protuberances;
- 341 13. Defrosting and heating systems shall be operational;
- 342 14. There shall be no measurable leakage of fluids or oil from any part of the
343 vehicle;
- 344 15. The vehicle shall be equipped with a readily accessible fire extinguisher with a
345 gauge that clearly indicates that the unit is fully charged, mounted and readily
346 accessible within the driver's immediate reach in the vehicle;
- 347 16. The vehicle shall be equipped with accessible and operable seat belts for all
348 seats;
- 349 17. The vehicle shall comply with the provisions of AS 28.05.095 regarding child
350 safety restraints and seat belts;
- 351 18. The vehicle's odometer shall be kept in good working order.

352 E. All regulated vehicles shall be subject at all times to an inspection by the
353 transportation inspector, or a police officer who has reason to believe that the vehicle
354 does not comply with all federal, state and local equipment laws or regulations.

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Commented [12]: This is an amendment that has nothing to do with the PSTC, however, it is a requirement that is set out for the operations of regulated vehicles in it's own chapter 5.45. Code structure and referencing make pulling it into the mechanical and equipment standards easier to find. We will present an ordinance repealing 5.45 following the adoption of this ordinance.

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355 ~~5.20.085~~ 5.20.080 Drug and alcohol testing.

356 A. ~~The commission shall:~~

357 1. ~~Establish a commission approved drug and alcohol testing program for~~
358 ~~chauffeurs of regulated vehicles. The program may include chauffeur applicant drug~~
359 ~~screening tests, random tests, reasonable cause tests, post accident tests, and~~
360 ~~post citation tests. The testing program shall be administered by the transportation~~
361 ~~inspector;~~

362 2. ~~Provide for the~~ The transportation inspector shall deny or immediately
363 ~~immediate denial or revocation of the~~ revoke a chauffeur's license by the
364 ~~transportation inspector of following~~ any such chauffeur failing or failing to submit
365 to a chauffeur application drug screening test, a random drug or alcohol test, a
366 reasonable cause drug or alcohol test, a post-accident drug or alcohol test, or a
367 post-citation drug or alcohol test, for a period of not less than six (6) months for a
368 first (1st) offense. In the case of a revocation under this section, the revocation
369 may continue beyond six (6) months until such time as the chauffeur shall submit
370 evidence of successful completion of a drug or alcohol abuse treatment program for
371 the first offence and not less than two (2) years for a second or subsequent
372 offense;

373 3. ~~Provide for the immediate revocation by the transportation inspector of the~~
374 ~~chauffeur's license of any chauffeur failing or failing to submit to such a random,~~
375 ~~reasonable cause, post accident, or post citation test, for a period of not less than~~
376 ~~two (2) years for a second (2nd) or subsequent offense.~~

Commented [13]: This intent is pulled to the above subsection

377 B. ~~Within ninety (90) days of the enactment of the ordinance codified in this chapter, a~~
378 ~~design, cost structure, and fee determination for the drug and alcohol testing program~~
379 ~~shall be developed by the commission and submitted to the city council for approval~~
380 ~~subject to the following conditions:~~

381 1. ~~Direct operational costs for the random, post accident, post citation, and~~
382 ~~reasonable cause drug and alcohol testing program shall be borne by permittees.~~
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383 ~~Direct operational costs for the chauffeur application drug screening test shall be~~
384 ~~borne by licensees.~~

385 ~~5.20.090 — Enforcement authority.~~

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

388 ~~5.20.100~~ 5.20.090 Hearings— Appeals.

389 A. If the transportation inspector determines that an application for a license or permit
390 does not meet the requirements of BMC Chapters 5.20 through 5.50, the transportation
391 inspector shall deny the application. The transportation inspector shall issue a written
392 decision to the applicant which shall state the specific reasons for that denial within
393 fifteen (15) days of the denial of the application, and shall provide notice of the
394 applicant's opportunity to appeal.

395 B. A person aggrieved by the denial of an application under subsection A of this
396 section, or revocation or suspension of a permit or license by the transportation
397 inspector pursuant to BMC Chapters 5.20 through 5.50 may, within fifteen (15) days of
398 receipt of the denial, suspension or revocation decision, and upon payment of the ~~filing~~
399 ~~fee required by BMC 5.20.160~~ appeal fee, appeal that decision to the commission. After
400 a hearing ~~conducted pursuant to BMC 5.20.060~~, the commission shall uphold the
401 decision of the transportation inspector, or authorize the conditional or unconditional
402 issuance or reinstatement of a denied, suspended or revoked license or permit only
403 upon an affirmative showing at a hearing by the appellant that the transportation
404 inspector exceeded their authority under BMC Chapters 5.20 through 5.50 in denying,
405 suspending, or revoking the license or permit.

406 C. An appeal from any final decision of the commission made in accordance with this
407 section shall be filed in the Superior Court, Fourth Judicial District, Bethel, Alaska, no
408 later than thirty (30) days following service of that decision upon the affected licensee
409 or permittee at the last known address. Review by the court shall be limited to
410 determining whether the decision appealed is supported by substantial evidence.

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411 D. A permittee or licensee who has been issued a citation for a violation of a provision
412 of BMC Chapters 5.20 through 5.50, or subjected to a penalty, may contest that citation
413 or penalty by filing a notice of appeal with the commission no later than fifteen (15)
414 days after the day the citation or penalty has been issued. ~~Such an appeal shall be~~
415 ~~considered by the commission in accordance with the procedures established in BMC~~
416 ~~5.20.060 and subsection B of this section.~~

417 5.20.100 Hearings of the commission.

418 Hearings of the commission shall be conducted in accordance with provisions of the
419 Alaska Administrative Procedure Act governing the conduct of administrative hearings
420 by hearing officers.

421 5.20.110 Denial, suspension, or revocation of license or permit.

422 A. The transportation inspector shall have the power to suspend or revoke a
423 chauffeur's license.

424 1. The transportation inspector shall immediately suspend or revoke a chauffeur's
425 license if a chauffeur is convicted by a court of competent jurisdiction of an offense
426 set forth in BMC 5.40.030;

427 2. The transportation inspector shall suspend or revoke a chauffeur's license upon
428 receipt of evidence sufficient to cause the transportation inspector to conclude that
429 it is more likely than not that a chauffeur is incapable of controlling a motor vehicle
430 safely;

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

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

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

a. A permittee has not operated pursuant to the permit for one hundred eighty (180) days in any twelve- (12-) month period; provided, that such failure to operate is not caused by strike, public catastrophe, or other act beyond the control of the permittee but not including insolvency;

b. A permittee has sold or otherwise lost the use of the vehicle which was being operated pursuant to the permit and has failed to replace it within sixty (60) days after the date of such sale or loss;

c. A permittee has failed to make any payments required under BMC Chapters 5.20 through 5.50 BMC or to make any payments (including but not limited to business license fees and sales taxes) or remit any fees required by any other provisions of this code;

d. A permittee has submitted a false or misleading inspection report from a designated inspection station;

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

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

4. The transportation inspector may immediately revoke a permit under this subsection if the transportation inspector determines that continued operation of

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463 the permit will result in substantial risk to the public health or welfare. If the
464 transportation inspector revokes a permit based upon such determination, the
465 revocation action shall expire in ten (10) days, unless within this time the
466 commission holds a hearing and determines that a continued emergency revocation
467 is warranted until such time as the commission makes a decision on an appeal to
468 the revocation, should such an appeal be filed by the permittee.

469 C. The commission may suspend or revoke a dispatch service permit upon a finding
470 after a hearing that:

471 1. Such dispatch service has not commenced operation within ninety (90) days
472 after issuance of the permit;

473 2. Such dispatch service has failed to provide dispatch services for a period of
474 ninety (90) consecutive days; provided, that such failure to operate is not caused
475 by strike, public catastrophe or other act beyond the control of the dispatch service
476 other than insolvency; or

477 3. Such dispatch service does not have a valid radio station license issued by the
478 Federal Communications Commission ("FCC") or such dispatch service is not in
479 compliance with any terms and conditions imposed on it by the FCC.

480 D. Violation of any of the terms and conditions of a suspension or revocation imposed
481 by this section is a separate violation.

482 E. Upon suspension or revocation of a chauffeur's state driver's license, their
483 chauffeur's license shall simultaneously and automatically become void. A chauffeur
484 shall surrender their chauffeur's license to the transportation inspector and cease
485 operating a regulated vehicle immediately upon suspension or revocation of the
486 chauffeur's state driver's license. Such a chauffeur shall not thereafter operate a vehicle
487 for which a chauffeur's license is required unless they are first issued a new chauffeur's
488 license in accordance with BMC 5.40.030.

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489 F. A permittee or licensee must surrender their permit or license to the transportation
490 inspector immediately upon suspension or revocation.

491 G. A permittee or licensee may appeal a suspension or revocation by the
492 transportation inspector to the commission in accordance with BMC 5.20.100. A
493 permittee or licensee may appeal a suspension or revocation by the commission to the
494 Superior Court in accordance with BMC 5.20.100.

495 H. Unless provided otherwise in Chapters 5.20 through 5.50 BMC, a permit or license
496 that is revoked shall become void and revert to the commission.

497 5.20.120 Penalties and remedies.

498 A. A person who violates a provision of BMC Chapters 5.20 through 5.50 or a
499 regulation promulgated thereunder may be guilty of an infraction and may be issued a
500 citation.

501 B. In accordance with AS 29.25.070(a), citations for the following offenses may be
502 disposed of as provided in AS 12.25.195 through 12.25.230, without a court
503 appearance, upon payment of the fine amounts listed below plus the state surcharge
504 required by AS 12.55.039 and 29.25.074. Fines must be paid to the court. The Rules of
505 Minor Offense Procedure in the Alaska Rules of Court apply to all offenses listed below.
506 Citations charging these offenses must meet the requirements of Minor Offense Rule 3.
507 If a person charged with one (1) of these offenses appears in court and is found guilty,
508 the penalty imposed for the offense may not exceed the fine amount for that offense
509 listed below. If an offense is not listed on this fine schedule or another fine schedule,
510 the defendant must appear in court to answer to the charges. These fines may not be
511 judicially reduced.

512 C. The penalties for an infraction under Chapters 5.20 through 5.50 BMC are as
513 follows:

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Offense	Section	Fine Amount
<u>Offering transportation for hire to a passenger without being a regulated vehicle.</u>	5.20.050 (A)	<u>\$150 1st Violation</u> <u>\$200 2nd Violation</u> <u>\$250 3rd Violation</u> <u>\$300 4th+ Violation</u>
Failure to conspicuously post taxicab rates.	5.20.050(C)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Requiring/requesting rate other than posted and/or approved	5.20.050(D)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

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Offense	Section	Fine Amount
Requiring/requesting payment of dispatch service other than posted and/or approved	5.20.050(E)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Failure to establish record of all complaints registered against chauffeur(s)	5.20.055(B)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Failure to establish record of all complaints registered against the condition of a regulated vehicle	5.20.055(B)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

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Offense	Section	Fine Amount
Improper/insufficient record of complaints	5.20.055(A)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Operating a regulated vehicle that is unsafe, unclean or not in compliance with law	5.20.080(C)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Steering mechanism not in good working order	5.20.080(D)(1)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Commented [14]: 5.20.055 is changing to have the documents held with the transportation inspector to more closely reflect the current process.

