

CITY OF BETHEL

City Council Meeting Agenda, August 23, 2022 – 6:30 PM

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

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

Council Members: Mayor Mark Springer, Vice-Mayor Conrad McCormick, Michelle DeWitt,
Perry Barr, Rose Henderson, Eric Whitney, Beth Hessler

Zoom Meeting Link: <https://us06web.zoom.us/j/4888456188?pwd=bkN1dGI4MHpGZ1kwOUVYWU5kd0xhZz09>

Zoom Meeting ID: 488 845 6188

Zoom Meeting Passcode: 13871

Zoom Meeting Conference Line Numbers: 833 548 0276 US Toll-free

833 548 0282 US Toll-free

877 853 5257 US Toll-free

888 475 4499 US Toll-free



1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PEOPLE TO BE HEARD – FIVE MINUTES PER PERSON

4.1.



Written Public Comments can be submitted by opening your phone camera and hovering over this URL code. The link to the submission form will appear. You may also go to www.cityofbethel.org.

5. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA

6. APPROVAL OF MEETING MINUTES

6.1. *8-9-2022 Regular City Council Meeting

7. REPORTS OF STANDING COMMITTEES

7.1. Committee/Commission Agendas And Draft Meeting Minutes

8. SPECIAL ORDER OF BUSINESS

9. UNFINISHED BUSINESS

9.1. Public Hearing Of Budget Ordinance 21-26(m): Amending The Fiscal Year 2022 Budget (City Manager Williams)

9.2. Public Hearing Of Ordinance 22-26: Submitting To The Qualified Voters Of The City Of Bethel, On October 4, 2022, A Ballot Proposition Initiated Through Alcohol Local Option Petition (Mayor Springer)

9.3. Public Hearing Of Ordinance 22-27: Amending The Official Land Use Map Of Bethel By Adopting A General Use Zoning Designation To Land Owned By Jeannine Faulkner Consisting Of A 2.32-Acre Property Located At 2000 Bia Road; Tract A, Plat 83-42BS; Section 11, Township 8N, Range 72W, Seward Meridian, In The Bethel Recording District (Planning Commission)

Posted August 17, 2022 at AC Co., Swanson's, City Hall, and the Post Office.

Kevin Morgan, Deputy City Clerk

City Clerk's Office Contact Information: Email cityclerk@cityofbethel.net Phone 907-545-4120

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

10. NEW BUSINESS

- 10.1. *Introduction Of Ordinance 22-29: Amending Bethel Municipal Code Section 3.08.020, Personnel, General Provisions, Scope Of Coverage And Amendment To Rules (City Manager Williams)
- 10.2. *Introduction Of Ordinance 22-30: Amending The Official Land Use Map Of Bethel By Adopting A General Use Zoning Designation To Land Owned By Mersin Pellumbi Consisting Of A .46-Acre Property Located At 115 Hoffman Road, Lot 4, Block 1, Plat 80-14, Section 18, Township 8 North, Range 71 West, Seward Meridian (Planning Commission)
- 10.3. *Introduction Of Ordinance 22-31: Amending Bethel Municipal Code Chapter 4.16.290, Forgiveness Of Uncollected Taxes, Penalties, And Interest (Council Member Hessler)
- 10.4. *Introduction Of Budget Ordinance 22-22(b): Amending The City Of Bethel Fiscal Year 2023 Budget (Community Parks And Recreation Committee)
- 10.5. *AM 22-22: Appointment Of Committee And Commission Members For A Term Of Three Years (Mayor Springer)
- 10.6. *AM 22-23: Direct Administration To Negotiate And Execute A Contract To Perform A Hydrographic Survey On The Kuskokwim River And Small Boat Harbor With The Company That Received The Highest Total Score On Their Proposal (City Manager Williams)
- 10.7. *IM 22-16: Certifications And Assurances By The Chief Executive Of The Applicant Government Form, And (2) City Of Bethel's FY 2022 Justice Assistance Grant Application And Relevant Supporting Documents (City Manager Williams)
- 10.8. *IM 22-17: Limited Legal Services For Outside Counsel To Assist With Sales Tax Collection (City Manager Williams)

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

- 13.1. In Accordance With AS 44.62.310.(C)(1) Matters, The Immediate Knowledge Of Which Would Clearly Have An Adverse Effect Upon The Finances Of The Public Entity; And (3) Matters Which By Law, Municipal Charter, Or Ordinance Are Required To Be Confidential- Litigation, Dan Hackney And Dawn Hackney, Plaintiffs, Vs. City Of Bethel And Ted Meyer, City Planner, Case No. 4BE-21-00251CI (Mayor Springer)

14. ADJOURNMENT

Posted August 17, 2022 at AC Co., Swanson's, City Hall, and the Post Office.

Kevin Morgan, Deputy City Clerk

City Clerk's Office Contact Information: Email cityclerk@cityofbethel.net Phone 907-545-4120

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

1. CALL TO ORDER

A Regular Meeting of the Bethel City Council was held on August 9, 2022 at 6:30 p.m., in the Council Chambers, Bethel, Alaska.

In the absence of the Mayor and Vice-Mayor, Clerk Strickler called the meeting to order at 6:32 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Comprising a quorum of the Council, the following members were present:
City Council Member Perry Barr City Council Member Michelle DeWitt (telephonically) City Council Member Rose Henderson City Council Member Eric Whitney City Council Member Beth Hessler (telephonically)
Members Absent:
Mayor Mark Springer Vice-Mayor Conrad McCormick
Also in attendance were the following:
City Manager Peter Williams, City Clerk Lori Strickler (telephonically), Deputy City Clerk Kevin Morgan

Main Motion: In the absence of the Mayor and Vice-Mayor to elect Council Member Barr as Mayor Pro Tempore.

Moved by: Beth Hessler
Perry Barr Declines the nomination

Main Motion: In the absence of the Mayor and Vice-Mayor to elect Council Member Henderson as Mayor Pro Tempore.

Moved by: Perry Barr
Seconded by: Eric Whitney
In favor: Perry Barr, Michelle DeWitt, Rose Henderson, Eric Whitney, Beth Hessler
Opposed: None
Results: Motion Carries

4. PEOPLE TO BE HEARD – Five minutes per person

Beverly Hoffman- Bethel- Discussed Ordinance 22-28. Recommended that the Community Parks and Recreation Committee review the Ordinance.

Stacy Reardon- Bethel- Discussed Ordinance 22-28. Recommended postponement so that the Community Parks and Recreation Committee can review the Ordinance and discuss options to replace revenue.

Item 4.1. - Written Public Comments.

No written comments were submitted.

5. APPROVAL OF CONSENT AGENDA AND REGULAR AGENDA

Main Motion: Approve the Consent and Regular Agenda,

Moved by: Perry Barr

Seconded by: Eric Whitney

Remove from the Consent Agenda- Item 10.1 Introduction of Ordinance 22-28.

Motion to postpone Item 10.1 Introduction of Ordinance 22-28 to September 13, 2022 to the first regular meeting after the Community Parks and Recreation Committee.

Moved by: Perry Barr

Seconded by: Eric Whitney

In favor: Perry Barr, Michelle DeWitt, Rose Henderson, Eric Whitney, Beth Hessler

Opposed: None

Results: Motion Carries

Motion to postpone the remainder of the meeting including the Public Hearing of Ordinance 21-26(m), Ordinance 22-26, Ordinance 22-27 to the next regular meeting.

Moved by: Perry Barr

Seconded by: Eric Whitney

In favor: Perry Barr, Michelle DeWitt, Rose Henderson, Eric Whitney, Beth Hessler

Opposed: None

Results: Motion Carries

6. APPROVAL OF MEETING MINUTES

Item 6.1. - *7-21-2022 Special City Council Meeting
Passed on the consent agenda.

Item 6.2. - * 7-26-2022 Regular City Council Meeting
Passed on the consent agenda.

7. REPORTS OF STANDING COMMITTEES

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

8. SPECIAL ORDER OF BUSINESS

9. UNFINISHED BUSINESS

Item 9.1. - Public Hearing Of Budget Ordinance 21-26(m): Amending The Fiscal Year 2022 Budget (City Manager Williams)

Postponed to the August 23, 2022 Regular City Council Meeting.

Item 9.2. - Public Hearing Of Ordinance 22-26: Submitting To The Qualified Voters Of The City Of Bethel, On October 4, 2022, A Ballot Proposition Initiated Through Alcohol Local Option Petition (Mayor Springer)

Postponed to the August 23, 2022 Regular City Council Meeting.

Item 9.3. - Public Hearing Of Ordinance 22-27: Amending The Official Land Use Map Of Bethel By Adopting A General Use Zoning Designation To Land Owned By Jeannine Faulkner Consisting Of A 2.32-Acre Property Located At 2000 Bia Road; Tract A, Plat 83-42BS; Section 11, Township 8N, Range 72W, Seward Meridian, In The Bethel Recording District (Planning Commission)

Postponed to the August 23, 2022 Regular City Council Meeting.

10. NEW BUSINESS

Item 10.1. - *Introduction Of Ordinance 22-28: Adopting Fees And Rates For The YK Fitness Center And Establishing A "Pay What You Can" Policy (Council Member Barr)

Postponed to the September 13, 2022 Regular City Council Meeting.

Item 10.2. - *Resolution 22-08: Amending Regulations To Effectuate A Comprehensive System For The Creation, Acquisition, Preservation And Retention Of City Information Contained In Any Record Medium (Mayor Springer)

Passed on the consent agenda.

Item 10.3. - *Resolution 22-09: Disposal Of Seven Heavy Duty Trucks Valued At More Than Five Thousand Dollars Each Via Public Outcry Auction (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

13. EXECUTIVE SESSION

14. ADJOURNMENT

Main Motion: Adjournment.

Moved by:	Eric Whitney
Seconded by:	Perry Barr
In favor:	Perry Barr, Michelle DeWitt, Rose Henderson, Eric Whitney, Beth Hessler
Opposed:	None
Results:	Motion Carries

Meeting ended at 6:32 p.m.

Rose Henderson,
Mayor Pro Tempore

ATTEST:

Kevin Morgan,
Deputy City Clerk

City of Bethel, Alaska

Finance Committee Minutes

June 27th, 2022

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Finance Committee was held on June 27th, 2022, at 6:43 PM in person by Robert Ray, Vice Chair.

II. ROLL CALL

Comprising a quorum of the Committee, the following were present: John Hamilton, and Robert Rey, Vice Chair (Via Zoom).

Also in attendance are Xavier Mason (Ex Officio), Duane Wright (Ex Officio), and Alexandra Batchelor (Recorder).

Unexcused Absences: Eric Whitney, Farah Sears, and Carolann Willard, Chair.

Excused Absences:

A MEETING WAS NOT HELD DUE TO A LACK OF QUORUM

Carol Ann Willard, Chair

ATTEST:

Alexandra Batchelor, Recorder

City of Bethel, Alaska

Finance Committee Minutes

July 25th, 2022

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Finance Committee was held on July 27th, 2022, at 6:40 PM in person by Carolann Willard, Chair.

II. ROLL CALL

The following Finance Committee members were present: Carolan Willard, Chair, and Farah Sears (via Zoom).

Also in attendance are Duane Wright (Ex Officio), and Alexandra Batchelor (Recorder).

Unexcused Absences: Eric Whitney

Excused Absences: Robert Rey, Vice Chair, John Hamilton, and David Trantham, Jr.

A MEETING WAS NOT HELD DUE TO A LACK OF QUORUM

Carol Ann Willard, Chair

ATTEST:

Alexandra Batchelor, Recorder

City of Bethel, Alaska

Finance Committee Minutes

May 23rd, 2022

Regular Meeting

Bethel, Alaska

I. CALL TO ORDER

A Regular Meeting of the Finance Committee was held on May 23rd, 2022, at 6:35 PM in person and via Zoom.