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Offense	Section	Fine Amount
Failure to meet mechanical standards	5.20.080	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Failure to maintain current application	5.20.140	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Failure to comply with safety belts and child safety restraints regulations	5.20.170	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

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Offense	Section	Fine Amount
Providing taxicab services without a permit	5.30.010(A)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Providing taxicab services without a permittee agreement	5.30.010(A)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Unauthorized loan of taxicab permit	5.30.010(B)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

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Offense	Section	Fine Amount
Operating or dispatching a vehicle not described on a taxicab permit	5.30.010(C)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Providing river taxi service without a permit	5.30.020	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Providing bus service without a permit	5.30.030	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

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Offense	Section	Fine Amount
Providing limousine service without a permit	5.30.035	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Transferring permit or interest in permit without approval of transportation inspector	5.30.060	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Failure to post permit	5.30.065	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Operating more than one vehicle under a single taxicab permit without authorization	5.30.070	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Taxicab failure to subscribe to dispatch service	5.30.080	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Improper/insufficient taxicab vehicle markings	5.30.090	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Two-way radio required	5.30.100(A)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Equipping taxicab with apparatus capable of monitoring a frequency used by a dispatch service other than that used by taxicab's service	5.30.100(A)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Insufficient interior light	5.30.100(B)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
 Introduction Date: May 11, 2021
 Public Hearing Date May 25, 2021
 Action:
 Vote:

Offense	Section	Fine Amount
Nonflashing rooftop light required only when taxicab is in service	5.30.100(C)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Seat belts required	5.30.100(D)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Insufficient/improper equipment for river taxi	5.30.100(E)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Video camera required	5.30.100(F)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Improper/insufficient video camera system	5.30.100(F)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Improper/insufficient storage of video camera recording	5.30.100(F)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Altering or manipulating video camera recording	5.30.100(F)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Improper/insufficient positioning of video camera recording	5.30.100(F)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Video surveillance of passenger area of limousine	5.30.100(F)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
 Introduction Date: May 11, 2021
 Public Hearing Date: May 25, 2021
 Action:
 Vote:

Offense	Section	Fine Amount
Improper/insufficient GPS	5.30.100(F)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Insurance required	5.30.120	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Posting of insurance notice	5.30.130	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Records maintenance	5.30.140	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Single use of vehicle	5.30.160	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Vehicle horn honking	5.30.170	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Safety equipment tampering	5.30.180	\$250 1st Violation \$500 2nd Violation \$750 3rd Violation \$1,000 4th+ Violation
Chauffeur's license required	5.40.010	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Posting of chauffeur's license	5.40.040	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Maximum number of hours per day	5.40.050	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Duty to serve public	5.40.060	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Failure to notify dispatcher of refusal	5.40.060(B)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Smoking or burning material in regulated vehicles	5.40.060(D)	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Alcoholic beverages and controlled substances	5.40.070	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Carrying alcoholic beverages	5.40.080	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Failure to provide charter of taxicab upon request	5.40.090	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Failure to provide receipt upon request	5.40.100	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Two-way radio prohibited	5.40.110	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Handheld device use prohibited	5.40.120	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Check-in and check-out requirement	5.40.130	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Operating a vehicle for hire without the headlights on	5.45.020	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Dispatch service permit required	5.50.010	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Dispatch service permit transfer	5.50.030	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Provision of service (dispatch)	5.50.040	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Dispatch service operation	5.50.050	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Communication requirement between dispatchers and taxicab chauffeurs	5.50.060	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation
Compliance with Federal Communications Commission regulations	5.50.070	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

Offense	Section	Fine Amount
Records requirement	5.50.080	\$150 1st Violation \$200 2nd Violation \$250 3rd Violation \$300 4th+ Violation

D. In addition to the penalties provided for in subsection C of this section, a person who violates a provision of BMC Chapters 5.20 through 5.50 BMC or any regulation promulgated thereunder may also be subject to the following:

1. Suspension of the violator's chauffeur's license or permit for fifteen (15) days or less for a second (2nd) violation of the same or similar offense;
2. Suspension of the violator's chauffeur's license or permit for thirty (30) days or less for a third (3rd) violation of the same or similar offense;
3. A permanent suspension of the violator's chauffeur's license or permit for a fourth (4th) or subsequent violation of the same or similar offense.

E. Each day during which a violation described in this section occurs shall constitute a separate offense.

F. In addition to the penalties and other relief listed above, the city may seek injunctive relief or any other remedies available at law.

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

527 5.20.130 Renewal of license or permit.

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

531 B. An application to renew a permit or license shall be made to the transportation
532 inspector, at the time set for submitting the application, and shall be treated in the
533 same manner as an original application. A decision to grant a license or permit in two
534 (2) years does not preclude the transportation inspector from denying a license or
535 permit upon application for renewal.

536 C. If a permittee or licensee is not qualified to hold their permit or license at the time
537 of renewal, the transportation inspector shall not renew the permit or license and it
538 shall become void and revert to the commission.

539 D. Any person whose application for an original license or permit or for a renewal of
540 license or permit has been denied and any person whose license or permit has been
541 revoked may not apply for a new license or permit for one (1) year from the initial date
542 of the denial or revocation. New taxicab permits shall only be issued in accordance with
543 the provisions of BMC 5.30.050.

544 5.20.140 Duty to maintain current application.

545 A. A permittee or licensee is under a continuing obligation to keep the information on
546 their application current. Failure to do so shall be a violation of BMC Chapters 5.20
547 through 5.50. A permittee or licensee shall give written notice to the transportation
548 inspector of any change to be made on their application within ten (10) days, and the
549 transportation inspector shall amend the application accordingly. Failure to comply with
550 this subsection is grounds for denial, suspension or revocation of a permit or license.

551 B. No person may knowingly make a false or misleading statement on their application
552 for a permit or license under BMC Chapters 5.20 through 5.50. Failure to comply with
553 this subsection is grounds for denial, suspension or revocation of a permit or license
554 and constitutes a violation of BMC Chapters 5.20 through 5.50.
City of Bethel, Alaska

Ordinance #21-21
43 of 46

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

- 555 5.20.150 Submission, review and certification of applications.
- 556 A. An application for an original or renewal permit or license required by BMC Chapters
- 557 5.20 through 5.50 shall be submitted to the transportation inspector.
- 558 B. The transportation inspector shall review the application to assure it complies with
- 559 the requirements of BMC Chapters 5.20 through 5.50.
- 560 C. The transportation inspector shall transmit applications meeting the requirements
- 561 stated in subsection B of this section to the city manager to determine whether the
- 562 applicant owes any taxes, fees, assessments, or other payments to the city, and
- 563 whether the applicant has a current city business license.
- 564 D. If the applicant has no outstanding obligations and has a business license, the city
- 565 manager or their designee shall certify the application, and return it to the
- 566 transportation inspector. The transportation inspector shall not issue or renew an
- 567 application for a permit or license unless the city manager or their designee certifies the
- 568 application in accordance with this section.
- 569 5.20.160 Fees.
- 570 The following fees shall be payable to the city:
- 571 A. Two hundred dollars (\$200) monthly shall be paid to the transportation inspector
- 572 for the issuance or renewal of a bus, limousine, river taxi, dispatch service, or taxicab
- 573 permit no later than the tenth (10th) of each month.
- 574 B. Two hundred fifty dollars (\$250) shall be paid to the transportation inspector for the
- 575 initial issuances and each two- (2-) year renewal of a chauffeur's license no more than
- 576 three (3) months prior to expiration date, not after one (1) month prior to expiration
- 577 date.
- 578 C. Two hundred fifty dollars (\$250) shall be paid to the transportation inspector for the
- 579 initial issuances and each two- (2-) year renewal of a vehicle permit no more than three
- 580 (3) months prior to expiration date, not after one (1) month prior to expiration date.

City of Bethel, Alaska

Ordinance #21-21
44 of 46

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

581 D. One hundred dollars (\$100) shall be paid to the city finance department for each
582 appeal from a decision of the transportation inspector to the commission under
583 Chapters 5.20 through 5.50 BMC. Such fee shall be refunded if the decision is
584 subsequently reversed. The ex officio member of the public safety and transportation
585 commission must notify all commission members when an appeal is filed. The fee shall
586 be forfeited if the party making the appeal fails to show for the appeal hearing.

587 E. Eighty-five dollars (\$85) shall be paid to the transportation inspector each time that
588 a taxicab permittee applies to substitute a vehicle that operates under a permit.

589 F. One hundred twenty-five dollars (\$125) shall be paid to the transportation inspector
590 for an application to transfer an interest in a taxicab permit or a dispatch service permit
591 in accordance with the provisions of BMC Chapters 5.20 through 5.50.

592 G. There shall be a one hundred dollar (\$100) surcharge for late payment of fees
593 provided for in subsections A, B, and C of this section.

594 H. Twenty-five dollars (\$25) shall be paid to the transportation inspector for
595 administration of the examination required in BMC 5.40.020(C), except that this
596 payment shall not be required the first (1st) time that an applicant for a chauffeur's
597 license takes the examination.

598 I. Fifteen dollars (\$15) shall be charged for chauffeur and vehicle renewal applications
599 which are mailed in.

600 J. Thirty-five dollars (\$35) shall be charged for chauffeur drug testing.

601 5.20.170 Safety belts, child safety restraints, and vehicle air bags.
602 Every regulated vehicle shall comply with the provisions of AS 28.05.095 regarding
603 safety belts and child safety restraints. Additionally, no operator of a regulated vehicle
604 shall allow a child under twelve (12) years of age to ride in the front seat of the vehicle
605 if it has a passenger air bag.

606 **SECTION 3.** This Ordinance shall become effective 30 days following adoption by the
City of Bethel, Alaska

Ordinance #21-21
45 of 46

Introduced by: Mayor DeWitt
Introduction Date: May 11, 2021
Public Hearing Date May 25, 2021
Action:
Vote:

607 Bethel City Council.

608

609 **ENACTED THIS 25th DAY OF MAY 2021 BY A VOTE OF _ IN FAVOR AND _**
610 **OPPOSED.**

611

612

613 ATTEST:

614

615 _____
Lori Strickler, City Clerk

616

Michelle DeWitt, Mayor

Introduced by: City Manager, Peter Williams
Date: May 11, 2021
Public Hearing: May 25, 2021
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #21-22

AN ORDINANCE AUTHORIZING THE ACQUISITION OF INTEREST IN LAND FOR A UTILITY EASEMENT FROM FRANK JONES INVOLVING THE BETHEL AVENUES PIPED WATER AND SEWER PROJECT - PHASE I