II. ROLL CALL

Comprising a quorum of the Committee, the following were present: Carolann Willard, Farah Sears, (Via Zoom: Eric Whitney and Robert Rey

Also in attendance: Duane Wright (Ex Officio), Xavier Mason (Ex-Officio), and Alexandra Batchelor (Recorder)

Unexcused Absences: Brian Henry,
Excused Absences: David Trantham

Guest Presenter: Lori Strickler – City Clerk – **VI. Special Item**

III. PEOPLE TO BE HEARD: IV. APPROVAL OF AGENDA

05/23/2022

MOVED BY	Eric Whitney	Motion to approve
SECOND BY	Farah Sears	
VOTE ON MOTION	All in favor	4-0

V. APPROVAL OF MINUTES: 03/28/2022

MOVED BY	Robert Rey	Motion to approve
SECOND BY	Farah Sears	
VOTE ON MOTION	All in favor	4-0

04/25/2022

MOVED BY	Robert Rey	Motion to approve
SECOND BY	Farah Sears	
VOTE ON MOTION	All in favor	4-0

VII. NEW BUSINESS – A. Declaration of Vacancy.

MOVED BY	Farah Sears	
SECOND BY	Eric Whitney	
VOTE ON MOTION	All in favor	4-0

VIII. EX Officio Member Reports

- A.** Introduction of Duane Wright, Finance Director
- B.** Finance Financials
- C.** Manager's Report

IX. COMMITTEE MEMBER COMMENTS:

Eric Whitney: Finance Committee meeting had enlightening subjects today.

Robert Rey: Concurred with Council Rep Whitney, loved the topics we talked about. Welcome to Bethel. Looking forward to having productive meetings with Duane in the future, thank you so much.

John Hamilton: Followed up previous comments, exciting atmosphere. Thanked Farah , for the points she discussed.

Farah Sears: Since I talked so much, welcomed Duane. Expressed excitement over the direction Duane will take the Finance Department and to participate in the government we all lived under.

Carolann Willard: Agreed with previous comments. Also thanked Duane for his introduction and comments. Welcomed him to Bethel.

X. MOTION TO END MEETING:

MOVED BY	Eric Whitney	Motion to approve
SECOND BY	Farah Sears	
VOTE ON MOTION	All in Favor	4-0

The chair called the meeting to an end at 8:15 pm.

Carol Ann Willard, Chair

ATTEST:

Alexandra Batchelor, Recorder

Introduced by: Peter A. Williams, City Manager
Introduction Date: July 26, 2022
Public Hearing Date: August 9, 2022
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance 21-26 (m)

AN ORDINANCE AMENDING THE CITY OF BETHEL FISCAL YEAR 2022 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 2022.

WHEREAS, the City of Bethel's fiscal year ended on June 30, 2022;

WHEREAS, as part of the end of the fiscal year closing adjustments, the Administration seeks to balance all accounts within each fund that has expended \$12,500 or more beyond their budgeted amount;

M-1 General Fund				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
100-51-6023	Leave/Cash Out	0	21,276	21,276
100-55-6331	Hardware/Software Support	40,000	15,467	55,467
100-56-6040	Employee Group Benefits	25,428	15,638	41,066
100-61-6022	Holiday Pay	0	12,662	12,662
100-61-6711	IT Services	62,712	24,478	87,190
100-65-6711	IT Services	0	22,400	22,400
100-66-6010	Overtime	20,500	44,396	64,896
100-66-6153	Heating Fuel	6,000	19,676	25,676
100-70-6010	Overtime	50,000	36,963	86,963

Introduced by: Peter A. Williams, City Manager
 Introduction Date: July 26, 2022
 Public Hearing Date: August 9, 2022
 Action:
 Vote:

100-70-6153	Heating Fuel	27,000	16,389	43,389
100-10100	General Fund (Cash in Combined Fund)	9,776,942	(460,983) <i>Total Decrease</i>	9,315,958

WHEREAS, the City of Bethel's fiscal year ended on June 30, 2022;

M-2 Special Revenue Funds				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
270-50-6034	PERS	36,388	12,994	49,382
100-10100	General Fund (Cash in Combined Fund)	9,315,958	(12,994) <i>Total Decrease</i>	9,302,965

WHEREAS, the City of Bethel's fiscal year ended on June 30, 2022;

M-3 Yukon-Kuskokwim Regional Health & Aquatic Safety Training Center				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
400-50-6153	Heating Fuel	133,710	64,710	198,420
400-50-6711	IT Services	43,439	16,956	60,395
400-10100	YKRHASTC (Cash in Combined Fund)	(1,817,950)	(81,666) <i>Total Decrease</i>	(1,899,616)

WHEREAS, the City of Bethel's fiscal year ended on June 30, 2022;

M-4 Solid Waste Enterprise Fund				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
500-70-6710	Administrative Overhead	37,951	13,685	51,636
510-71-6710	Administrative Overhead	15,958	14,574	30,532
500-10100	Solid Waste Enterprise Fund (Cash in Combined Fund)	4,117,757	(28,258) <i>Total Decrease</i>	4,089,499

Introduced by: Peter A. Williams, City Manager
 Introduction Date: July 26, 2022
 Public Hearing Date: August 9, 2022
 Action:
 Vote:

WHEREAS, the City of Bethel's fiscal year ended on June 30, 2022;

M-5 Water & Sewer Enterprise Fund				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
510-81-6710	Administrative Overhead	179,862	18,940	198,802
510-82-6710	Administrative Overhead	52,142	22,203	74,345
510-83-6400	Insurance	0	20,591	20,591
510-83-6710	Administrative Overhead	0	61,023	61,023
510-83-6711	IT Services	0	20,202	20,202
510-84-6710	Administrative Overhead	65,756	20,641	86,397
510-86-6710	Administrative Overhead	15,500	17,471	32,971
510-10100	Water & Sewer Enterprise Fund Cash in Combined Fund	4,870,274	(181,071) <i>Total Decrease</i>	4,689,203

WHEREAS, WHEREAS, the City of Bethel's fiscal year ended on June 30, 2022;

M-6 Municipal Dock Enterprise Fund				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
520-50-6244	Property Maintenance	0	28,747	28,747
520-50-6710	Administrative Overhead	40,634	33,457	74,091
520-50-6711	IT Services	0	26,086	26,086
520-55-6710	Administrative Overhead	21,498	14,913	36,411
520-10100	Municipal Dock Enterprise Fund (Cash in Combined Fund)	4,372,523	(103,202) <i>Total Decrease</i>	4,269,321

Introduced by: Peter A. Williams, City Manager
Introduction Date: July 26, 2022
Public Hearing Date: August 9, 2022
Action:
Vote:

WHEREAS, the City of Bethel's fiscal year ended on June 30, 2022;

M-7 Braund Building Enterprise Fund				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
530-55-6420	Courthouse Loan Interest	34,500	72,650	107,150
530-10100	Braund Building Enterprise Fund (Cash in Combined Fund)	1,005,145	(72,650)	932,495
			<i>Total Decrease</i>	

WHEREAS, the City of Bethel's fiscal year ended on June 30, 2022;

M-8 Vehicles & Equipment Maintenance Fund				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
570-50-6150	Gasoline/Diesel/Oil	8,000	28,448	54,448
570-10100	Vehicles & Equipment Maintenance Fund (Cash in Combined Fund)	(572,267)	(28,448)	(600,715)
			<i>Total Decrease</i>	

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

ENACTED THIS 9th DAY OF AUGUST 2022 BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

Mark Springer, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Mayor Springer
Date: July 26, 2022
Public Hearing: August 9, 2022
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #22-26

AN ORDINANCE BY THE BETHEL CITY COUNCIL SUBMITTING TO THE QUALIFIED VOTERS OF THE CITY OF BETHEL, ON OCTOBER 4, 2022, A BALLOT PROPOSITION INITIATED THROUGH ALCOHOL LOCAL OPTION PETITION

- WHEREAS;** Alaska Statute 04.11.507(b), Procedure for Local Option Elections, provides: Upon receipt of a petition of a number of registered voters equal to 35 percent or more of the number of votes cast at the last regular municipal election, the local governing body of a municipality shall place upon a separate ballot at the next regular election, or at a special election, whichever local option, change in local option, or removal of local option constitutes the subject of the petition;
- WHEREAS;** following review by the City Attorney, the City Clerk's Office certified a petition application for an alcohol local option question on July 5, 2022, the petition booklets were issued to the petitioners on July 14, 2022;
- WHEREAS;** under BMC 7.100.60, the petition sponsors had 90 days from July 14, 2022 to secure qualifying signatures from registered Bethel voters;
- WHEREAS;** on July 18, 2022, the petition sponsors submitted to the City Clerk's Office the petition booklets for certification review;
- WHEREAS;** on July 18, 2022, the City Clerk certified the petition, the petition sponsors obtained the minimum 165 qualifying signatures from Bethel registered voters (35% of the number of votes casts at the City's last regular election);
- WHEREAS;** pursuant to Alaska Statute 04.11.507(b), upon receipt of a petition of a number of registered voters equal to 35 percent or more of the number of votes cast at the last regular municipal election, the local governing body of a municipality shall place upon a separate ballot at the next regular election, or at a special election, whichever local option, change in local option, or removal of local option constitutes the subject of the petition; and

Introduced by: Mayor Springer
Date: July 26, 2022
Public Hearing: August 9, 2022
Action:
Vote:

WHEREAS; pursuant to Bethel Municipal Code 7.10.070, an ordinance placing propositions and questions before the voters must be adopted by the council not later than forty-five (45) calendar days before a regular or special election, the next of which is August 20, 2022;

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

SECTION 1. ELECTION An election is to be held on October 4, 2022, in and for the City of Bethel, for the purpose of submitting a ballot proposition to the qualified voters of the City of Bethel for approval or rejection.

SECTION 2. PROPOSITION The proposition must receive a majority vote of the qualified voters in the City of Bethel voting on the question to be approved. The Proposition shall be substantially in the following form:

Shall the City of Bethel adopt a local option (4.11.491 (a) (2) (A) and (H)), to prohibit the sale of alcoholic beverages EXCEPT through a:

- Restaurant or eating place license, which authorizes the restaurant or eating place to sell beer and wine for consumption only on the licensed premises; AND
- Package store license, limited to selling only beer and wine to a person present on the licensed premises.

☐ Yes

☐ No

IMPARTIAL SUMMARY OF THE CHANGE IN LOCAL OPTION BEING PROPOSED:

The City of Bethel is currently under Local Option allowing the sales of beer and wine at licensed restaurants. This ballot proposition asks if the voters want to add a new type of license to the permitted sales. The City's current law allowing for sales of beer and wine at licensed restaurants will not be impacted by this vote.

YES, you want BOTH licensed restaurants AND package stores (commonly known as a liquor store) to sell only beer and wine to people present at the time of sale.

NO, you want to remain under the CURRENT Local Option which allows for the sales of beer and wine ONLY at licensed restaurants and not package stores.

Introduced by: Mayor Springer
Date: July 26, 2022
Public Hearing: August 9, 2022
Action:
Vote:

SECTION 3. Classification. This ordinance is of permanent nature and shall not become a part of the Bethel Municipal Code.

SECTION 4. Effective Date. This Ordinance shall become effective upon the approval by the Bethel City Council.

**BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL ALASKA,
THIS 9th DAY OF AUGUST 2022, BY A VOTE OF ☐ IN FAVOR AND ☐ OPPOSED.**

Mark Springer, Mayor

ATTEST:

Lori Strickler, City Clerk

CITY OF BETHEL, ALASKA

Ordinance #22-27

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING THE OFFICIAL LAND USE MAP OF BETHEL BY ADOPTING A GENERAL USE ZONING DESIGNATION OF LAND OWNED BY JEANNINE FAULKNER CONSISTING OF A 2.32-ACRE PROPERTY LOCATED AT 2000 BIA ROAD; TRACT A, PLAT 83-42BS; SECTION 11, TOWNSHIP 8N, RANGE 72W, SEWARD MERIDIAN, IN THE BETHEL RECORDING DISTRICT.

WHEREAS, Bethel Municipal Code Section 18.04.050 Zoning, General Provisions, Jurisdiction provides:

- A. The territorial jurisdiction under this title shall include all lands located within the corporate limits of the city. The provisions of this title shall apply equally to private and public property except to the extent prohibited by law.
- B. When the restricted status of a native allotment or other property exempt from local land use regulation is changed to unrestricted status, or loses its protection from local land use regulations, because of sale or official government action, the property becomes subject to the provisions of this title.
- C. Water areas, including frozen waterways, shall be subject to the regulations of the land use district of the land immediately adjacent to the subject water area unless the water area has been given a land use designation that is different from that of the immediately adjacent land.

WHEREAS, Tract A at 2000 BIA Road and all land immediately surrounding it are currently un-zoned properties;

WHEREAS, the City of Bethel Planning Department received a request from Jeannine Faulkner on May 17, 2022 to amend the Official Land Use Zoning Map to apply a General Use zoning designation to her 2.32-acre property at Tract A, 2000 BIA Road in conjunction with GCI's submittal and subsequent approval of a Conditional Use Permit for installing a 95-foot cell tower on the leased, northeast .17-acre section of the property;

WHEREAS, BMC Section 18.36.010, Zoning, general use District GU District, Intent provides:

The General Use District is to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district

WHEREAS, Tract A is located in an underdeveloped area approximately 615-feet west of the Blue Sky Subdivision; Tract A abuts sandpit property and one residential property to the west, and a sandpit directly across the street on BIA Road;

WHEREAS, the zoning request satisfies BMC 18.76.040 (B) which provides that the planning department may only recommend approval of the map amendment to the Planning Commission, if it makes and supports the following findings regarding the proposed zoning:

- Is consistent with the Comprehensive Plan
- Is suited to the area
- Is compatible with principle and permitted uses within 1,000 feet
- Constitutes an expansion of an area of the same designation or is at least 2 acres in size
- Has adequate water and sewage availability

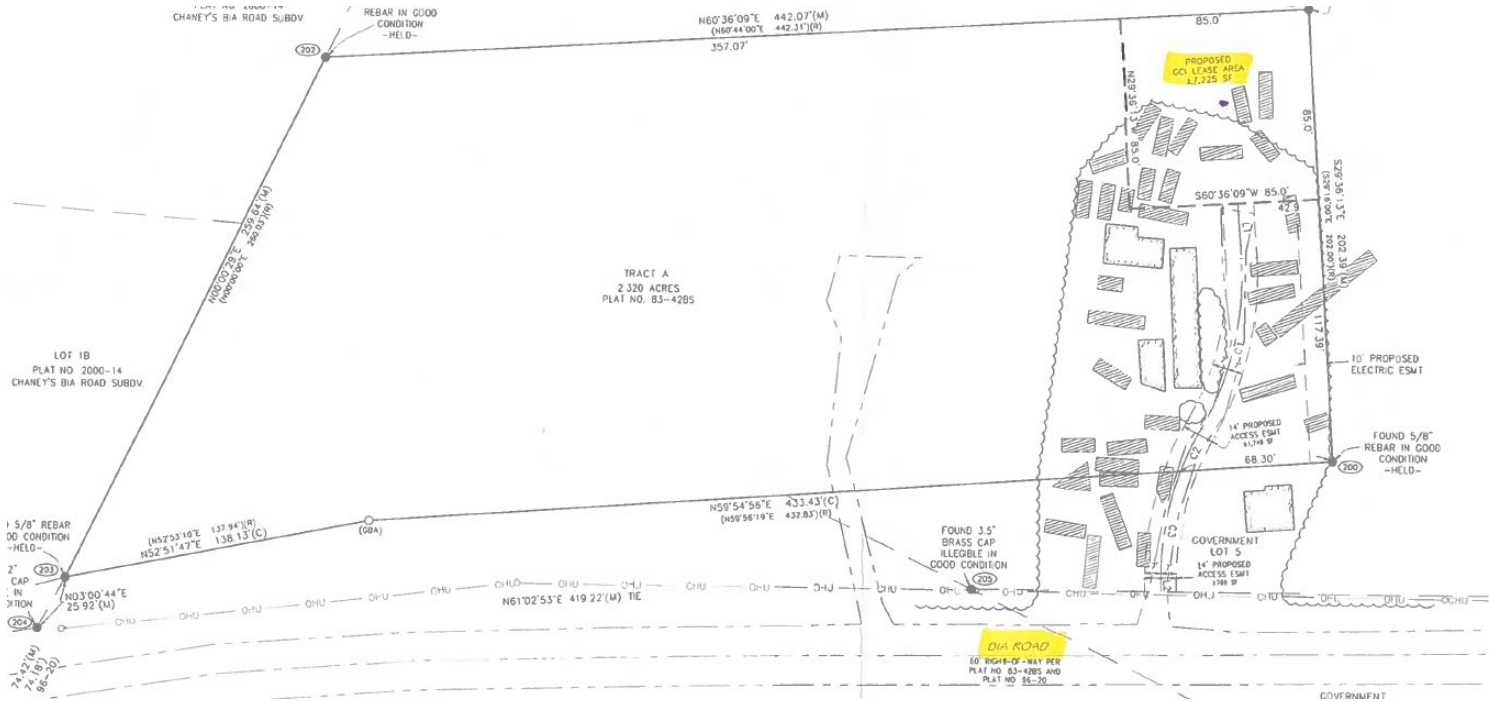
WHEREAS, the Planning Commission held a public hearing on June 9, 2022 to review the General Use Zoning designation request and agreed with the planner that the proposed zoning satisfied BMC 18.76.040((B)(1)-(5)

WHEREAS, the Planning Commission also agreed that all 62 commercial uses classified as principal and permitted uses that are listed in BMC 18.36.020(K) (Permitted and principal uses and structures in the GU district) would be compatible for development of Tract A; and

WHEREAS, the Planning Commission, through Resolution 22-03, recommends that the City Council approve a zoning map amendment to the Official Land Use Map of Bethel that will apply a General Use zoning designation to Tract A, Plat 83-42BS, Section 11, Township 8N, Range 72W, Seward meridian, 2000 BIA Road;

NOW, THEREFORE BE IT ORDAINED by the City Council of Bethel, Alaska that: the Official Land Use Map of Bethel shall be amended to show a General Use zoning designation to the 2.32-acre Tract A, Plat 83-42BS, Section 11, Township 8N, Range 72W, Seward meridian, 2000 BIA Road.

Introduced by: Planning Commission
Introduction Date: July 26, 2022
Public Hearing Date: August 9, 2022
Action:
Vote:



SECTION 1. Classification. This ordinance is of a permanent nature and shall be shown on the Official Land Use Map of Bethel as General Use.

SECTION 2. Effective Date. This ordinance shall become effective immediately upon passage by the City Council.

ENACTED THIS 9TH DAY OF AUGUST 2022, BY A VOTE OF ____ IN FAVOR AND ____ OPPOSED.

Mark Springer, Mayor

ATTEST:

Lori Strickler, City Clerk

RESOLUTION
Bethel Planning Commission
Resolution No. 2022-03

A RESOLUTION OF THE BETHEL PLANNING COMMISSION TO THE CITY COUNCIL RECOMMENDING A ZONING MAP AMENDMENT TO THE OFFICIAL LAND USE MAP OF BETHEL THAT WILL APPLY A GENERAL USE ZONING DESIGNATION TO LAND OWNED BY JEANNINE FAULKNER CONSISTING OF A 2.32-ACRE PROPERTY AT 2000 BIA ROAD; TRACT A, PLAT 83-42BS; SECTION 11, TOWNSHIP 8N, RANGE 72W, SEWARD MERIDIAN, IN THE BETHEL RECORDING DISTRICT.

WHEREAS, Bethel Municipal Code Section 18.04.050A (Zoning Jurisdiction) states the territorial jurisdiction under this title shall include all lands located within the corporate limits of the city. The provisions of this title shall apply equally to private and public property except to the extent prohibited by law, and

WHEREAS, BMC Section 18.04.030B (Zoning Application) states that no structure or land shall be used or occupied and no structure or part thereof shall be erected, moved, or altered except in conformity with the provisions of this Title, and

WHEREAS, BMC Section 18.36.010 states the intent of the General Use District is to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district.

WHEREAS, Tract A is located approximately 615-feet west of the Blue Sky Subdivision, and

WHEREAS, the zoning request satisfies **BMC 18.76.040 (B)** which states the planning department may only recommend approval of the map amendment to the Planning Commission, if it makes and supports the following findings regarding the proposed zoning:

- Is consistent with the Comprehensive Plan.
- Is suited to the area.
- Is compatible with principle and permitted uses within 1,000 feet
- Constitutes an expansion of an area of the same designation or is at least 2 acres in size
- Has adequate water and sewage availability, and

WHEREAS, the Planning Commission held a public hearing on June 9, 2022 for reviewing the General Use Zoning designation request and agreed with the planner that the proposed zoning satisfied BMC 18.76.040(B1 - 5), and

WHEREAS, the Planning Commission also agreed that all 62 commercial uses classified as principal and permitted uses that are listed in BMC 18.36.020 (General Uses) would be compatible for development of Tract A, and

NOW, THEREFORE BE IT RESOLVED, the Planning Commission recommends to the City Council to approve a zoning map amendment to the Official Land Use Map of Bethel that will apply a General Use zoning designation to Tract A, Plat 83-42BS, Section 11, Township 8N, Range 72W, Seward meridian, 2000 BIA Road,

PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this 9th day of June 2022. City of Bethel City Planning Commission Action:

Vote: In Favor: 5 Opposed: 0 Abstained:


Kathy Hanson, Chair

ATTEST:

Pauline Boratko, Recorder

CITY OF BETHEL, ALASKA

Ordinance #22-29

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE SECTION 3.08.020, PERSONNEL, GENERAL PROVISIONS, SCOPE OF COVERAGE AND AMENDMENT TO RULES

- WHEREAS ,** City personnel are governed by various code provisions, policies and agreements;
- WHEREAS ,** Title 3 of the Bethel Municipal Code Personnel Rules and Regulations, outlines requirements for the administration of personnel within the organization generally, and where other agreements are silent, Title 3 provisions generally govern;
- WHEREAS ,** union employees re governed by a collective bargaining agreement, employees hired by the city council have individual employment agreements with the city, and department heads are governed by Title 3;
- WHEREAS ,** clarifying the relationship between Title 3 and other employment agreements is important from a legal and administrative standpoint;

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 Section 3.08.020, Scope of coverage and amendment of rules, is amended as follows, new language is underlined and old language is stricken.

3.08.020 Scope of coverage and amendment of rules.

A. *General Applicability.* The personnel rules and policies set forth in this title shall apply to all city employees to the extent that a policy is not otherwise covered by the collective bargaining agreement, an individual employment agreement negotiated between the city and a city council-appointed employee, or the Bethel Municipal Code. If any provision of this title conflicts with the collective bargaining agreement or a

Introduced by: City Manager Williams
Introduction Date 8/23/2022
Public Hearing Date: 9/13/2022
Action:
Vote:

negotiated employment agreement, the collective bargaining agreement or negotiated employment agreement shall control.

A B. *Department Policy.* Upon coordination with the city manager, department heads may establish written department policies which do not conflict with the provisions of these personnel rules. The department policies may be more strict than these personnel rules, but must not violate state or federal labor laws. A copy of these department policies and the personnel rules shall be available to all affected employees.

B-C. *Grant Programs.* When an employee is employed under the provisions of a special grant program, the provisions of that grant which conflict with these personnel rules shall apply.

C D. *Amendment.* Employees and department heads are encouraged to submit recommended additions or modifications to the city manager at any time. The city manager may submit additions or modifications of the personnel rules to the city council for its consideration at any time.