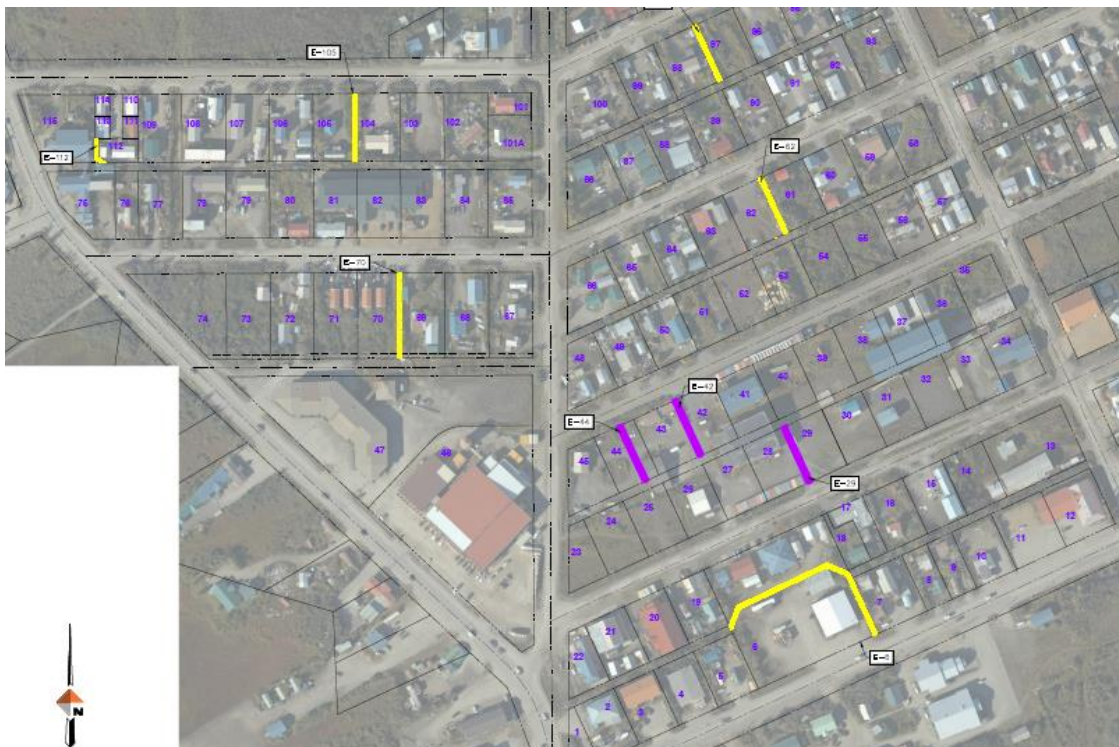
- Whereas,** the City of Bethel "City" has a grant from the U.S. Department of Agriculture (USDA). To provide for water and sewer improvements known as the Bethel Avenues Piped water and Sewer Project – Phase I;
- Whereas,** the City has arranged for a multi-phase project to supply water and collect sewer through the following described real property, including alignment of mains and service lines and other utilities through the easements and right-of-ways in perpetuity;
- Whereas,** the City needs to acquire various easements across the properties involved in the Bethel Avenues Piped water and Sewer Project – Phase I;
- Whereas,** the proposed various easements are in the public interest because the easements allow the City the land necessary for placement of different utility lines for its Projects;
- Whereas,** in accordance with Section 4.08.02 of Bethel Municipal Code, the City Council hereby authorizes the acquisition of this easement, in the form as set forth in this ordinance;
- Whereas,** Lot 4, Block 3, NORTHWEST ADDITION TO THE BETHEL TOWNSITE, U.S. SURVEY 3770, located in the Bethel Recording District, Fourth Judicial District, State of Alaska, more particularly described as:

The Basis of Bearing for this description is a local plane bearing based on NAD83(2011) Geodetic Bearings. Distances shown are horizontal ground distances in U.S. Survey Feet.

Introduced by: City Manager, Peter Williams
Date: May 11, 2021
Public Hearing: May 25, 2021
Action:
Vote:

A portion of Lot 4, Block 3, according to the Supplemental Plat for U.S. Survey 3770, filed as Plat No. 80-12, Bethel Recording District, Fourth Judicial District, Alaska, being more particularly described by metes and bounds as follows:

Beginning at the northeast corner of said Lot 4, being common with the northwest corner of Lot 3, according to the Supplemental Plat for U.S. Survey 3770, filed as Plat No. 80-12, Bethel Recording District, Fourth Judicial District, Alaska, also being the south Right-of-Way for 6th Street and the True Point of Beginning for this description; thence along the easterly line of said Lot 4 S00°15'52"E 185.90 feet to the north line of an existing Public Utility Easement (PUE) per said Plat 80-12; thence along said easement S89°44'07"W 10.00 feet; thence departing said easement N00°15'52"W 185.90 feet to a point on the northern line thereof; thence N89°44'07"E 10.00 feet to the True Point of Beginning. Said easement embraces an area of 1,859 square feet, more or less as calculated from said courses and distances.



NOW, THEREFORE BE IT ORDAINED, the City, in consideration of the agreement between FRANK JONES, the Grantor, and the City of Bethel "CITY" the Grantee,

Introduced by: City Manager, Peter Williams
Date: May 11, 2021
Public Hearing: May 25, 2021
Action:
Vote:

mentioned herein, acquires this easement and this ordinance shall be recorded with each detailed "PUBLIC UTILITY EASEMENT" document.

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 25th DAY OF MAY 2021 BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

Michelle DeWitt, Mayor

ATTEST:

Lori Strickler, City Clerk



CITY OF BETHEL PUBLIC UTILITY EASEMENT

This Grant of Easement is made this 22 day of APRIL, 2021, by and between **FRANK JONES**, hereinafter referred to as "Grantor", whose mailing address is P.O. Box 306, Bethel, Alaska 99559, and the Grantee, **CITY OF BETHEL** a municipal corporation of the State of Alaska, its successors and assigns, hereinafter referred to as "City", whose mailing address is P.O. Box 1388, Bethel, Alaska 99559.

The Grantor, for and in consideration of TEN DOLLARS (\$10.00) and other valuable consideration, in hand paid, conveys and warrants 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 4, Block 3, NORTHWEST ADDITION TO THE BETHEL TOWNSITE, U.S. SURVEY 3770, located in the Bethel Recording District, Fourth Judicial District, State of Alaska,

Said easement is depicted on the parcel map attached hereto as pages 4 and 5, and designated as Parcel E-70, more particularly described as follows:

The Basis of Bearing for this description is a local plane bearing based on NAD83(2011) Geodetic Bearings. Distances shown are horizontal ground distances in U.S. Survey Feet.

A portion of Lot 4, Block 3, according to the Supplemental Plat for U.S. Survey 3770, filed as Plat No. 80-12, Bethel Recording District, Fourth Judicial District, Alaska, being more particularly described by metes and bounds as follows:

Beginning at the northeast corner of said Lot 4, being common with the northwest corner of Lot 3, according to the Supplemental Plat for U.S. Survey 3770, filed as Plat No. 80-12, Bethel Recording District, Fourth Judicial District, Alaska, also being the south Right-of-Way for 6th Street and the True Point of Beginning for this description; thence along the easterly line of said Lot 4 S00°15'52"E 185.90 feet to the north line of an existing Public Utility Easement (PUE) per said Plat 80-12; thence along said easement S89°44'07"W 10.00 feet;

thence departing said easement N00°15'52"W 185.90 feet to a point on the northern line thereof; thence N89°44'07"E 10.00 feet to the True Point of Beginning. Said easement embraces an area of 1,859 square feet, more or less as calculated from said courses and distances.

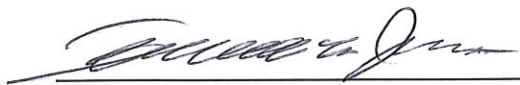
Only such rights in the land described shall be acquired as shall be necessary for the construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair of Utilities and appurtenances, reserving unto the Grantor the right to use said property in any way, and for any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

Grantor grants City free ingress and egress to the easement across Grantor's property for construction, reconstruction, alteration, operation, replacement, relocation, maintenance and repair.

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 22 day of APRIL, 2021.


FRANK JONES

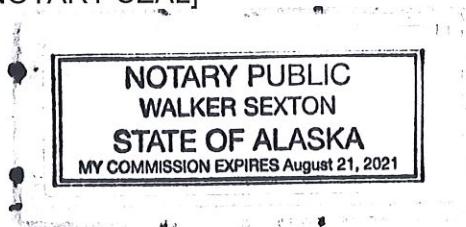
ACKNOWLEDGMENT OF GRANTOR

STATE OF ALASKA)
) ss:
Fourth Judicial District)

On this 22nd day of April, 2021 before me, the undersigned, a Notary Public in and for the State of Alaska, personally appeared **Frank Jones**, 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, 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: Aug 21, 2021

CERTIFICATE OF ACCEPTANCE

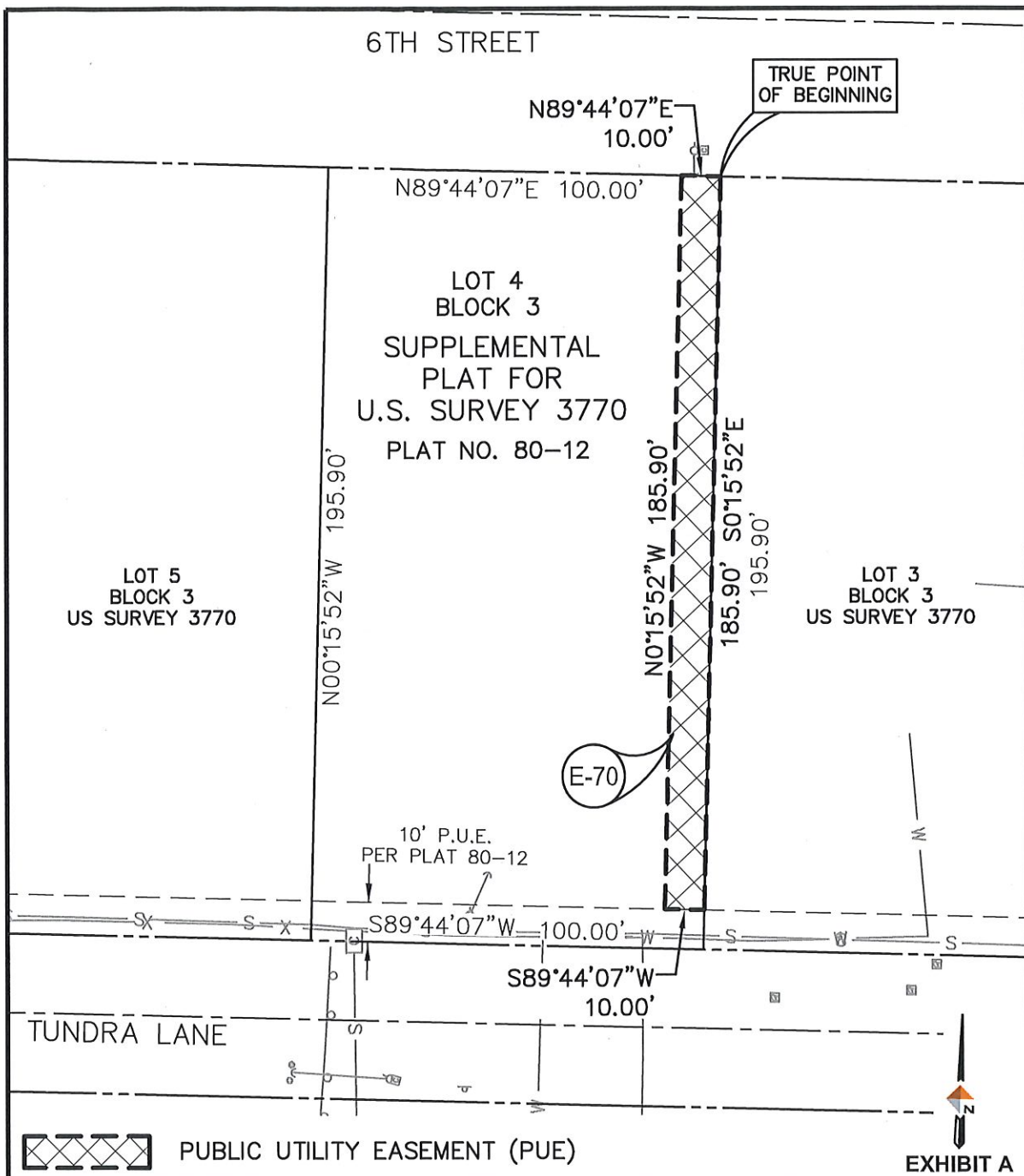
THIS IS TO CERTIFY that the City of Bethel, Grantee herein, pursuant to Ordinance 21-_____, hereby accepts for public purposes the easement described in this instrument and consents to the recordation thereof:

IN WITNESS WHEREOF, I have hereunto set my hand this ____ day of _____, 2021.

CITY OF BETHEL

By: _____
Peter A. Williams
Interim City Manager

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



CITY OF BETHEL PUBLIC WORKS DEPARTMENT		BETHEL AVENUES NEIGHBORHOOD PIPED WATER AND SEWER	
	OWNER'S INITIALS: <i>[Signature]</i>	EXISTING PARCEL AREA: ± 19,590 S.F.	
	ATTACHED TO: PUE	ROW ACQUISITION TYPE: PUE	
	PAGE 4 OF 5 DATED 4-22-21	ROW ACQUISITION AREA: ± 1,859 S.F.	SCALE: 1"=40'
		PARCEL No. E-70	

THESE PLATS MAY BE USED FOR THE ESTABLISHMENT OF THE
EASEMENT BOUNDARY ONLY, AND SHOULD NOT BE USED AS A
BASIS FOR ESTABLISHING ADJOINING PROPERTY LINES AND CORNERS.

FOR EXHIBIT A

PUBLIC UTILITY EASEMENT E-70

**A PORTION OF
LOT 4, BLOCK 3, SUPPLEMENTAL PLAT FOR U.S. SURVEY 3770**



DOWL, LLC
4041 B STREET
ANCHORAGE, AK 99503
(907) 562-2000
WWW.DOWL.COM
(AECL848)

Introduced by: Peter A. Williams, City Manager
Introduction Date: May 11, 2021
Public Hearing Date: May 25, 2021
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #20-12 (n)

AN ORDINANCE AMENDING THE CITY OF BETHEL FISCAL YEAR 2021 BUDGET

THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska, as follows:

SECTION 1. Classification. This is a non-codified Ordinance and shall not become part of the Bethel Municipal Code.

SECTION 2. Fiscal Year Budget Amendments. The following estimated revenues and expenditures are hereby appropriated for the corporate purposes and objects of the City of Bethel for Fiscal Year 2021.

WHEREAS, DOWL, LLC is on a five-year contract to serve as the City's municipal engineer or City Engineer;

WHEREAS, Bethel Native Corporation plans to lease land to Vitus Marine for the development of a 1.2 million gallon fuel tank farm in Bethel, Alaska;

WHEREAS, Bethel Municipal Code Chapter 15.14 Petroleum Tank Fire Safety Construction Standards requires the City Engineer to apply the standards specified or referred to in the code in their role as engineer, building official, fire marshal, and technical project reviewer;

WHEREAS, the Planning Department needs technical assistance necessary for fuel tank farm pre-construction activities to help ensure that it is designed and constructed in a safe manner;

WHEREAS, DOWL presented the City with Task Order #42 – Fuel Tank Farm Review for its consideration and approval, which contains work to be completed on a time and materials basis not to exceed \$30,000 and the use of sub-consultant, Enterprise Engineering, Inc.

Introduced by: Peter A. Williams, City Manager
Introduction Date: May 11, 2021
Public Hearing Date: May 25, 2021
Action:
Vote:

N-1				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
10-54-649	Other Professional Fees	97,340	\$30,000	\$127,340
10-39900	Designated Fund Balance – General Fund	\$17,388,281	(\$30,000)	<u>(\$30,000)</u>

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

ENACTED THIS 25TH DAY OF MAY 2021 BY A VOTE OF ____ IN FAVOR AND ____ OPPOSED.

Michelle DeWitt, Mayor

ATTEST:

Lori Strickler, City Clerk

CITY OF BETHEL, ALASKA

EMERGENCY ORDINANCE 21-25

AN ORDINANCE BY THE BETHEL CITY COUNCIL EXTENDING AND AMENDING EMERGENCY ORDINANCES 21-17, 21-10, 21-03, 20-38, 20-34, AND 20-27 ESTABLISHING A MANDATE WITHIN THE CITY OF BETHEL THAT MASKS OR SIMILAR FACE-COVERINGS BE WORN UNDER CERTAIN CONDITIONS

WHEREAS, on May 13, 2021, the Centers for Disease Control and Prevention (CDC) updated its public health recommendations for fully-vaccinated people, as the vaccines authorized in the United States are proving to be highly effective in protecting vaccinated people against symptomatic and severe COVID-19;

WHEREAS, the updated guidance states:

fully vaccinated people no longer need to wear a mask or physically distance in any setting, except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance;

WHEREAS, the State of Alaska has no mandates in place related to the public's use of masks or face coverings;

WHEREAS, there are still situations where it is in the best interest of our organization's operations to maintain mask wearing in certain situations to help protect those individuals that may not be able to get vaccinated;

WHEREAS, the Council finds that it is in the best interest of the public peace, health, welfare and safety, and to preserve the health, safety, and lives of the citizens of the community and region, to continue a mandate that masks and face-coverings be worn under certain conditions.

NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA:

SECTION 1. This is a non-codified Ordinance of general and permanent nature and shall become part of the Bethel Municipal Code.

SECTION 2. Mandate for non-vaccinated people:

To reduce the possibility of community spread of COVID-19, it is the mandate of the City of Bethel that face coverings be worn by non-vaccinated people:

- Inside of, or in line to enter, any indoor public space;

City of Bethel, Alaska

Ordinance #21-25

1 of 3

- Obtaining services from a healthcare facility;
- Waiting for or riding on public transportation or while in a taxi or bus;
- Engaged in work, whether at the workplace or performing work off-site, when:
 - Interacting in-person with any member of the public;
 - Working in any space visited by members of the public, regardless of whether anyone from the public is present at the time;
- Working in any space where food is prepared or packaged for sale or distribution to others;
- Working in or walking through public common areas, such as hallways, stairways, elevators, and parking facilities;
- In any room or enclosed area where other people (except for members of the person's own household or residence) are present when unable to physically distance;
- Driving or operating any public transportation or taxi service or ride-sharing vehicle; and
- While outdoors in public spaces when maintaining a physical distance of six feet from persons who are not members of the same household or residence is not feasible.

Section 3. Exemptions for non-vaccinated people:

The following non-vaccinated individuals are exempt from wearing a face covering:

- Persons younger than two years old;
- Persons with a medical condition, mental health condition, or disability that prevents wearing a face covering. This includes persons with a medical condition for whom wearing a face covering could obstruct breathing or who are unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;
- Persons who are hearing impaired, or communicating with a person who is hearing impaired, where the ability to see the mouth is essential for communication;
- Persons for whom wearing a face covering would create a risk to the person related to their work, as determined by local, state, or federal regulators or workplace safety guidelines;
- Persons who are obtaining a service involving the nose or face for which temporary removal of the face covering is necessary to perform the service;
- Persons who are seated at a restaurant or other establishment that offers food or beverage service, while they are eating or drinking, provided that they are able to maintain a distance of at least six feet away from persons who are not members of the same household or residence;
- Persons who are engaged in outdoor work or recreation such as swimming, walking, hiking, bicycling, or running, when alone or with household members, and when they are able to maintain a distance of at least six feet from others;
- Persons who are incarcerated. Jails and community residential centers, as part of their mitigation plans, will have specific guidance on the wearing of face coverings or masks for both inmates and staff;

SECTION 4. Mandate for fully vaccinated people:

To reduce the possibility of community spread of COVID-19, it is the mandate of the City of

City of Bethel, Alaska

Ordinance #21-25

2 of 3

Bethel that face coverings be worn by fully vaccinated people:

- Waiting for or riding on public transportation or while in a taxi or bus;
- Municipal employees or contractors engaged in work with members of the public; and
- Municipal employees or officials attending or participating in person at city meetings or functions.

For purposes of this section, a person is considered, "fully-vaccinated" two weeks after the second dose of the vaccine in a two-shot series vaccine, or two weeks after the single dose in a one-shot vaccine.

NOW, THEREFORE, BE IT ORDAINED that the Bethel City Council establishes a community mandate that masks or similar face-coverings shall be worn by persons consistent with this ordinance.

Section 5. Effective and Expiration Date: This ordinance is effective immediately upon adoption by the City Council and shall remain in effect for a period of sixty (60) days.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA THIS 25th DAY OF MAY 2021 BY A VOTE OF _ IN FAVOR AND _ OPPOSED.

Michelle DeWitt, Mayor

ATTEST:

Lori Strickler, City Clerk

CITY OF BETHEL, ALASKA

Ordinance #21-23

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE CHAPTER 13.08 SEWER SERVICES TO CLARIFY THE RESPONSIBILITIES AND LIABILITIES OF CUSTOMERS TO MONITOR AND MAINTAIN SEWAGE HOLDING TANKS

WHEREAS, the City of Bethel wishes to clarify the responsibilities and liabilities of each hauled services customer to monitor and maintain their sewage holding tank;

WHEREAS, the City is unable to monitor the amount of waste in each customer's holding tank: accordingly, each customer must be solely responsible for monitoring waste level and preventing tank overflow;

WHEREAS, the sewer Code should mirror the language of the hauled water utility provisions and clarify when the City cannot provide service;

NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA:

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

SECTION 2. Bethel Municipal Code Chapter 13.08, Sewer Services is amended as follows; new language is underlined and old language is stricken.

13.08.160 Hauled services holding tanks.

A. All persons required to subscribe to sewer collection services but to whom a sewer line is not available shall have sewage collected from their property or residence; provided, that the location, type of holding tank, and access thereto is approved by the department. Quantity and frequency of sewer services shall be determined by regulations or orders of the department and approved by the council ~~by resolution~~, and the rate charged for such sewage collection services shall be determined by the council

by ordinance. Sewage tanks must be a minimum of two hundred (200) gallons above the required water tank size.

B. All sewage holding tanks shall be equipped with an operating, three- (3-) inch, female camlock device. ~~No evacuation service may be provided after October 30, 1999, to a holding tank unless it is equipped with a properly operating, compatible camlock.~~

13.08.240 Sanitary facilities nuisance declared.

Any building inhabited or owned by any person required to subscribe to sewage collection services for which no subscription for sewage service has been made, or for which delinquent charges for sewage services exist, or whose facilities for the disposal of sewage are not in serviceable working order, or have not been approved by either the city or the state, or whose sewage facilities consist solely of a sanitary can, or whose sewage facilities leak or overflow, or whose sewage facilities are unsanitary or dangerous to health or safety shall be and is deemed and declared a common or public nuisance.

13.08.250 Access

13.08.250 Access for sewer evacuation.

A. The customer is responsible for maintaining their driveway clear and accessible on dates of scheduled and requested sewage tank evacuation.

B. The city will not provide sewage tank evacuation service to an address if the driveway is not accessible. This includes any obstruction including but not limited to, parked vehicles, freezer vans, snow, ice, animals, wastes, toys, appliances, or snowmobiles.

C. If the camlocks are frozen and the city does not have access to evacuate the holding tank, the city will not evacuate the tank.

D. If the city cannot service the sewage tank due to the circumstances described in this section, the city will leave a blue tag at the customer's address describing the problem in sufficient detail to allow the customer an opportunity to address the issue before the next regularly scheduled delivery.

E. A credit for service will not be given for services missed because of a customer's action or inaction.

13.08.270 Liability of city and responsibility of customer.

The city shall not be liable for any loss or damage of any nature whatsoever caused by any defect in the customer service line or the customer's plumbing or equipment, nor shall the city be liable for loss or damage due to interruption of sewer service.

The customer is responsible for maintaining and monitoring the collection of waste in their holding tank and shall ensure prevention of overflow, leakage, and discharge of waste onto the ground. The City shall not be liable for any loss or damage of any nature whatsoever caused by holding tank overflow or discharge of waste onto the ground.