SECTION 3. Effective Date. 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 SEPTEMBER 2022 BY A VOTE OF _ IN FAVOR AND _
OPPOSED.**

Mark Springer, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Planning Commission
Introduction Date: August 23, 2022
Public Hearing: September 13, 2022
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance #22-30

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING THE OFFICIAL LAND USE MAP OF BETHEL BY ADOPTING A GENERAL USE ZONING DESIGNATION TO LAND OWNED BY MERSIN PELLUMBI CONSISTING OF A .46-ACRE PROPERTY LOCATED AT 115 HOFFMAN ROAD, LOT 4, BLOCK 1, PLAT 80-14, SECTION 18, TOWNSHIP 8 NORTH, RANGE 71 WEST, SEWARD MERIDIAN.

WHEREAS, Bethel Municipal Code Section 18.04.050A (Zoning Jurisdiction) states the territorial jurisdiction under this title shall include all lands located within the corporate limits of the city. The provisions of this title shall apply equally to private and public property except to the extent prohibited by law, and

WHEREAS, BMC Section 18.04.030B (Zoning Application) states that no structure or land shall be used or occupied and no structure or part thereof shall be erected, moved, or altered except in conformity with the provisions of this Title, and

WHEREAS, the City of Bethel Planning Department received a request from Mersin Pellumbi on July 19, 2022 for amending the Official Land Use Zoning Map by rezoning his .46-acre property at 115 Hoffman Road from Residential to General Use, and

WHEREAS, BMC Section 18.36.010 states the intent of the General Use District is to allow a mix of compatible residential and commercial uses, and

WHEREAS, 115 Hoffman Road is located on the edge of the Residential Zone abutting commercial frontage properties that line Chief Eddie Hoffman Blvd, and if allowed, this General Use re-zoning will fit in with the Bethel-wide trend of commercial uses lined along the thoroughfares, with residential zones immediately behind, and

WHEREAS, the proposed General Use designation will also fit in with the residential nature of the neighborhood because of the two residential structures constructed on said property (duplex and triplex), and

WHEREAS, the zoning request satisfies **BMC 18.76.040 (B)** which states the planning department may only recommend approval of the map amendment to the Planning Commission, if it makes and supports the following findings regarding the proposed zoning:

- Is consistent with the Comprehensive Plan.

Introduced by: Planning Commission
Introduction Date: August 23, 2022
Public Hearing: September 13, 2022
Action:
Vote:

- Is suited to the area.
- Is compatible with principle and permitted uses within 1,000 feet
- Constitutes an expansion of an area of the same designation or is at least 2 acres in size
- Has adequate water and sewage availability, and

WHEREAS, the Planning Commission held a public hearing on August 11, 2022 to review the General Use Zoning designation request and agreed with the planner that the proposed zoning satisfied BMC 18.76.040(B1-B5), and

WHEREAS, the Planning Commission, through Resolution 22-06, recommends to the City Council to approve a zoning map amendment to the Official Land Use Map of Bethel that will apply a General Use zoning designation to 115 Hoffman Road, and

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA by the City Council of Bethel, Alaska that: the Official Land Use Map of Bethel shall be amended to show a General Use zoning designation to 115 Hoffman Road, Lot 4, Block 1, Plat 80-14, Section 18, Township 8 North, Range 71 West, Seward Meridian.

SECTION 1. Classification. This ordinance is of a permanent nature and shall be shown on the Official Land Use Map of Bethel as General Use.

Section 2. Effective Date. This ordinance shall become effective immediately upon passage by the City Council.

ENACTED THIS 13th DAY OF SEPTEMBER 2022, BY A VOTE OF ____ IN FAVOR AND ____ OPPOSED.

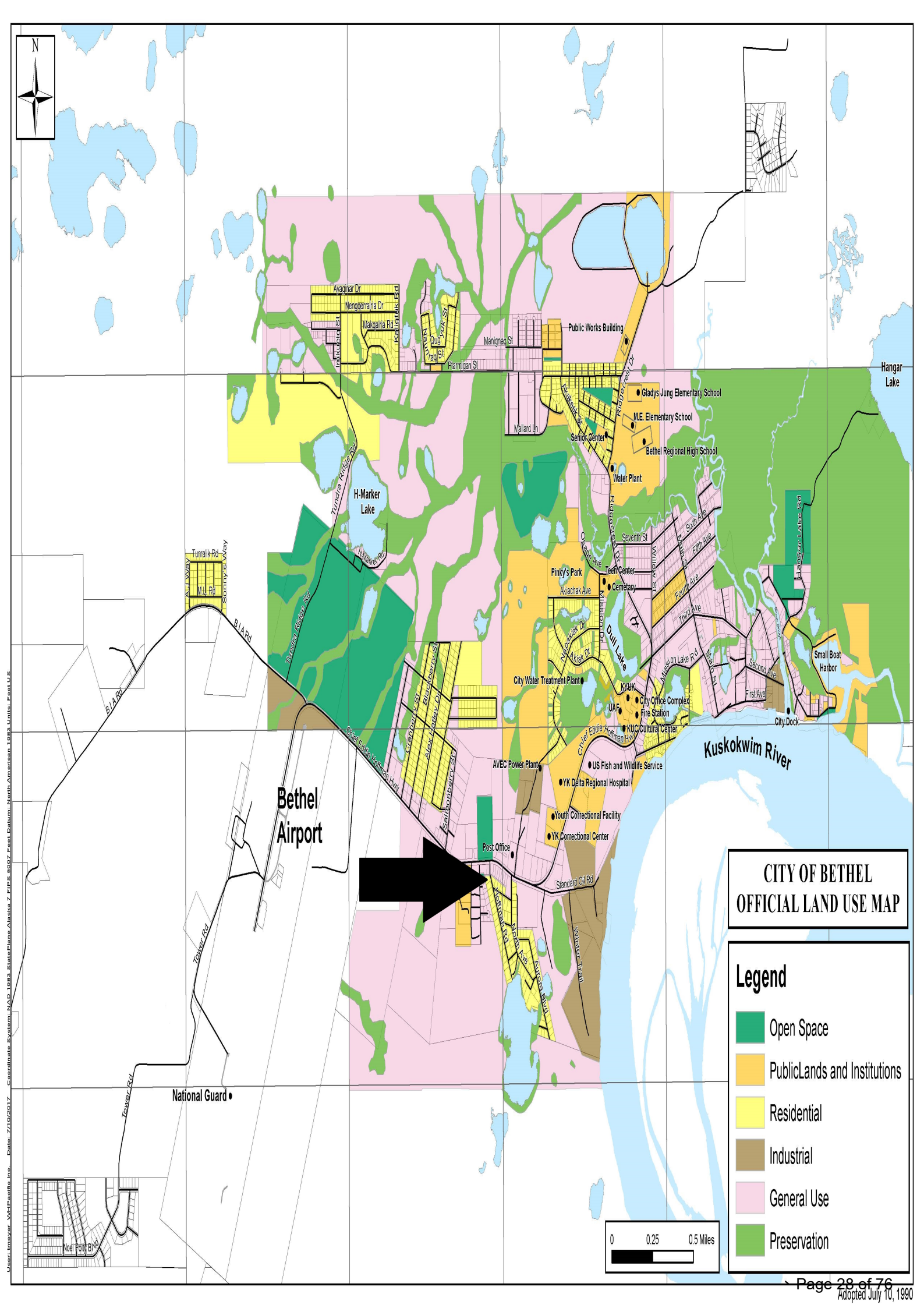
Mark Springer, Mayor

ATTEST:

Lori Strickler, City Clerk

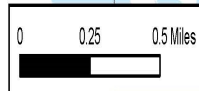
300 FT RADIUS LAND USE MAP





Legend

- Open Space
- Public Lands and Institutions
- Residential
- Industrial
- General Use
- Preservation



RESOLUTION
Bethel Planning Commission
Resolution No. 2022-06

A RESOLUTION OF THE BETHEL PLANNING COMMISSION TO THE CITY COUNCIL RECOMMENDING A ZONING MAP AMENDMENT TO THE OFFICIAL LAND USE MAP OF BETHEL BY REZONING A .46-ACRE PROPERTY FROM RESIDENTIAL TO GENERAL USE; APPLICATION SUBMITTED BY MERSIN PELLUMBI FOR PROPERTY LOCATED AT 115 HOFFMAN ROAD, LOT 4, BLOCK 1, PLAT 80-14, SECTION 18, TOWNSHIP 8 NORTH, RANGE 71 WEST, SEWARD MERIDIAN.

WHEREAS, Bethel Municipal Code Section 18.04.050A (Zoning Jurisdiction) states the territorial jurisdiction under this title shall include all lands located within the corporate limits of the city. The provisions of this title shall apply equally to private and public property except to the extent prohibited by law, and

WHEREAS, BMC Section 18.04.030B (Zoning Application) states that no structure or land shall be used or occupied and no structure or part thereof shall be erected, moved, or altered except in conformity with the provisions of this Title, and

WHEREAS, BMC Section 18.36.010 states the intent of the General Use District is to allow a mix of compatible residential and commercial uses. Noxious, injurious, or hazardous uses shall not be permitted in the GU district, and

WHEREAS, 115 Hoffman Road is located on the edge of the Residential Zone and abuts commercial frontage properties that line Chief Eddie Hoffman Blvd, and if allowed, this General Use re-zoning will fit in with the Bethel-wide trend of commercial uses lined along the thoroughfares, with residential zones immediately behind, and

WHEREAS, the proposed General Use designation will also fit in with the residential nature of the neighborhood because of the two residential structures recently constructed on said property (duplex and triplex), and

WHEREAS, the zoning request satisfies **BMC 18.76.040 (B)** which states the planning department may only recommend approval of the map amendment to the Planning Commission, if it makes and supports the following findings regarding the proposed zoning:

- Is consistent with the Comprehensive Plan.
- Is suited to the area.
- Is compatible with principle and permitted uses within 1,000 feet
- Constitutes an expansion of an area of the same designation or is at least 2 acres in size
- Has adequate water and sewage availability, and

WHEREAS, the Planning Commission held a public hearing on August 11, 2022 for reviewing the General Use Zoning designation request and agreed with the planner that the proposed zoning satisfied BMC 18.76.040(B), and

NOW, THEREFORE BE IT RESOLVED, the Planning Commission recommends to the City Council to approve a zoning map amendment to the Official Land Use Map of Bethel that will rezone 115 Hoffman Road from a Residential zoning designation to a General Use zoning designation, and

PASSED AND APPROVED BY THE BETHEL PLANNING COMMISSION by a duly constituted quorum on this 11th day of August 2022. City of Bethel City Planning Commission Action:

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


Kathy Hanson, Chair

ATTEST:

Pauline Boratko, Recorder

CITY OF BETHEL, ALASKA

Ordinance #22-31

AN ORDINANCE BY THE BETHEL CITY COUNCIL AMENDING BETHEL MUNICIPAL CODE CHAPTER 4.16.290, FORGIVENESS OF UNCOLLECTED TAXES, PENALTIES, AND INTEREST

- WHEREAS**, sales tax constitutes a large portion of the City's revenue, and the collection of sales tax is a critical source of funding for city services;
- WHEREAS**, Bethel Municipal Code 4.16.290 allows for the forgiveness of uncollected taxes, penalties, and interest under certain circumstances;
- WHEREAS**, there may be certain times and situations in which taxpayer amnesty programs are advisable in order to incentivize compliance with business licensing and sales tax filing and;
- WHEREAS**, such programs should be time-limited and specific in scope, not impose an undue burden on the City, and be consistent with the fiscal health of the City;

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

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 4.16.290, Forgiveness of uncollected taxes, penalties, and interest, is amended as follows, new language is underlined and old language is stricken.

4.16.290, Forgiveness of uncollected taxes, penalties, and interest.

A. The city manager, with the concurrence of the city council, may forgive the payment of uncollected sales taxes, interest and penalties owed by a seller to the city upon a determination by the city manager, with confirmation by the city attorney, that:

1. Such uncollected taxes have never been collected by a substantial portion of a clearly definable class of sellers; or

2. Such uncollected taxes have never been collected on a clearly defined type of transaction or service.

B. The city manager may, upon recommendation of the city attorney, and with the concurrence of the city council, authorize forgiveness of uncollected sales taxes, interest and penalty thereon and penalties for failure to file, as part of the compromise and settlement of a disputed claim in an action for collection of such funds.