SECTION 4. This Ordinance shall become effective immediately following adoption by the Bethel City Council.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA
THIS 8th DAY OF JUNE 2021 BY A VOTE OF _ IN FAVOR AND _ OPPOSED.**

Michelle DeWitt, Mayor

ATTEST:

Lori Strickler, City Clerk

CITY OF BETHEL, ALASKA

Ordinance #21-24

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE TO CLARIFY UTILITY RATES FOR EXTRA WATER DELIVERY AND EXTRA SEWAGE TANK EVACUTATION

WHEREAS, the City of Bethel must operate a utility that is cost-effective and efficient to operate, but the hauled utility division has experienced operational loss due to customers being unprepared for the delivery or evacuation services;

WHEREAS, this problem is especially acute in calls for extra service that require drivers to alter their scheduled route and sometimes do so after hours to provide the requested services;

WHEREAS, the City wishes to provide a more flexible hauled utility service that reduces the cost burden to utility customers where possible, while also ensuring the customers remain responsible for certain costs incurred by the utility;

WHEREAS, hauled utility customers are responsible for monitoring their tanks, both water and sewer, to ensure operation, function, and capacity are adequate;

WHEREAS, by eliminating the required extra evacuation for any extra delivery of water, the City is providing more flexibility to the customer to determine their needs, which in turn will reduce cost to many users;

WHEREAS, the City's current utility rate charges do not account for how those charges are applied if the delivery service is unsuccessful due to the customer's lack of preparation for the delivery;

WHEREAS, updating the Code language will provide clear guidance in the City's utility billing;

NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA:

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

SECTION 2. Bethel Municipal Code Chapter 13.08.050 is amended as follows; new language is underlined old language is stricken.

Chapter 13.16 UTILITY RATES

13.16.050 Hauled water/sewer services extra call/haul request.

A. Any hauled water customer may request an extra call for water delivery and/or an extra call for sewer evacuation, on a form provided by the finance department indicating the number of gallons of water requested and/or the number of gallons of sewer evacuation. Each extra call for water delivery and/or sewer evacuation shall be charged the corresponding rate provided in BMC 13.16.020 and/or 13.16.040, Extra Delivery and/or Haul. There is a 200-gallon minimum for an extra request for service. ~~Each extra call for water delivery will have a corresponding extra haul for sewer evacuation at the rate corresponding to the number of gallons requested for the extra call for water, to be paid at the same time as the extra call for water.~~ The customer is responsible for ensuring adequacy in the sewer tank capacity to prevent sewer overflow.

B. Hauled services extra call after regular business hours shall be the corresponding rate listed in BMC 13.16.020(B) or 13.16.030(B) depending on the type of service and the zone, plus one hundred fifty dollars (\$150).

C. If an extra service attempt fails due to BMC 13.04.210, Customer's plumbing, or the driver is unable to access the property as provided for in BMC 13.04.305, Access for water delivery, or BMC 13.08.250, Access for sewer evacuation, the customer remains responsible for the charges associated with the requested service.

Introduced by: Public Works Committee
Introduction Date: May 25, 2021
Public Hearing Date: June 8, 2021
Action:
Vote:

SECTION 4. This Ordinance shall become effective immediately following adoption by the Bethel City Council.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA
THIS 8th DAY OF June 2021 BY A VOTE OF _ IN FAVOR AND _ OPPOSED.**

Michelle DeWitt, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Peter A. Williams, City Manager
Introduction Date: May 25, 2021
Public Hearing Date: June 8, 2021
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance 20-12 (o)

AN ORDINANCE AMENDING THE CITY OF BETHEL FISCAL YEAR 2021 BUDGET TO ALLOCATE FUNDS FOR RENTAL SPACE FOR IN PERSON MEETINGS

THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska, as follows:

SECTION 1. Classification. This is a non-codified Ordinance and shall not become part of the Bethel Municipal Code.

SECTION 2. Fiscal Year Budget Amendments. The following estimated revenues and expenditures are hereby appropriated for the corporate purposes and objects of the City of Bethel for Fiscal Year 2021.

WHEREAS, the Bethel City Council Chambers will be undergoing roof repair between the months of June and August;

WHEREAS, the city has identified the ONC Multi-Purpose Building to have of adequate size for the hosting of in person meetings while still maintaining mitigation standards to help protect the public, our volunteers and staff from the spread of COVID-19;

WHEREAS, the rental of the space was an unexpected expense and therefore not accounted for in the City's Fiscal Year 2021 Operating Budget;

O-1				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
10-51-669	Other Professional Fees	6,500	\$7,000	\$13,500
10-10100	Fund Balance – General Fund- Cash in Combined Fund	13,983,000	(\$7,000)	<u>(\$7,000)</u>

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

Introduced by: Peter A. Williams, City Manager
Introduction Date: May 25, 2021
Public Hearing Date: June 8, 2021
Action:
Vote:

**ENACTED THIS 8TH DAY OF JUNE 2021 BY A VOTE OF ____ IN FAVOR AND
____ OPPOSED.**

Michelle DeWitt, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: City Manager Peter Williams
Introduction Date: May 25, 2021
Public Hearing: June 8, 2021
Action:
Vote:

CITY OF BETHEL, ALASKA

ORDINANCE # 21-25

AN ORDINANCE ESTABLISHING A CITY OF BETHEL BUDGET FOR FISCAL YEAR 2022 BEGINNING JULY 1, 2021 ENDING JUNE 30, 2022

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

Section 1. This ordinance is a non-code ordinance, establishes a City of Bethel Annual Budget for fiscal year 2022.

Section 2. That money shall be appropriate from the City's funds for operating and capital expenditures.

GENERAL FUND

	Proposed Budget	Adopted Budget
General Fund - Operating		
City Administration	\$ 780,481	\$ 770,481
City Clerk & Council	\$ 388,585	\$ 388,585
Finance Department	\$ 1,737,067	\$ 1,731,625
Planning Department	\$ 374,282	\$ 371,726
Information Technology Services	\$ 757,510	\$ 757,510
City Attorney	\$ 294,993	\$ 295,939
Fire Department	\$ 1,568,342	\$ 1,643,032
Police Department	\$ 4,077,149	\$ 4,077,149
Public Works-Administration	\$ 80,683	\$ 80,683
Streets & Roads	\$ 1,934,730	\$ 1,934,730
Property Maintenance	\$ 602,846	\$ 602,846
Community Services	\$ 324,520	\$ 327,120
In-Kind & Transfers	\$ 745,000	\$ 745,000
Indirect Cost Recovery	\$ 2,046,084	\$ 2,046,084
TOTAL GENERAL FUND - OPERATING	\$ 15,712,272	\$ 15,772,510
General Fund - Payments on Debt		
Streets & Roads	\$ -	\$ 27,000
TOTAL GENERAL FUND - PAYMENTS ON DEBT	\$ -	\$ 27,000.00
General Fund - Transfers		
Transfers To - Fleet Replacement Fund	\$ -	\$ 100,000

Transfers To - YKRW Aquatic Center	\$	560,000	\$	560,000
Transfers To - Transit	\$	85,000	\$	85,000
TOTAL GENERAL FUND - Transfers	\$	645,000	\$	645,000
TOTAL GENERAL FUND	\$	15,067,272	\$	15,100,510

Special Revenue Funds

CSP	\$	358,344	\$	358,344
E-911 Services	\$	129,663	\$	129,663
TOTAL SPECIAL REVENUE FUNDS	\$	488,007	\$	488,007

Enterprise Fund-YK Regional Health & Aquatic Center

YK H&F Center

TOTAL ENTERPRISE FUND-YK Regional Pool	\$	1,599,037	\$	1,599,037
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Enterprise Fund-Solid Waste

Hauled Refuse	\$	440,772	\$	440,772
Landfill Operations	\$	606,574	\$	606,574
TOTAL ENTERPRISE FUND-SOLID WASTE	\$	1,047,346	\$	1,047,346

Enterprise Fund-Water & Sewer

Utility Billing	\$	308,703	\$	308,703
Hauled Water	\$	2,127,463	\$	2,127,463
Hauled Sewer	\$	2,227,539	\$	2,227,539
Piped Water	\$	558,073	\$	544,573
Piped Sewer	\$	1,264,410	\$	1,076,943
Water Treatment - BH	\$	674,288	\$	674,288
Water Treatment - CS	\$	855,270	\$	849,885
Sewer Lagoon	\$	248,662	\$	248,662
TOTAL ENTERPRISE FUND-WATER & SEWER	\$	8,264,408	\$	8,058,056

Enterprise Fund-Port

Municipal Dock-Operating	\$	638,086	\$	638,086
Municipal Dock-Small Boat Harbor	\$	197,393	\$	197,393
TOTAL ENTERPRISE FUND - PORT	\$	835,479	\$	835,479

Enterprise Fund-Leased Properties

Court Complex	\$	432,691	\$	432,691
Other Leased Properties	\$	126,180	\$	126,180
Debt Payments	\$	213,225	\$	213,225
Capital Expenditures	\$	-	\$	-
TOTAL ENTERPRISE FUND-LEASED PROPERTIES	\$	772,096	\$	772,096

Enterprise Fund-Bethel Public Transit System

Transit System	\$	435,416	\$	435,416
Capital Expenditures	\$	-	\$	-
TOTAL ENTERPRISE FUND-TRANSIT SYSTEM	\$	435,416	\$	435,416

Internal Svc Fund-Employee Group Health Benefits

Employee Group Health Benefits	\$	2,932,102	\$	2,932,102
TOTAL INTERNAL SVC FUND-EMP GROUP HEALTH	\$	2,932,102	\$	2,932,102

Internal Svc Fund-Vehicle & Equipment Maint.

Vehicle & Equipment Maintenance	\$	1,030,536	\$	1,030,536
TOTAL INTERNAL SVC FUND-VEHICLE & EQUIP	\$	1,030,536	\$	1,030,536

Endowment Fund

Transfers Out	\$	24,500	\$	24,500
TOTAL ENDOWMENT FUND	\$	24,500	\$	24,500

SECTION 3. NOW THEREFORE BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA, that the Fiscal Year 2022 operating budget is adopted for a period of one year, from July 1, 2021 through June 30, 2022.

ENACTED THIS 8th DAY OF JUNE 2021, BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

ATTEST:

Michelle DeWitt, Mayor

Lori Strickler, City Clerk

Action memorandum No.	21-11		
Date action introduced:	May 25, 2021	Introduced by:	Mayor DeWitt
Date action taken:		Approved	Denied
Confirmed by:			

Action Title:

Authorizing the relocation of City of Bethel public meetings from City Hall, 300 Chief Eddie Hoffman Highway to the ONC Multi-Purpose Building

Amount of fiscal impact:		Account information:
\$7,000	Funds are not budgeted	

The City of Bethel City Hall, the location of our public meetings, will be undergoing roof repair this summer requiring vacation of the building. In preparation for the potential to move to in person meetings and the inability to use City Hall, the City identified the ONC Multi-Purpose Building to be of adequate size to host our public meetings. The space offers room to accommodate moderate gatherings with social distancing spacing provided. Aside from the City Council Chambers, the City does not have a meeting location to accommodate moderately sized gatherings.

The Orutsararmiut Traditional Native Council charges \$250 per half day rental of the facility, and if we move to in person meetings, the City would utilize the space approximately 25 times between the month of June and August for Committee, Commission and City Council Meetings.

If this action is approved, Administration will work with ONC to confirm the use and coordinate physical and WIFI accessibility to the space. Administration would need to present a budget modification for \$7,000 to accommodate the estimated rental rate for the space with contingencies.

If this action is not approved, the City would continue with virtual meeting participation through the end of the construction period. If a need arose to which would require the rental of the facility for isolated meetings, the City could coordinate those individual events with ONC.

City of Bethel Action Memorandum

Action memorandum No.	21-12		
Date action introduced:	May 25, 2021	Introduced by:	Mayor DeWitt
Date action taken:		Approved	Denied
Confirmed by:			

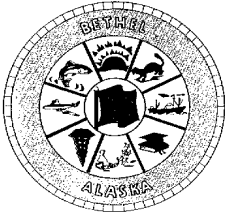
Appointment of Committee/Commission/Board members.

John Jordan II- Public Works Committee.

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

Action Memorandum 21-12 is sponsored by Mayor DeWitt at the request of the City Clerk.

John Jordan II has requested appointment to Public Works Committee. If appointed, the term would be three years as a Regular member with a term expiration of December 31, 2023.



CITY OF BETHEL

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

MEMORANDUM

DATE: May 4, 2021, 2021 to May 18, 2021

TO: City Council

FROM: Peter Williams, City Manager

RE: City Managers' Report

COVID-19 – The incentive program ran out of funds Saturday May 13. We would like to set a program to encourage people get vaccinated. A program like that is probably something the American Rescue Plan will fund.

Finance Dept – The Finance Dept. and utility billing has moved to the Courthouse and Utility billing will move to the Public works building

Public Works –

American Rescue Plan – Waiting for instructions from the State to apply

City Managers Daily Log

May 5 – 1) Responded to a request from a Council member about the Fire Dept. 2) Reviewed Riverwatch update. 3) Worked with PW Dept. and Finance Dept. to revise the CIP adding a little more information to the Plan. 3) Requested information about the Aquatic Ctr. financials from CJ LLC. Discussed the same with Assistant Finance Director. 4) The Fire Dept. and Police Dept will participate the parade for the BRHS graduation parade.

May 6 – 1) Finished CIP and worked with the Finance Dept regarding Fund Balances 2)

May 7 – 1) Met with Kusko Riverwatch to discuss possible flooding. 2) Review CA comments about the lien needed for collecting delinquent accounts. 3)

May 10 – 1) Zoom meeting with AML to discuss the American Rescue Plan. Administration, City Clerk and City Attorney will be involved with obtaining information to use these funds. We will keep council members informed as we

learn more. 4) Reviewed budget with Justifications for Prop Maint. with the foreman. 5) Met with CJ to review the final report about the pool.

May 11 – 1) Met with the auditors, BDO, to explain the financing of the Aves. Project. 2) Listen in a web-in-air about the ARPA. The City of Bethel is expected to receive \$242 per person. 50% of the funding this year and the other 50% next year. The state will distribute the funds and we will need to apply for them. There are other sources of funding for broadband and Water/Sewer Projects.

May 12 – 1) Met with the E-waste Back-haul meeting, discussion about adding some new villages. 2) Signed contract with AML for freight services.

May 13 – 1) Researched the pool revenues for a council member. 2) Forward freight agreement with AML for their signature. 3) Request information about the fleet Replacement Fund. 4) Listen in on a meeting with YKHC concerning COVID-19. 5) Attended the weekly Backhaul meeting for disposing of E-waste.

May 14 – 1) Reviewed offer for Parcel E-6 for the Aves. Project. 2) Met with the Director of ONC to discuss the City's use of the Multi-purpose room for council meetings. 3) Reviewed Legs. Update.

May 15- 1) Respond to auditors' inquiry from Carmen Jackson.

May 17- 1) Teleconferenced with Wilson Agency, HR and AFD regarding the City Employees Health Insurance plan. It appears that there will be no increase from last year. 2) Met with Delta Backhauling about removing junk cars and discarded heavy equipment via barge. Discussed the barges in Brown slough. We all have heard this similar story over the years about someone bring a barge here to pick these items up. Nothing ever seems to happen, but I will keep in touch with them. 3) Met with DOWL Inc to discuss purchasing a ROW for the Aves Project. The PM reported that the lift station is at what's called "substantial completion". The next stage is final completion. So far, the lift station is running as advertised. 4) Instructed Streets & Roads. To apply calcium chloride to Standard Oil Rd.

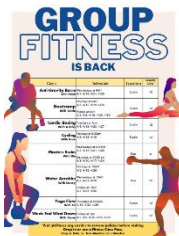
May 18 – 1) Discussed the Finance Dept. Budget with the AFD. 2) Met with BDO. Usually, our audit must be completed by June 31 for our grantors. This year it will be in September per BDO.

Peter A. Williams
City Manager

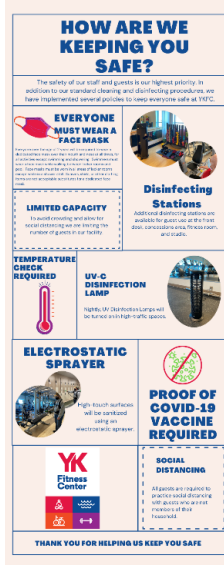
Schedule, Events and Programs

Visit ykfitness.org for the most up to date schedules and information

Throughout April 2021 the YK Fitness Center focused on safely bringing vaccinated guests back into the facility and restarting memberships. We continued our extra sanitizing procedures for both common spaces and workout equipment. Patrons using the facility throughout the month expressed gratitude for the Fitness Center reopening and the sanitizing procedures and limited capacity. Patrons were compliant with face mask requirements and social distancing measures. Attendance throughout April steadily increased and was considerably higher than attendance in March.



April marketing focused heavily on group fitness classes. Each week our Weekly Buzz highlighted a different group fitness class. We are very lucky to be able to offer a wide variety of fitness classes throughout the week. Attendance for our classes has slowly been returning. Mid-April we added a yoga class to our weekly schedule.



The last week of April we participated in Every Kid Healthy Week. Each day of the week highlighted a different aspect of health with topics focusing on physical fitness, mental health, and nutrition. We shared resources and activities curated by Action for Healthy Kids. We also highlighted the health effects of added sugar including adding resources to our Nutrition webpage sharing the effects of added sugar, what foods are high in added sugar, and how to avoid developing a sugar habit.



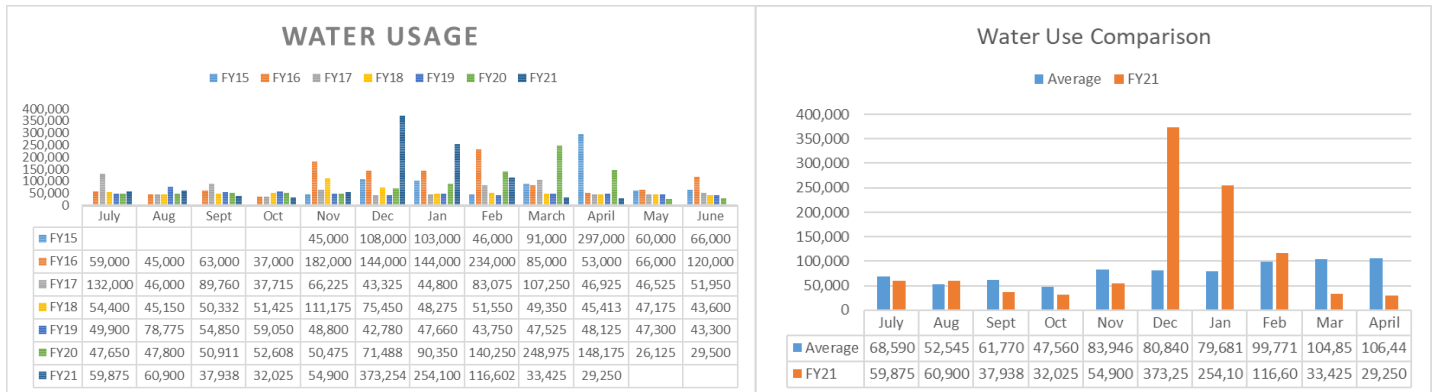
Through shared graphics and social media posts we have continued to encourage our community to remain proactive against covid-19 by wearing face masks, social distancing, and getting vaccinated.



At the end of April we turned our focus to opening reserved zones in the swimming pool for non-vaccinated individuals. We developed additional check-in procedures for non-vaccinated individuals and groups. A reservation system for each zone was implemented to allow groups to reserve a time and space in advance. Waiting areas within the lobby and swimming zones within the pool were divided and labeled to help groups social distance during their visit. The family locker room was designated for non-vaccinated groups to use. Several new marketing pieces were developed to help everyone understand the policies and procedures for using the non-vaccinated swimming zones. We held an all staff in-service training to make sure everyone understood the process and had a chance to ask any questions before we opened to non-vaccinated swimmers on May 1.

Where can I go?	
Vaccinated	Non-Vaccinated
Family Locker Room	Family Locker Room
Men's & Women's Locker Room	Men's & Women's Locker Room
Pool	Pool
Cardin-Weight Room, Studio & Exercise Bike	Cardin-Weight Room, Studio & Exercise Bike
Fitness Classes	Fitness Classes
Spa	Spa
Hallway restrooms	Hallway restrooms

Water Use



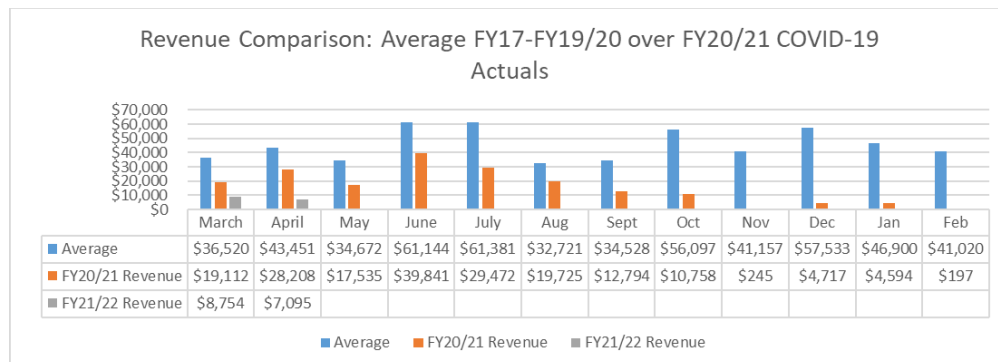
*Note: Facility opened in November of 2014 (FY15). Starting during maintenance closure in Dec 2019/Jan 2020 hot water has been used to keep pipes from freezing resulting in higher than normal usage. Water was turned off in late March 2020 once outside temps were consistently above freezing temperatures. Problems again arose in Dec 2020 and water was used to assure there were no freeze ups of facility piping through early March 2021.

Revenue

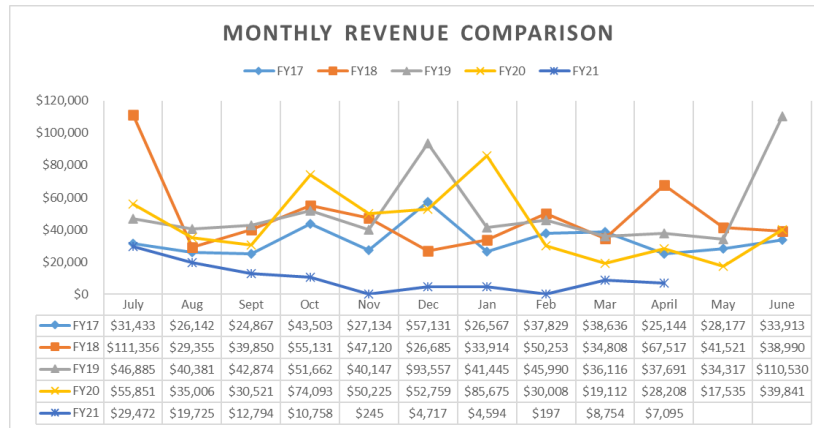
Code	Facility Revenue	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	May-21	Jun-21	Total	FY20 Budgeted	%attained	Remaining
414	Memberships	\$11,442	\$4,193	\$3,451	\$1,180	\$0	\$4,377	\$0	\$0	\$4,538	\$3,258			\$32,439	\$350,000	9.27%	\$317,562
430	Pro Shop	\$4,489	\$2,920	\$1,632	\$1,001	\$80	\$47	\$5	\$28	\$863	\$684			\$11,750	\$44,982	26.12%	\$33,232
435	Concessions	\$5,124	\$3,410	\$2,666	\$1,753	\$165	\$292	\$207	\$169	\$622	\$610			\$15,018	\$70,092	21.43%	\$55,074
460	Entry Fees	\$5,994	\$8,332	\$3,924	\$5,857	\$0	\$0	\$5,026	\$0	\$1,908	\$1,309			\$32,350	\$100,000	32.35%	\$67,650
463	Facility Rental	\$2,264	\$554	\$120	\$312	\$0	\$0	\$0	\$0	\$144	\$700			\$4,094	\$44,600	9.18%	\$40,506
465	Program Fees	\$160	\$316	\$1,000	\$654	\$0	\$0	-\$643	\$0	\$680	\$534			\$2,701	\$85,817	3.15%	\$83,116
Misc														\$0	\$0		\$0
	Facility Revenue Total	\$29,472	\$19,725	\$12,794	\$10,758	\$245	\$4,717	\$4,594	\$197	\$8,754	\$7,095	\$0	\$0	\$98,352	\$695,491	14.14%	\$597,139

Comparing monthly revenue totals with average monthly revenue over the past 3 years, COVID-19 related closures and restrictions have resulted in an approximate revenue loss of \$424,047 to date.