C. The Council may by resolution initiate a limited-time tax amnesty program for cause. The resolution establishing the amnesty program shall establish findings outlining why an amnesty program is more beneficial to the municipality than enforcement and payment of delinquent taxes, fees, interest, and penalties. The resolution shall define standards and procedures for the program participation. The intent of the program is to initiate a mass increase of business licensing and sales tax compliance without significant burden on the City.

D. Except as otherwise provided in subsections A, B and C of this section, the city may not forgive or waive any amount of uncollected sales tax, interest or penalty. This section shall not prevent the finance director, with the concurrence of the city manager, from discharging debts determined to cost more to collect than what is owed. Such discharges shall occur quarterly, and a report shall be provided to the council of all such discharges at the next regularly scheduled meeting following said discharge.

SECTION 4. TEMPORARY EXCEPTIONS TO BMC 4.16.290 SUBSECTION C. Any amnesty program created by Bethel Municipal Code 4.16.290 C shall not apply to currently seated city council members, the currently seated council member's immediate family members, or any organization of which the currently seated council member is a director, officer, or employee between January 1, 2020 and December 31, 2022.

Immediate family member includes:

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

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective following adoption by the Bethel City Council.

BE IT ENACTED BY THE CITY COUNCIL OF THE CITY OF BETHEL, ALASKA

Introduced by: Council Member Hessler
Introduction Date August 23, 2022
Public Hearing Date: September 13, 2022
Action:
Vote:

**THIS 13th DAY OF SEPTEMBER 2022 BY A VOTE OF _ IN FAVOR AND _
OPPOSED.**

Mark Springer, Mayor

ATTEST:

Lori Strickler, City Clerk

Introduced by: Community Parks and Recreation
Committee
Introduction Date: August 23, 2022
Public Hearing Date: September 13, 2022
Action:
Vote:

CITY OF BETHEL, ALASKA

Ordinance 22-22(b)

AN ORDINANCE AMENDING THE CITY OF BETHEL FISCAL YEAR 2023 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 2022.

WHEREAS, the City is owner and operator of the YK Fitness Center, a community recreational facility that provides access to a pool, weight room, and healthy activities for all ages;

WHEREAS, it is becoming more and more common for employers to offer gym membership benefits that encourage work-life balance and healthy living, many organizations in Bethel currently offer such programs through the YK Fitness Center;

WHEREAS, the City wishes to improve use of the facility by our employees and their families through membership programs similarly to other organizations in Bethel;

General Fund				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
100-51-xxxx	Employee Membership Program to YK Fitness Center	0	40,000	40,000
100-10100	General Fund (Cash in Combined Fund)	9,752,671.67	(40,000) <i>Total Decrease</i>	9,712,671.67

Introduced by: Community Parks and Recreation
Committee
Introduction Date: August 23, 2022
Public Hearing Date: September 13, 2022
Action:
Vote:

WHEREAS, the City has been the primary organizer for the Fourth of July celebration;

WHEREAS, since the defunding of the Parks and Recreation Department, much of the organizing has been handled by the Public Works Administrative Assistant with other city employees working, security and traffic the day of the event;

WHEREAS, the Community Parks and Recreation Committee recommended increasing financial support to the celebration to help ensure there is enough funding for entertainment and organizational needs;

General Fund				
Line Item	Description	Approved Appropriations	Proposed Amendment	Proposed Total Appropriations
100-51-6430	Allowance Special Events	\$5,000	\$5,000	\$10,000
100-10100	General Fund (Cash in Combined Fund)	9,712,671.67	(5,000) <i>Total Decrease</i>	9,707,671.67

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

ENACTED THIS 13th DAY OF SEPTEMBER 2022 BY A VOTE OF ___ IN FAVOR AND ___ OPPOSED.

Mark Springer, Mayor

ATTEST:

Lori Strickler, City Clerk

City of Bethel Action Memorandum

Action memorandum No.	22-22		
Date action introduced:	August 23, 2022	Introduced by:	Mayor Springer
Date action taken:		Approved	Denied
Confirmed by:			

Appointment of Committee and Commission Members for a term of three years.

Attachment(s): None

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

Community Action Grant Technical Review Board

Nikki Pollock has applied for appointment: term expiration is December 31, 2024

City of Bethel Action Memorandum

Action memorandum No.	22-23		
Date action introduced:	8-23-2022	Introduced by:	Peter A. Williams, City Manager
Date action taken:		Approved	Denied
Confirmed by:			

Action Title: Direct Administration to negotiate and execute a contract to perform a hydrographic survey on the Kuskokwim River and Small Boat Harbor with the company that received the highest total score on their proposal.

Attachment(s): (1) Draft contract to perform hydrographic survey work.

Amount of fiscal impact	Source of Funding	Account information
	No fiscal impact at this time.	
\$28,476 \$31,995	FY 2023 Budget FY 2025 Budget	

Summary Statement

The City of Bethel prepared and issued a Request for Proposals (RFP) on June 30, 2022 to solicit proposals for a qualified company to perform a hydrographic survey on the Kuskokwim River in front of the community of Bethel and the Small Boat Harbor Basin and Channel. The survey is required by the Corps of Engineers to be done every two years. The current survey will be completed by October 31, 2022. The succeeding survey will be completed during the summer of 2024 by the same company.

The City posted the RFP on the City website and advertised it on electronic dissemination services, like the Plans Room, Associated General Contractors of Alaska, Contractor Plan Center, Dodge Analytics, and the Procurement Technical Assistance Center at the University of Alaska, Anchorage. Two addendums were issued. Three proposals were received by the deadline.

The two proposals were scored by two City employees. The scores are provided below:

	Proposal #1	Proposal #2	Proposal #3
Reviewer #1	100	80	76
Reviewer #2	100	83	85
Total	200	163	161

The City issued a Notice of Intent to Award on August 17, 2022 to the high scoring firm and sent a letter to the other firm notifying them of the City's intention to award the contract. The attached contract is a draft of the contract included in the Request for Proposals document.

Attachment C

DRAFT PROFESSIONAL SERVICES AGREEMENT FOR HYDROGRAPHIC SURVEY OF KUSKOKWIM RIVER SECTION

THIS AGREEMENT made and entered into this _____ day of August 2022, by and between the CITY OF BETHEL (a municipal corporation) and _____ (a Small Business Entity based in Alaska).

Section 01 Definition

In this Agreement:

- A. The term "City" means the City of Bethel.
- B. The term "Surveyor" means _____.

Section 02 Employment of Surveyor

The City hereby agrees to engage the Surveyor and the Surveyor hereby agrees to perform the services hereafter set forth.

Section 03 Scope of Services

The Surveyor will conduct a hydrographic survey for the City of Bethel. The minimum footprint for the hydrographic survey work to be performed is as follows:

Petro Port > downriver location;	
The Lat and Long lines are:	N 60.46.874 X W 161.46.704
and on the opposite side of the river:	N 60.46.874 X W 161.44.181
Small Boat Harbor entrance > upriver location:	N 60.47.432 X W 161.44.181
	N 60.47.224 X W 161.44.271
Small Boat Harbor basin:	N 60.47.33.57 X W 161.44.06.84
Small Boat Harbor river:	N 60.47.27.03 X W 161.44.13.98
Brown's Slough upstream site (bridge):	N 60.36.79 X W 161.44.44.46
Brown's Slough downstream site (river):	N 60.47.28.22 X W 161.44.13.98

Surveying will be performed using an _____ approach. The deeper parts of the Kuskokwim River (>10 feet) will be surveyed with full bottom coverage and overlap, while the shallow areas (<10 feet) will be surveyed using a striping pattern, including cross lines for Quality Assurance, suitable for creating cross sections at 10 foot intervals.

During operations, an RTK GNSS Base Station will be deployed transmitting CMR corrections via a 450-470 MHz radio modem to the Survey Vessel. The Horizontal and Vertical positions will be acquired through an Applanix POS MV Version 5 dual antenna Global Navigation Satellite System, receiving RTK corrections from the Base Station. Motion data (heave, pitch and roll) will be acquired through an Applanix POS MV Version 5 inertial motion unit as well. The RTK Position and motion data will be applied to the multibeam soundings on-the-fly within the survey software. QPS Quinsy/Qlound software will be used for acquisition and data processing tasks.

Sounding data will be acquired using an R2 Sonic 2022 multibeam system. The sonar will be operated at 200 kHz with a 110-degree swath width for the project in conformance with USACE EM 1110-2-1003 (Hydrographic Surveying) Manual requirements with vertical sounding depths to the nearest 0.1 US Survey. Two Hundred (200%) percent will be achieved in the critical areas outlined in this contract.

A factory-calibrated AML Base X Sound Velocity Profiler is to be used. The sound velocity cast information will be acquired and applied to the real-time information within the survey acquisition software. Casts will be performed frequently to determine changes in sound velocity throughout the survey area and during changing in tidal direction, etc. An additional Valeport Sound Velocity Profiler mounted to the sonar head will be utilized to provide real-time Speed-of-Sound corrections to the sonar processor unit to steer the sonar beams correctly.

Adjacent swaths are to be overlapped to ensure complete bottom coverage. A 1x1 foot depth colored sounding grid showing corrected soundings will be updated and logged in real-time to ensure sufficient coverage. In addition to the depth colored grid, a 1x1 sounding grid showing standard deviation values is to also be displayed.

Bathymetric data is to be collected such that elevations are referenced to MLLW, based on the published value for tidal bench mark "96 6477 TIDAL 7".

Quality of Work. Surveyor will conduct the agreed upon tasks diligently and professionally, consistent with standards set forth in the industry.

Section 04 Personnel

Personnel shall be limited to those of Surveyor

Section 05 Term

This Agreement shall be deemed in force as of August __, 2022 and shall remain in effect until December 10, 2022 unless extended or terminated as hereinafter provided subject to funds properly appropriated by the City Council.

Section 06 Contract Renewal

Surveyor shall have the right to renew this Contract by providing notice to the City no later than January 3rd 2024 of Surveyor's desire to renew. Surveyor's request to renew shall include the following:

1. Any requested changes to this Agreement;
2. Proposed Price;
3. Any other requested amendments

City shall respond to Surveyor's request, in writing, no later than sixty (60) days from the date of receipt of Surveyor's request to renew.

Section 07 Compensation

A. Subject to the provisions of this Agreement, the City shall pay the Surveyor a fixed rate of [Contract Price in Dollars].

B. Except as otherwise provided in this Agreement, the City shall not provide any additional compensation, payment, service or other thing of value to the Surveyor in connection with performance of agreed upon duties. The parties understand and agree that, except as otherwise provided in this section, administrative overhead and other indirect or direct costs the Surveyor may incur in the performance of its obligations under this Agreement have already been included in computation of the Surveyor's fee and may not be charged to the City.

C. Total compensation shall not exceed [Contract Price] (_____) Dollars without the express written authorization of the City.

Section 08 Method and Time of Payment

A. Surveyor shall invoice City upon completion of the Survey and City approval of services rendered. Payment is due within thirty (30) days of the invoice date. Such payment shall constitute the full and complete compensation for the Surveyor's professional services.

B. All invoices must be submitted in duplicate and addressed as follows:

Peter Williams, Port Director

City of Bethel

PO Box 1388

Bethel AK 99559-1388

D. It is expressly understood and agreed that in no event shall the total compensation due the Surveyor exceed [Contract Price] (_____) DOLLARS.

Section 09 Termination of Agreement for Cause

If, through any cause, the Surveyor shall fail to fulfill in a timely and proper manner the obligations under this Agreement or if the Surveyor shall violate any of the covenants, agreements, or stipulations of this Agreement, the City shall thereupon have the right to terminate this Agreement by giving written notice to the Surveyor of such termination and specifying the effective date thereof, at least five calendar (5) days before the effective date of such termination. All finished or unfinished documents, and reports or other material prepared by the Surveyor under this Agreement are the property of the City and shall be delivered to the City by or upon the effective date of termination. The Surveyor shall be entitled to receive compensation in accordance with the payment provisions of this Agreement only for work completed to the City's satisfaction in accordance with Section 3 of this Agreement and the other terms of this Agreement.

Section 10 Modifications

A. The parties may mutually agree to modify the terms of the Agreement. Modifications to the Agreement shall be incorporated into the Agreement by written amendments.

Section 11 Equal Employment Opportunity

A. The Surveyor will not discriminate against any party because of race, national origin, color, age, creed, religion, sex, sexual orientation, gender identity, political affiliation, marital status, ancestry, disability, or status as a disabled veteran.

Section 12 Assignability

A. The Surveyor shall not assign any interest in this Agreement and shall not transfer any interest in the same (whether by assignment or novation) without the prior written consent of the City, thereto; provided, however that claims for money due or to become due to the Surveyor from the City under this Agreement may be assigned by court order or to a bank, trust company, or other financial institution without such approval. Notice of any such assignment or transfer shall be furnished promptly to the City, or the Surveyor shall be responsible to the City for any moneys due the assignee of this Agreement which are paid directly to the Surveyor.

B. The Surveyor shall not delegate duties or otherwise subcontract work or services under this Agreement without the prior written approval of the City.

Section 13 Permits, Laws and Taxes

The Surveyor shall acquire and maintain in good standing all permits, licenses and other entitlements necessary to the performance under this Agreement. All actions taken by the Surveyor under this Agreement shall comply with all applicable statutes, ordinances, rules and regulations. The Surveyor shall pay all taxes pertaining to its performance under this Agreement.

Section 14 Relationship of the Parties

In the performance of services under this Agreement, the Surveyor shall be, and acknowledges that Surveyor is, in fact and law, an independent contractor and not an agent or employee of the City. Surveyor has and retains the right to exercise full supervision and control of the manner and methods of providing services to City under this Agreement. The City may administer this Agreement and monitor the Surveyor's compliance with this Agreement but shall not supervise or otherwise direct the Surveyor.

Section 15 Agreement Administration

A. The City Manager, or his designee, will be the representative of the City administering this Agreement.

Section 16 Defense and Indemnification

A. The Surveyor shall indemnify, hold harmless, and defend the City from and against any claim of, or liability for negligent acts, errors or omissions of the Surveyor under this Agreement. The Surveyor shall not be required to indemnify the City for a claim of, or liability for, the independent negligence of the City. If there is a claim of, or liability for, the joint negligent error or omission of the Surveyor and the independent negligence of the City, the indemnification and hold harmless obligation shall be apportioned on a comparative fault basis. "Surveyor" and "City," as used within this article, include the employees, agents and other Surveyors/contractors who are directly responsible, respectively, to each. The term "independent negligence" is negligence other than in the City's selection, administration, monitoring, or controlling of the Surveyor and in approving or accepting the Surveyor's work.

Section 17 Interpretation and Enforcement

This Agreement is being executed by the parties following negotiations between them. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The titles of sections in this Agreement are not to be construed as limitations or definitions but are for identification purposes only.

Section 18 Surveyor Insurance

At all times during the duration of this Contract, Surveyor agrees to maintain the following minimum insurance coverage/limits:

- A. General Liability: \$1,000,000 per Occurrence
- B. Commercial Auto Liability \$1,000,000 endorsed to cover non-owned and hired autos
- C. Worker's Compensation (statutory) Employer's Liability: \$1,000,000
- D. The City of Bethel shall be additional insured on a primary/non-contributory basis under each policy required to be maintained. Such additional insured endorsement shall also include a Waiver of Subrogation.

Section 19 Severability

If any section or clause of this Agreement is held invalid by a court of competent jurisdiction, or is otherwise invalid under the law, the remainder of this Agreement shall remain in full force and effect.

Section 20 Understanding

The Surveyor acknowledges that the Surveyor has read and understands the terms of this Agreement, has had the opportunity to review the same with counsel of their choice, and is executing this Agreement of their own free will.

Section 21 Notices

Any notice required pertaining to the subject matter of the Agreement shall be personally delivered or mailed by prepaid first-class, registered or certified mail to the following address:

City: Libby Bakalar, City Attorney
City of Bethel
PO Box 1388
Bethel AK 99559

Surveyor: [Surveyor]
Address
City, ST Zip

CITY OF BETHEL

Surveyor


By: _____
Title: _____
Dated: _____

By: [Name] _____
Title: _____
Dated: _____

City of Bethel Information Memorandum

Information Memo No.	IM 22-16		
Date introduced:		Introduced by:	Peter Williams, City Manager
Amended actions:			
Confirmed by:			

Title: FY 2022 Justice Assistance Grant (JAG) Application for Review and Comment

Attachment(s): (1) Certifications and Assurances by the Chief Executive of the Applicant Government form, and (2) City of Bethel's FY 2022 Justice Assistance Grant Application and Relevant Supporting documents.

Department/Individual:	Initials	Remarks
Administration / Peter Williams	PW	
Police / Jesse Poole	JP	The drug detection dog program will help us combat narcotics, foster community interaction, and help families torn apart by drug use.
Amount of fiscal impact:	Account information:	
	No fiscal impact at this time.	
\$10,180	Funds in FY 2023 City Budget.	100-61
\$14,170	FY 2022 JAG Grant Funds.	TBD

Summary Statement

The City of Bethel has an opportunity to apply for the FY 2022 Justice Assistance Grant, a formula grant for the City of Bethel's Police Department in the amount of \$14,170. The grant guidance requires that the governing body and general public be given a chance to review the application and comment on it prior to funding distribution. The City Manager intends to sign the document, *Certifications and Assurances by the Chief Executive of the Applicant Government*, after the council and public have had 30 days or more to review the application.

The City of Bethel Police Department decided to pursue FY 2022 JAG funds for the purchase of a drug detection dog and handler/dog training. The Bethel Police Department and the City of Bethel are making a big commitment to purchase the dog, and assign an officer to work with the dog, care for the dog, and train with the dog. The use of a drug detection dog will help the Bethel Police Department and WAANT unit to take drugs off the street and therefore save lives, reduce drug-related violence, and ease the burden on families and friends associated with drug users and abusers.

The City of Bethel will contribute \$10,180 in the first year to cover the cost of training, dog food, and dog supplies and equipment. The City will pay all on-going expenses associated with dog care and training for years thereafter. A drug dog is expected to perform for ten years before being retired.

Comments on this application can be emailed to Grant Manager John Sargent at jsargent@cityofbethel.net, faxed to 907-543-1388, or mailed to City of Bethel, c/o John Sargent, PO Box 1388, Bethel, AK 99559.

**U.S. DEPARTMENT OF JUSTICE
OFFICE OF JUSTICE PROGRAMS**

Edward Byrne Justice Assistance Grant Program FY 2022 Local Solicitation

Certifications and Assurances by the Chief Executive of the Applicant Government

On behalf of the applicant unit of local government named below, in support of that locality's application for an award under the FY 2022 Edward Byrne Justice Assistance Grant ("JAG") Program, and further to 34 U.S.C. § 10153(a), I certify to the Office of Justice Programs ("OJP"), U.S. Department of Justice ("USDOJ"), that all of the following are true and correct:

1. I am the chief executive of the applicant unit of local government named below, and I have the authority to make the following representations on my own behalf as chief executive and on behalf of the applicant unit of local government. I understand that these representations will be relied upon as material in any OJP decision to make an award, under the application described above, to the applicant unit of local government.
2. I certify that no federal funds made available by the award (if any) that OJP makes based on the application described above will be used to supplant local funds, but will be used to increase the amounts of such funds that would, in the absence of federal funds, be made available for law enforcement activities.
3. I assure that the application described above (and any amendment to that application) was submitted for review to the governing body of the unit of local government (e.g., city council or county commission), or to an organization designated by that governing body, not less than 30 days before the date of this certification.
4. I assure that, before the date of this certification— (a) the application described above (and any amendment to that application) was made public; and (b) an opportunity to comment on that application (or amendment) was provided to citizens and to neighborhood or community-based organizations, to the extent applicable law or established procedure made such an opportunity available.
5. I assure that, for each fiscal year of the award (if any) that OJP makes based on the application described above, the applicant unit of local government will maintain and report such data, records, and information (programmatic and financial), as OJP may reasonably require.
6. I have carefully reviewed 34 U.S.C. § 10153(a)(5), and, with respect to the programs to be funded by the award (if any), I hereby make the certification required by section 10153(a)(5), as to each of the items specified therein.

Signature of Chief Executive of the Applicant Unit of
Local Government

Date of Certification

Printed Name of Chief Executive

Title of Chief Executive

Name of Applicant Unit of Local Government

City Manager Peter A. Williams will sign this document directly after the Bethel City Council has reviewed it for 30 days or more; the application was made public by including it on a public city council meeting agenda and in the meeting packet of information available to the public; and the public has had a chance to comment on the application.

<u>Date</u>	<u>Action</u>
8/9/2022	FY 2021 City of Bethel JAG application provided to Bethel City Council by email.
8/9/2022	City of Bethel posts notice of application availability and opens comment period for 30 days.
8/23/2022	Bethel City Council meeting - public comments accepted; JAG application in meeting packet.
9/9/2022	Peter A. Williams signs Certifications and Assurances document. City emails document to U.S. Department of Justice.

Program Narrative

Category 1: Amounts Less Than \$25,000

Drug Detection Dog Purchase and Training

City of Bethel

Project Description

The City of Bethel wants to use its FY 2022 Justice Assistance Grant funding to purchase one drug detection dog (K9), equipment necessary for its care, and training for the officer-handler and dog. The City Police Department and Fire Department know full well the importance of having a drug detection dog on duty to sniff out cocaine, methamphetamine, heroin, and other opioids. Police officers are continually engaged in gathering information to arrest drug dealers, users, and other criminals perpetrating crimes for drug money and the Firefighter/EMTs see the damage drugs due to the patients they work hard to save when responding to overdose calls.

Bethel Fire Chief Daron Solesbee spoke to the Grant Manager by telephone on August 8, 2022. Chief Solesbee said that he has seen an increase in the last five years in the number of calls for service for drug overdoses and drug-related calls. He estimated that the Bethel Firefighter/EMTs respond to 3-5 drug calls a month, several are about overdoses.

Bethel Acting Police Chief Jesse Poole said in an email dated August 8, 2022 that the Police Department responded to 43 drug-related calls for service between January 1, 2022 and July 31, 2022. He said of those calls for service, 16 were possible drug overdoses and one was a possible drug-related death. The drug calls in Bethel are typically for heroin or opioid use.

Although in some police departments, the K9 or dog is often referred to as an officer, the City of Bethel prefers to refer to the officer as the human handler and the dog as K9. The term, “K9 unit or K9 team” refers to both the sworn officer handler and the canine.

Dog Power

Dogs can hear better than humans. They have high-frequency hearing so they can hear things that humans cannot. Dogs can hear sounds four times farther away. They can easily differentiate sounds and pinpoint the exact location of those sounds.

A dog has 220 million olfactory sensory cells whereas a human only has around 40 million. These are the cells that register smells, making dogs excellent to use in drug detection.

According to a quick google search, a dog’s field of vision is wider than that of humans. Dogs can see objects at a greater distance and their ability to see in twilight, dusk, and dawn are far superior than that of humans.

Intended Drug-Dog Operation

Acting Police Chief Jesse Poole recruited a sworn officer among its ranks to serve as the K9 officer-handler to live, work, and train with the dog. The K9 will be assigned to the chosen officer and available for call-outs. The dog will be housed indoors with the officer and become

part of his life. The dog will receive supreme care, eat nutritious food, get well-deserved rest, and be put to work as needed to stem the drug flow into the hands of users. The K9 officer will receive a promotion to Sergeant for fulfilling this duty.