COVID-19 Comparisons	March	April	May	June	July	Aug	Sept	Oct	Nov	Dec	Jan	Feb	Total
Average	\$36,520	\$43,451	\$34,672	\$61,144	\$61,381	\$32,721	\$34,528	\$56,097	\$41,157	\$57,533	\$46,900	\$41,020	
FY20/21 Revenue	\$19,112	\$28,208	\$17,535	\$39,841	\$29,472	\$19,725	\$12,794	\$10,758	\$245	\$4,717	\$4,594	\$197	
FY21/22 Revenue	\$8,754	\$7,095											
COVID-19 Deficit	\$45,175	\$51,598	\$17,136	\$21,303	\$31,909	\$12,996	\$21,734	\$45,339	\$40,911	\$52,816	\$42,306	\$40,823	\$424,047



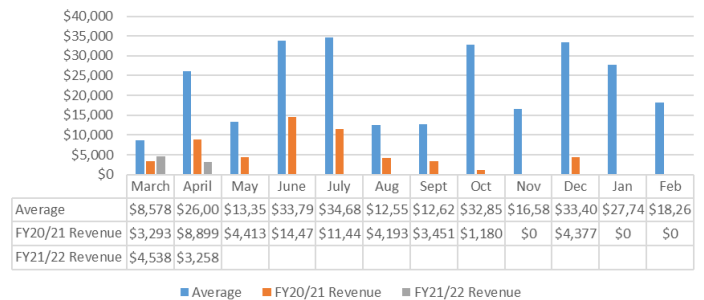
Revenue Comparisons: Monthly Totals



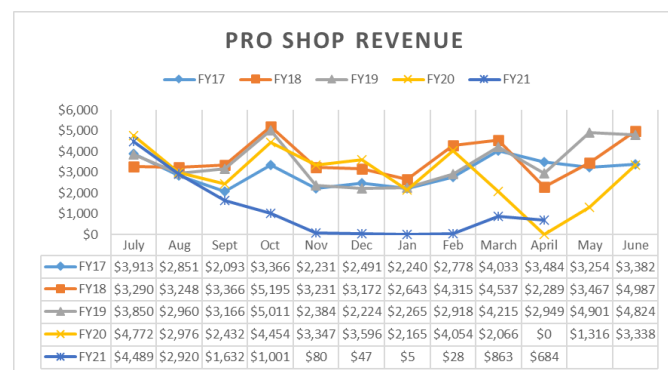
Revenue Comparisons by line Item:



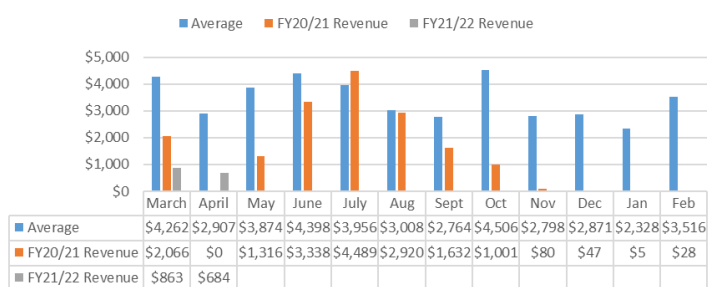
Membership Revenue Comparison: FY17-FY19/20 Average over FY20/21 COVID Impacted Actuals



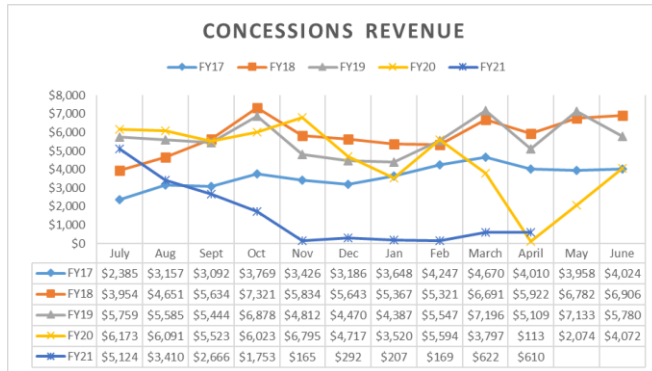
When the Fitness Center closed in fall 2020 all memberships were placed on hold to avoid members losing any purchased time. As members began returning to the facility their memberships are reactivated and their expiration dates extended. Memberships for individuals unable or uncomfortable with returning to the facility have remained on hold. As more individuals become eligible and comfortable with using the facility we have continued to reactivate memberships. As those memberships begin to expire we will see membership revenues increase.



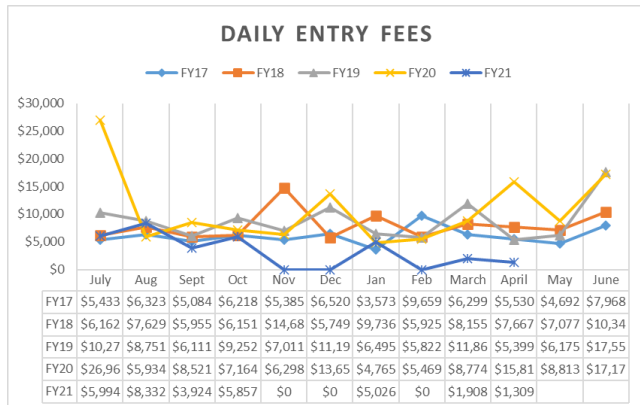
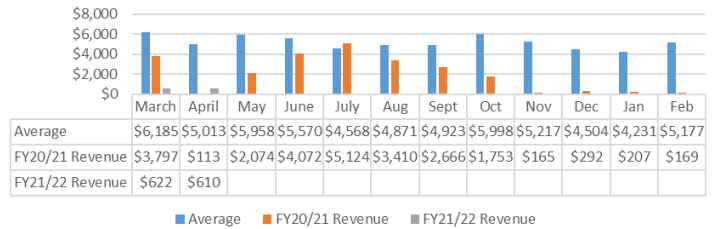
Proshop Revenue Comparison: FY17-FY19/20 Average over FY20/21 COVID Impacted Actuals



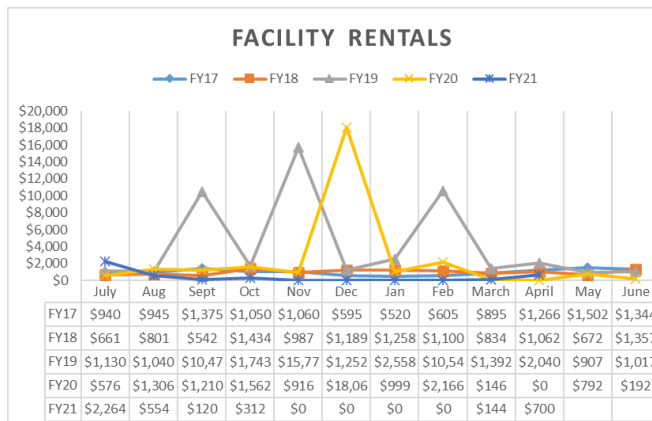
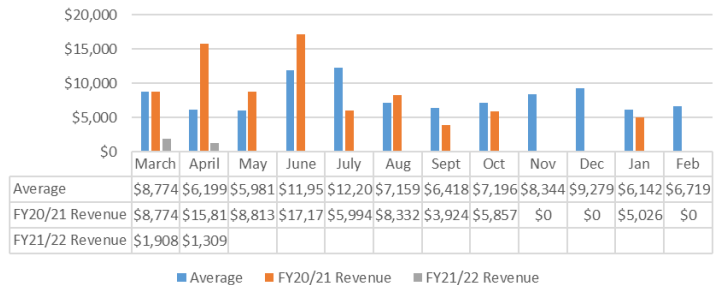
Revenue Comparisons by line Item:



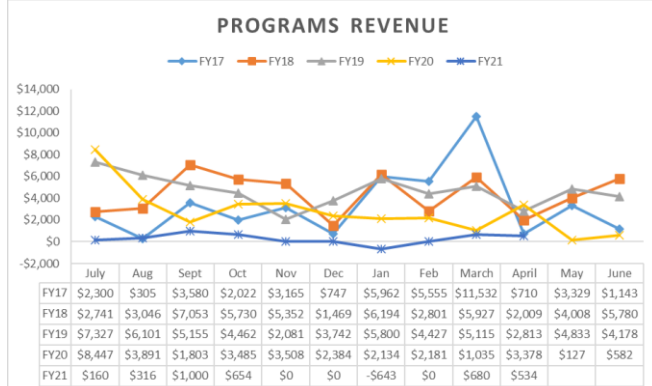
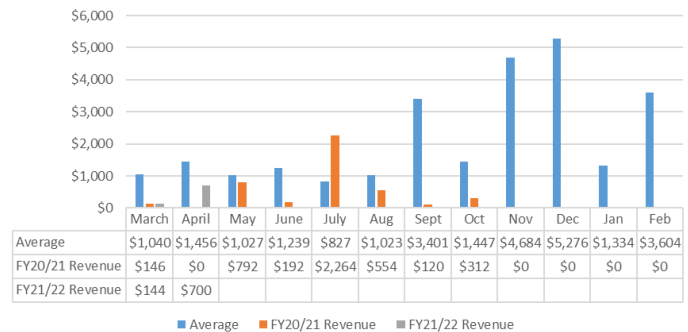
Concessions Revenue Comparison: FY17-
FY19/20 Average over FY20/21 COVID
Impacted Actuals



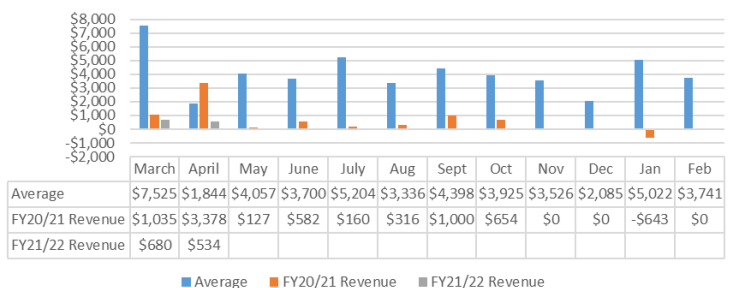
Entry Fees Revenue Comparison: FY17-FY19/20 Average
over FY20/21 COVID Impacted Actuals



Facility Rental Revenue Comparison: FY17-FY19/20 Average
over FY20/21 COVID Impacted Actuals



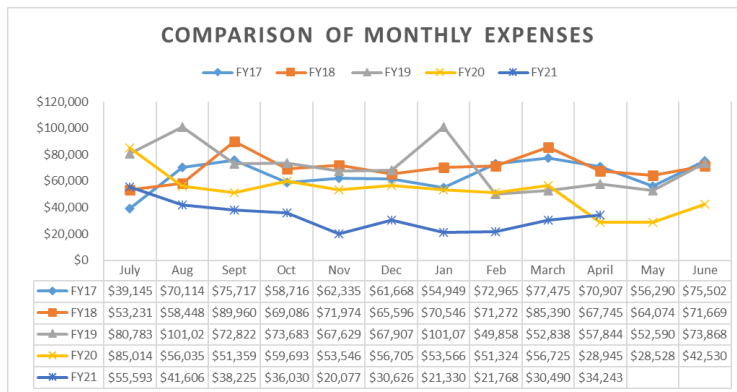
Program Revenue Comparison: FY17-FY19/20 Average over
FY20/21 COVID Impacted Actuals