The cost of dog food, veterinary expense, leash, kennel, and other equipment and supplies for dog care will be purchased by the City of Bethel. Taking care of the dog is analogous to maintaining a high-priced piece of equipment. That is why the person accepting the responsibility of K9 officer will be given a promotion to sergeant.

The officer will most often respond with the K9, such that the two can be considered one. While in the office on duty, there may be occasions when the officer responds without the K9, but the City expects these responses to be the exception and not the rule.

The use of a K9 Unit will benefit the community by providing an additional tool for the police department to combat the proliferation of narcotics in Bethel. The K9 team will be able to search places that an officer might not have been able to legally and sniff out areas not easily accessed physically. An alert by an astute drug dog will provide the officer with reasonable suspicion, which is often sufficient to present to a judge to request a search warrant. The exercise of search warrants will increase the police department's opportunities to gather evidence, make arrests, and prosecute cases successfully.

The use of the K9 unit will be beneficial during community events, like the July 4th outdoor event at Pinky's Park, the three-day Camai Dance Festival held indoors at the high school, and Saturday Markets held at the cultural center throughout the year. The presence of the officer and his K9 will likely deter drug possession by attendees and will certainly reduce drug-dealing opportunities at the events. The presence of the K9 team also gives the Bethel Police Department opportunities for positive interaction with community members, to foster its community policing endeavors.

The K9 team will be essential for curtailing drug use and drug dealing at Bethel Regional High School, which contains students in grades 7-12. The K9 team will work hand-in-hand with the City Police Department's School Resource Officer. The City has a COPS Hiring Grant that partially funded the salary and benefits of the SRO for three years. The K9 team and SRO will work together to educate students, teachers, and staff members on drug user awareness and the detrimental effects of drug use.

The K9 team will be invaluable in vehicle searches, person searches, and package searches. The K9 only needs to search the air space around a vehicle or object and issue an alert in order for the police to obtain a search warrant for that vehicle or property. The City expects to get calls from local businesses, like small village air carriers, to have the K9 unit sniff baggage. A fuel barge transporter like Crowley Marine and Vitus Marine may have a need for the drug dog to sniff employee belongings in order to ensure a drug-free work environment and safe barge operation.

The K9 would offer increased officer protection because in addition to being trained to "alert" on specific controlled substances, the dog will be trained to defend itself and the officer-handler. Bethel, Alaska has been compared to the "wild west." There are a preponderance of guns in this town because of the popularity of hunting moose and caribou and because of the historical

subsistence hunting cultural element ingrained in Yup'ik Eskomo society. There is also an NRA-sanctioned shooting range. The presence of a drug-dog at a scene is another weapon that can be used to save lives and prevent injuries. The dog's bark and actions may serve as a distraction that gives sworn officers time to react to subdue one or more individuals. The dog's bite or attack jump might be critical and timely to saving lives. Dogs can often react quicker than humans in violent situations.

Dog Purchase

The City of Bethel Police Department intends to purchase the drug-detection dog from a DEA-certified training facility offering located in the continental United States. The Department is not aware of any drug dog training centers located in Alaska. A google search revealed many drug dog training facilities in Texas, North Carolina, and Florida. The City will follow the procurement rules spelled out in the Bethel Municipal Code. The Department expects the purchase to be between \$5,000 and \$20,000 and therefore only require three written quotes. The City will select the company and product that meet the City's needs at the lowest price.

The City will most likely send the K9 officer to a facility to purchase the dog. Once purchased, the officer will arrange for a month-long handler training course in which the officer learns to work hand-in-hand with the dog. The City expects to get ten years of use out of the dog before the dog is retired from duty.

The City will purchase the necessary equipment and supplies for proper dog care, including a TSA-approved kennel, protective vest, leash, dog food, collar, tag, and food bowls. The City is hopeful that many supplies will be paid for in the future by the Bethel Friends of Canines organization and other non-profit groups that provide equipment and supplies to department K9 units.

The Bethel Police Department will request \$43,000 or so in its FY 20024 City Capital Budget to purchase and outfit a K9 vehicle. The vehicle will be ideally suited for transportation and deployment of the K9 at scenes. The vehicle will include all of the equipment necessary to function well in cold-weather, including an oil pan heater, battery blanket, and block heater.

Insurance

The City of Bethel contacted Cole Cummins, Loss Control Manager with Alaska Public Entity Insurance, the City's liability insurance carrier, and asked if there were any insurance issues with the Bethel Police Department starting a K9 unit. Cole said in an email, "I think a K-9 unit would be a beneficial addition to any police department. There are no major insurance issues that I can think of. I think a K-9 unit provides a safer environment for the community."

Alaska Public Entity Insurance would cover the liability if the dog attacked someone or if there was a similar type of incident, but there is no worker's compensation insurance for animals. In other words, if the dog was to get injured or died on or off-duty, there would be no insurance remuneration. The cost of insurance to the City will not increase because of the addition of a K9 unit.

Budget Category**Bethel Drug Detection Dog Program - Two-Year Grant Period****A. Personnel** None**Grant Amount = \$14,170****B. Fringe Benefits** None**C. Training/Travel**

	Type of Expense (e.g., meals, lodging)	Basis: (Per day, per mile)	Computation	Total Cost	Non-Federal	Federal (JAG)
1 trip in Year 1						
1 Handler	Course-Dog + Officer	Course	1 four-week course in a Lower 48 state (e.g., NC)	2,400	0	2,400
1 Drug Detection Dog	Airfare	Flights in total	Alaska Airlines	1,106	0	1,106
	Hotel	# nights	27 nights x \$108/night	2,916	1,452	1,464
	Vehicle Rental	vehicle	27 days rental @ \$1,523/4 wks.	1,523	1,523	0
	City Per Diem	B=\$12, L=\$16, D=\$32	28 days travel x \$60/day = \$1,680	1,680	1,680	0
			Subtotal	\$9,625	\$4,655	\$4,970
1 trip in Year 2	Refersher Course (D+O)	Course	1 three-day course in a Lower 48 state (e.g., NC)	450	450	0
1 Handler	Airfare	Flights in total	Alaska Airlines	1,106	1,106	0
1 Drug Detection Dog	Hotel	# nights	3 nights x \$108/night	324	324	0
	Vehicle Rental	vehicle	3 days rental @ \$56/day	168	168	0
	City Per Diem	B=\$12, L=\$16, D=\$32	3 days travel x \$60/day = \$1,680	180	180	0
			Subtotal	\$2,228	\$2,228	\$0
			Total Training/Travel	\$11,853	\$6,883	\$4,970

D. Equipment

	Item	Quantity	Total Cost	Non-Federal	Federal
Shipping cost included	Dog body armor	1	1,300	1,300	0
	Kennel - TSA approved	1	225	225	0
	Heartworm protection	2 years worth	240	240	0
	Collar and ID tag	1	60	60	0
	Leashes	2-3	50	50	0
	Food & water bowls		50	50	0
	Treats & dental chews		250	250	0
	Crate & dog bed	1 each	250	250	0
	Subtotal		\$2,425	\$2,425	\$0

Notes:

Federal = JAG Grant

D = Dog

O = Officer/Handler

Non-Federal = City of Bethel
for certain and other grants or
non-profit contributions, if
possible.

E. Supplies

Dog food	24-month supply	6,000	6,000	0
	Subtotal	\$6,000	\$6,000	\$0

F. Construction

None

G. Consultants and Contracts

None

H. Other Costs

	Cost	Quantity	Total Cost	Non-Federal	Federal
Drug Dog + shipping	9,200	1	9,200	0	9,200
Veterinary services	100	2 years	200	200	0
		Subtotal	\$9,400	\$200	\$9,200

Total \$29,678 \$15,508 **\$14,170**

\$14,170

Budget Narrative

City of Bethel

Drug Detection Dog Purchase and Training

Bethel, Alaska is located 400 miles west of Anchorage, Alaska, off the road network and on the Kuskokwim River. The community of Bethel has 36 miles of roads in the community, half of which are paved and managed by the State of Alaska, and half of which are gravel and managed by the City of Bethel. The community contains 6,314 people, of which 65% are Yup'ik Eskimo or other Native Alaskan heritage.

People coming to Bethel must fly in from Anchorage or one of the smaller villages around Bethel or travel to Bethel by boat from a village on the Kuskokwim River. All goods coming to Bethel must be brought in by barge from Seattle or Anchorage or flown in by cargo plane from Anchorage. The high cost to ship goods to Bethel adds to the high cost of living in Bethel.

The cost of training and travel for Bethel Police Officers is high because most of the time, those to be trained have to fly out to Anchorage, if the training is available there, or to the Lower 48 states. The City expects the sworn officer who will be the K9 handler to fly to North Carolina, Georgia, Florida, or Texas to pick up the drug detection dog and attend training. Fayetteville and Charlotte, North Carolina were used as target destinations to build the budget because there are the largest cities near Sanford, North Carolina, home of Tarheel Canine Training, Inc.

The City of Bethel is hopeful that once the FY 2022 JAG grant is approved, the City will pursue other grants and funding to support the program. There are grants that will help with the purchase of body armor for drug dogs. There are non-profit organizations and other funding sources that may be able to pay for dog care expenditures, including veterinary services.

Training/Travel

K9 Dog and Handler Course (4 weeks) – \$2,400 cost came from Proposal from Southern Coast K9. The discount was not applied because the City is uncertain whether or not it still applies. The quote was provided in 2019, so is dated, but without the discount applied, may be accurate. A google search of handler course offerings revealed that many courses are two weeks in length and cost between \$1,000 and \$1,900.

K9 Year-Recertification Course (3 days) – After one year of service, the K9 and officer intend to fly back to the place of purchase and attend a prospective 3-day recertification course. The cost is expected to be \$375-\$450, according to a google search. The City chose to use the high figure of \$450.

Airfare – Alaska Airlines is the only airline operating out of Bethel, Alaska that flies to Anchorage, Alaska. Employees in Bethel typically search Alaska Airlines and plan a trip to their destination either all on Alaska Airlines or on partners with Alaska Airlines. In this case, the City chose Charlotte, North Carolina as a representative destination to fly into before renting a car and

driving to a known drug dog training facility in Sanford, North Carolina. See screenshot attached of the cost of a round-trip ticket with Alaska Airlines from Bethel, Alaska to Charlotte, North Carolina. Cost: \$1,106.

Hotel – An expedia.com search online revealed a number of lodging facilities in Sanford, North Carolina. A numerical average of four reasonably priced hotels was taken to determine the average hotel cost for the four-week trip and used to determine a per night rate. See screenshot attached from expedia.com for representative trip to Sanford, North Carolina to attend training at facility owned by Tarheel Canine Training, Inc. Average cost per night: \$108.

Vehicle Rental – Car rental price was obtained by searching expedia.com for car rentals in Fayetteville, North Carolina, a representative city that the Bethel Police officer could fly to in order to drive to Sanford, North Carolina. See attached screenshot from expedia for the cheapest car rental in October. Cost: \$322/wk. or \$1,523 for 27 days.

City Per Diem – The City of Bethel per diem rates are \$12 for breakfast, \$16 for lunch, and \$32 for dinner. The cost is \$60 per day. See attached Travel Authorization Form with per diem rates on it.

Equipment – A google search for the cost of dog care in a year landed on the Canine Journal website. See attached cost list from Canine Journal. The equipment list and cost data came from this list.

Supplies

Dog Food – Acting Police Chief Jesse Poole determined the cost to feed a dog in Bethel for one year to be \$3,000. Chief Poole initiated the endeavor by the City to sponsor and support a drug detection dog program. The annual cost was doubled to determine the 24-month cost, as required by the grant guidance.

Other Costs

Drug Detection Dog – The City has one quote from Southern Coast K9 done in 2019 that shows the cost of a drug detection dog to be \$9,000. The City also obtained a fresh quote from Worldwide Canine, Inc. for \$9,000. See Page 2 of the Purchase, Sale, and Service Agreement from Worldwide to see the cost of the dog.