FY21 Expenses

	Expenses	Jul-20	Aug-20	Sep-20	Oct-20	Nov-20	Dec-20	Jan-21	Feb-21	Mar-21	Apr-21	Total	Budgeted	% used	remaining
	Wages	\$40,277	\$27,276	\$26,273	\$24,487	\$11,324	\$20,501	\$13,789	\$13,871	\$21,698	\$25,214	\$224,709	\$671,142	33.48%	\$446,433
	Benefits	\$8,835	\$5,853	\$5,526	\$5,232	\$3,123	\$5,938	\$3,934	\$3,995	\$5,229	\$5,786	\$53,451	\$147,256	36.30%	\$93,805
520	Housing	\$1,545	\$1,545	\$1,545	\$1,545	\$1,545	\$2,545	\$2,545	\$2,545	\$2,545	\$2,545	\$20,450	\$43,822	46.67%	\$23,372
545	Travel/Training	\$0	\$0	\$0	\$49	\$0	\$0	\$0	\$0	\$0	\$0	\$49	\$3,000	1.63%	\$2,951
561	Supplies	\$2,983	\$4,356	\$2,010	\$1,482	\$328	\$66	\$435	\$40	\$279	\$92	\$12,072	\$101,671	11.87%	\$89,599
563	Wearing Apparel	\$0	\$0	\$518	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$518	\$2,731	18.96%	\$2,213
580	Boiler	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$6,000	0.00%	\$6,000
661	Vehicle Maintenance/Repair	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$250	0.00%	\$250
663	Janitorial Supplies/Services	\$39	\$707	\$372	\$220	\$3,459	\$1,257	\$392	\$1,205	\$107	\$37	\$7,794	\$20,400	38.21%	\$12,606
668	Software Licenses	\$717	\$214	\$136	\$223	\$100	\$100	\$100	\$100	\$100	\$100	\$1,889	\$8,146	23.20%	\$6,257
669	Other Purchased Services	\$0	\$0	\$0	\$2,233	\$0	\$0	\$0	\$0	\$0	\$0	\$2,233	\$25,160	8.88%	\$22,927
683	Minor Equipment	\$0	\$665	\$1,024	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,689	\$21,000	8.04%	\$19,311
684	Donations and Awards	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$500	0.00%	\$500
724	Dues/Subscriptions	\$186	\$186	\$402	\$186	\$186	\$190	\$0	\$0	\$0	\$0	\$1,334	\$2,100	63.52%	\$766
727	Advertising	\$64	\$0	\$0	\$137	\$0	\$10	\$122	\$0	\$201	\$122	\$656	\$8,000	8.20%	\$7,344
733	Postage	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$200	0.00%	\$200
736	Bank Charges	\$947	\$728	\$421	\$235	\$13	\$18	\$12	\$12	\$332	\$269	\$2,986	\$15,377	19.42%	\$12,391
790	Allowance for Special Events	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$850	0.00%	\$850
799	Miscellaneous	\$0	\$78	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$79	\$156	\$12,150	1.29%	\$11,994
	TOTAL	\$55,593	\$41,606	\$38,225	\$36,030	\$20,077	\$30,626	\$21,330	\$21,768	\$30,490	\$34,243	\$329,987	\$1,089,755	30.28%	\$759,768

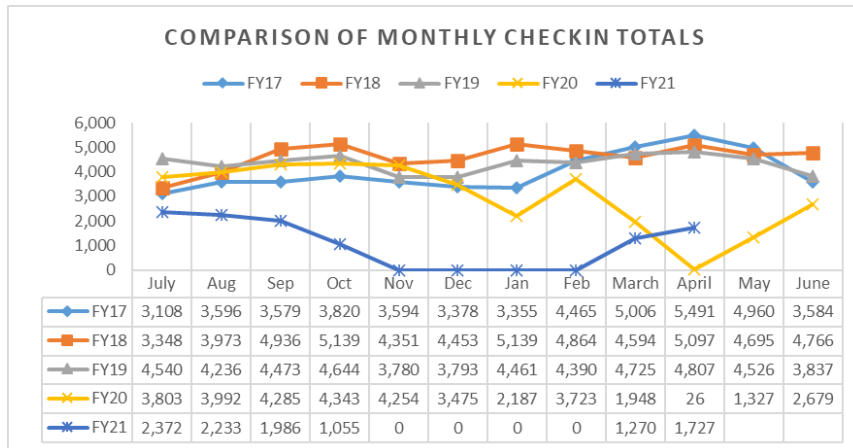
Expense totals do not include purchases for the building that have been made by City of Bethel Property Maintenance.



We have actively worked to keep expenses low through this time of reduced revenue due to CoVID-19 while still making seasonal purchases that are dependant on barge service and purchases for maintenance and cleaning projects. Due to our 2 week pay period structure there are 2 months out of each year in which 3 pay periods fall, instead of just 2. For FY21 those months were July 2020 and Dec 2020.

Facility Utilization

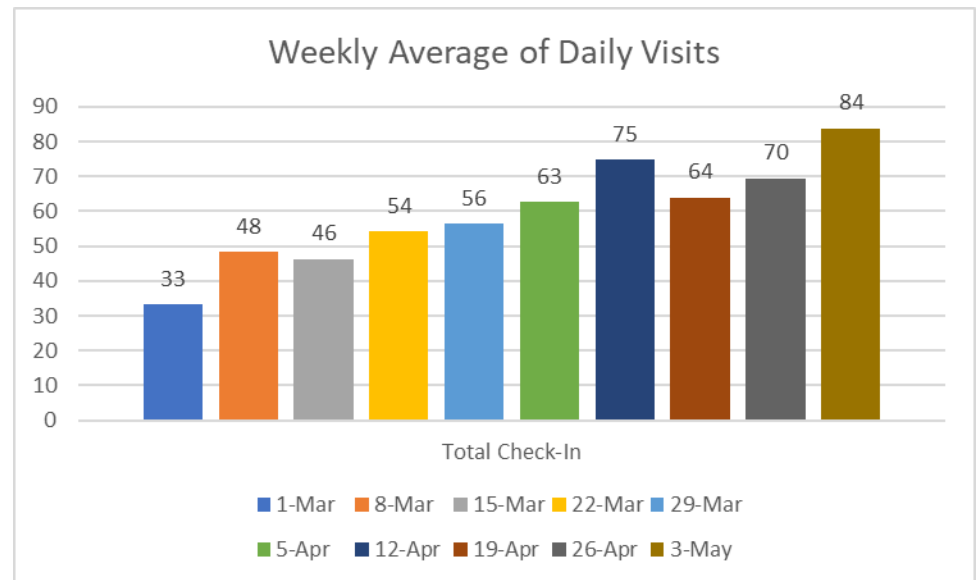
Facility Check-In: Facility Check-In numbers represent the total number of patrons who visited the facility and are based on a compilation of the number of members who checked-in, the number of daily passes sold and the number of participants in programs, activities, rentals and special events. These numbers represent facility visits, not individuals as most individuals visit the facility multiple times over the course of the month.



Concerns about COVID-19 began impacting facility utilization in February 2020 and into the facility closure which started by Governor mandate at 5pm March 18th. The facility reopened on May 9th at limited capacity and continued to be open through the summer with COVID-19 safety protocols in place. As COVID-19 cases and concerns about community spread rose through the fall the decision was made to close the facility in October 2020. We reopened March 1st to vaccinated individuals only.

From our reopening to vaccinated individuals on March 1st we have seen a slow but steady increase in the average number of visits per week as more individuals become fully vaccinated and the weather becomes easier to navigate. We had a small dip in visits towards the end of April which we believe was due to the first instances of great weather combined with increased numbers of individuals traveling.

Our phase 2 COVID-19 Access Plan was implemented on May 3rd.



City of Bethel, Alaska

City Clerk’s Office

Council Meetings

May 18, 20, 27 Special City Council Budget Meetings

May 25 Regular City Council Meeting

Week of May 3

- City Clerk out of the office.

Week of May 10

- Researched CDC and YKHC guidance on masks, quarantine, and vaccinations to ensure our guidance and mandates are consistent.
- Updated city website to include alcohol permit page with links to departments following the finalizing of the permit and organization process.
- Met with the Planning Commission Chair to go over standards for Commission Hearings.
- Processed two burial permits and one reservation.
- Processed three passport applications.
- Prepared Resolution 21-10 for in person meetings.
- Prepared budget amendment document tracking updates for FY22 budget review.
- Coordinated with ONC and prepared AM authorizing the use of the Multi-Purpose building for in person governmental meetings.
- Researched tax exemption for tenants when utilities are paid by landlords. Provided draft language to legal and administration.
- Updated document for mask mandate ordinance to reflect the CDC recommendations.
- Worked on Committee/Commission Ex Officio Member Training. Training will be presented following Council’s approval of the Chapter updates for committee/commissions.

Committee/Commission/Board Vacancies –

	Regular Member	Alternate Member
Parks/Recreation Aquatic Health and Safety Center Committee	1	2
Planning Commission	full	1
Port Commission	full	1
Public Safety and Transportation Commission	1	2
Community Action Grant Technical Review Board	full	2
Public Works Committee	2	2
Finance Committee	full	full
Ethics Board	full	full

Clerk's Office (C.O.) Committee & Commission Document Tracking, Regular Meetings 2021

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Pub. Safety and Transportation 1st Wed.												
Agenda signed (email to C.O.)	X		X	X								
Agenda and Packet (website)	X	X	X	X	X							
Draft Minutes (email to C.O.)	X	X	X	X								
Signed Minutes (website)												
Signed Minutes (original to C.O.)	X											
Planning 2nd Thurs.												
Agenda signed (email to C.O.)	X	X	X	X								
Agenda and Packet (website)	X	X	X	X	X							
Draft Minutes (email to C.O.)	X	X	X									
Signed Minutes (website)	X	X	X									
Signed Minutes (original to C.O.)	X	X	X									
Port 3rd Mon.												
Agenda signed (email to C.O.)			X									
Agenda and Packet (website)		X	X	X	X							
Draft Minutes (email to C.O.)												
Signed Minutes (website)												
Signed Minutes (original to C.O.)												
Community Action Grant Quarterly												
Agenda signed (email to C.O.)		March	X	X								
Agenda and Packet (website)			X	X								
Draft Minutes (email to C.O.)			X	X								
Signed Minutes (website)			X	X								
Signed Minutes (original to C.O.)			X	X								
Parks Rec. Aquatic Health Safety 2nd Mon.												
Agenda signed (email to C.O.)	X	X	X	X	X							
Agenda and Packet (website)	X	X	X	X	X							
Draft Minutes (email to C.O.)												
Signed Minutes (website)	X	X										
Signed Minutes (original to C.O.)	X	X										
Public Works 3rd Wed.												
Agenda signed (email to C.O.)	X		X	X								
Agenda and Packet (website)	X	X	X	X	X							
Draft Minutes (email to C.O.)												
Signed Minutes (website)	X	X										
Signed Minutes (original to C.O.)	X	X										
Finance 4th Mon.												
Agenda signed (email to C.O.)	X	X	X	X								
Agenda and Packet (website)	X	X	X	X								
Draft Minutes (email to C.O.)	X	X	X	X								
Signed Minutes (website)			X									
Signed Minutes (original to C.O.)			X	X								