Veterinary Services – Acting Police Chief Jesse Poole provided the estimated cost of veterinary services to be \$100 per year. This figure was multiplied by two for two years and used in the budget.

Consolidated Budget Summary

City of Bethel

FY 2022 JAG Funding

Bethel Drug Detection Dog

SF-424 or Standard Applicant Information	Consolidated Budget Summary
Total Estimated Funding	Total Project Costs (across all categories and years, including any federal, match, or program income)
Federal Estimated Funding (federal share)	Federal Funds (the proportion of total project costs requested as federal funding)
Applicant Estimated Funding (non-federal share)	Match (the proportion of total project costs requested as match)
Estimated Program Income generated from the project	Estimated Program Income (gross income-earned that was directly generated by the grant-supported activity or earned as a result of the award.)

City of Bethel, Police Department Information	Budget Summary - 24 months
Total Estimated Funding	\$29,678
Federal Estimated Funding (federal share)	\$14,170
City Estimated Funding (non-federal share)	\$15,508
Estimated Program Income from the project	\$0



07/31/2022

Theresa Quiner
PO Box 1018
Bethel, AK 99559

To whom it may concern:

Bethel Friends of Canines fully supports the City of Bethel Police Department's future K-9 Program. We are an animal rescue organization that works closely with the City of Bethel Police Department to manage animal control issues in the community, including helping to run the city pound and finding homes for dogs in the pound.

A K-9 Unit is used by several law enforcement agencies within the state of Alaska. This would allow the department to take advantage of the K-9's unique sense of smell to help combat drug use and abuse in our city. It would be like having another officer on board. A K-9 Unit would increase officer safety and the safety of the community. We believe that this model will be mutually beneficial to the community, the department, and the employees at the Police Department. Drugs are a bad problem in our community, and we believe that the addition of a police dog will be a great addition to the police department in combatting this issue.

A handwritten signature in black ink, appearing to read "Theresa Quiner".

Theresa Quiner
Vice President
Bethel Friends of Canines



PURCHASE, SALE & SERVICE AGREEMENT

THIS AGREEMENT is made between Worldwide Canine, Inc., 38 Rust Lane, Boerne, Texas 78006 referred to as "Seller", and _____, referred to as "Buyer" of the following Dog(s): _____, to perform the duties of:

Narcotics Detection Dog

This sale is subject to the following terms and conditions:

A. WARRANTIES

- (1) SELLER warrants that it has clear title to said dog(s). Seller will provide a copy of all health records on the dog(s), specifically, X-rays (hips and elbows), all current vaccinations and a Vet health certificate.
- (2) SELLER warrants that it will provide handler/canine proficiency training at SELLER'S location. This training will include on and off leash obedience; detection of marijuana, heroin, cocaine, methamphetamines, and derivatives thereof; records maintenance and courtroom testimony as well as First-aid and canine Maintenance. No other warranties express or implied, including the warranties of other purposes except as may be otherwise provided for in this Agreement.
- (3) As BUYER'S sole and exclusive remedy for any claimed defect or dissatisfaction with the performance, personality, behavior, habits, genetic makeup, health or traits of the Dog(s), SELLER will replace the Dog(s) if, in SELLER'S professional judgment, the Dog(s) fail to meet reasonable, applicable standards for such working dogs. This sole and exclusive remedy is available for the period of one year from the date of sale. Veterinary records, test and diagnoses authenticated by a licensed veterinarian must be submitted before a dog will be replaced for reasons of a significant genetic condition. Any and all records on returned Dogs must be returned to SELLER. Returned Dogs will no be replaced until/unless all records are returned to SELLER. SELLER will NOT replace Dogs that have been spayed, neutered, resold, placed with a different handler, or been abused, neglected or injured.
- (4) BUYER acknowledges that BUYER has had the right to have an independent veterinarian examine the Dog(s) before purchase and BUYER is satisfied with the health of the Dog(s).

B. CONSIDERATION

The agreed price for a Narcotics Detection dog is **\$9,000.00** SELLER agrees to sell, and BUYER agrees to purchase the Dog(s) on the terms set forth herein. A minimum deposit of fifty percent (50%) is due upon the execution of this agreement. The balance of the agreed price is due in full when the BUYER or its designated handler arrives at the SELLER'S location for handler training.

The agreed price includes training of the handler and housing during the training period. Transportation/rental car costs for Dog(s) and handlers are the responsibility of BUYER.

C. REGISTRATION AND OWNERSHIP TRANSFERS

Upon payment in full, SELLER will provide necessary papers and to take necessary steps to transfer ownership and registration of the Dog(s) to BUYER, if required.

D. The risk of loss of the Dog(s) passes from SELLER to BUYER at the signing of this Agreement by BUYER, subject to the terms set forth herein.

E. This Agreement constitutes the entire agreement and understanding between SELLER and BUYER, and BUYER acknowledges that there are no agreements, promises, or representation, expressed or implied, by SELLER, except those set forth herein.

F. All expenses incurred after the signing of this Agreement, including boarding and further training of the dog(s) shall be the responsibility of BUYER, other than the expenses specifically assigned to SELLER herein.

G. LAW:

This Agreement is made and entered into in the State of Texas and shall be enforced and interpreted under the laws of the State of Texas. Jurisdiction and venue for any dispute related to this Agreement shall be exclusively in Kendall County, Texas.

H. DEFAULT:

Upon any material breach of this Agreement, the non-breaching party may terminate the Agreement by giving written notice to the breaching party at the email address shown below. Notice shall be effective upon electronic transmission of same. Upon the finding by the Court that a material breach occurred, the prevailing party shall have the right to recover reasonable attorney fees and court cost.

I. NOTICE:

Notices pertaining to this Agreement shall be given by email to Worldwide Canine at info@worldwidecanine.com, and the BUYER at _____.

J. ATTORNEY FEES:

In any suit arising from this Agreement, the prevailing party shall be entitled to recover reasonable and necessary attorney fees and costs of litigation.

K. SEVERABILITY:

Should a court determine that any term or condition of this Agreement is unlawful or unenforceable; such determination shall not affect the validity or enforceability of any remaining terms or conditions of this Agreement.

The forgoing represents the entire Agreement between the parties, and may not be changed except in writing and signed by SELLER and BUYER.

EXECUTED THIS _____ DAY OF _____, 2022

Worldwide Canine, Inc.

Buyer

*This quote is good for 60 days from date stated below
7/15/2022*

City of Bethel Information Memorandum

Information Memo No.	22-17		
Date introduced:	August 23, 2022	Introduced by:	City Manager Williams
Amended actions:			
Confirmed by:			

Title: Limited Legal Services for Outside Counsel to Assist with Sales Tax Collection

Attachment(s): None

Department/Individual:	Initials:	Remarks:
Libby Bakalar, City Attorney	EMB	

Amount of fiscal impact:		Account information:
\$300/hour approx..	Funds in City Budget	10-56-6320

Summary Statement

The new Finance Director, Duane Wright, is engaged in sales tax audits, compliance, and collections. With increased pressure from the Finance Department for business owners to remit their taxes and maintain proper sales tax certificates and business licenses, my office is also dispensing more legal advice on collections and the tax code than usual, and two audits in particular have taken up quite a bit of time and require outside counsel to assist us.

Attorney Michael Gatti and others at Jermain Dunnagan & Owens have advised the City on municipal sales tax matters before and are very experienced in this area. They have agreed to assist us with the following two matters:

1. **Complex Businesses/Subsidiaries:** There are certain entities doing business in the City that have multiple parent companies and subsidiaries that the Finance Director is auditing. The City is pursuing various administrative and legal remedies for collection and enforcement against these businesses that overlap in their nature, timing, and complexity.
2. **Sales Tax and Business License Compliance for City Employees:** Some City employees have outside businesses and may be audited and/or assessed sales tax. Sales tax disputes involving City employees present a conflict with both the City Manager (their employer) and the City Attorney (their lawyer). Accordingly, outside counsel is needed to represent the City in such disputes, and a third-party hearing officer will be needed to hear administrative appeals of sales tax estimates, which are normally heard by the City Manager.

Under the Bethel Municipal Code, all procurements for legal services must be reviewed by the City

Attorney and are generally subject to competitive bidding. However, waiver of formal procurement under BMC 4.20.230(E)(3) is appropriate in a "situation where immediate legal action of a specialized nature is necessary" and also a "situation where a neutral third party is needed." The foregoing situations meet these criteria. Funding for these matters will come from my outside counsel budget and possibly Administration's budget for any referrals to the Office of Administrative Hearings that may be made.

Under this same Code section, I am also required to provide a written report to Council clearly presenting in writing my waiver and the reason for it, and include it in the next available Council meeting packet. The foregoing memorandum serves as that report.

Bethel Municipal Code Reference

4.20.230 Legal services.

- A. Legal services shall be procured in accordance with BMC [4.20.040](#).
- B. No negotiations or contracts for the services of legal counsel may be pursued or awarded without the prior written approval of the city attorney and/or city council. The city attorney shall review the responses received by the purchasing agent and shall be assisted by the purchasing agent in the selection process.
- C. All bills or invoices for payment for legal services obtained pursuant to this section shall be reviewed and approved by the city attorney prior to payment. All funds budgeted, obligated or expended by any city department or utility for contract legal services must be charged to a separate legal services budget account within that department or utility.
- D. The city council shall approve, in advance, the participation by the city in any litigation as plaintiff or intervener, where outside counsel is retained to represent the city if the cost, including attorneys' fees and litigation expenses of that representation, is likely to exceed thirty thousand dollars (\$30,000).
- E. *Exceptions and Waiver.* The city manager, city clerk and/or city attorney are exempt from this section only during the following situations:
 - 1. Threatened or actual litigation initiated by an outside person;
 - 2. Temporary coverage while the city attorney's office is vacant for any period of time;
 - 3. Situations where immediate legal action of a specialized nature is necessary; or
 - 4. Situations where a neutral third party attorney is needed such as appeals to a commission or the city council.
- 5. Following such waiver, a written report to the council shall be presented clearly outlining the waiver and the reason for it. Such written report shall be included in the next available council packet following the waiver.



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

MEMORANDUM

DATE: August 3 – August 16, 2022

TO: City Council

FROM: Peter Williams, City Manager

RE: Managers' Report

Covid-19 – Masks, hand cleaner, and testing kits are still available.

Daily Log

August 3 – 1) Finance Dept and I meet with Time Value Investment. We have invested a substantial amount that should earn three to four hundred thousand a year. The Finance Director will mention this in his Managers Report. 2) Reviewed News Letter developed by Brilliant Media. 3) Communicated with BFK9 about forwarding their payment to them. 4) Received a Pre-Notice for the Community Transportation Program and Transportation Alternative Program. 5)

August 4 – 1) Reviewed Ordinance concerning PTO for exempt employees. 2) Signed 4H agreement 2) Worked with LKSD and the P.W. Dept to ensure the signs along Ridgecrest Dr. in front of the school are installed 3) Attended a meeting concerning water and sewer study by Cargien

August 5 – 1) The project at the courthouse to provide water services will is scheduled to be completed on August 18 2) Meet with Admin. to discuss collecting sales taxes. 3) Meet with the H.R. Manager, City Attorney, and Fiance director to discuss an amendment to Title III. 4) Sent a proposal to survey the lot the Bus Barn is on. We will subdivide the lot between the City and BSAR.

August 8 – 1) Received the collective Bargain Agreement(C.B.) from the AlaskaPublic Employees Association (APEA). The Administration will review it and send it back to the APEA. The APEA will present to the rank and file for ratification. 2) Discussed invoices involving a contractor with the City with the Finance Dept. 1) Discussed the use of P Cards and invoicing with the Finance

Director. 3) The candidate for the Police Chief, Pete Hicks, and I discussed the police department's challenges and goals. He has been in Bethel for three days and seems very interested in assuming the position. I think we will get along with everyone. He is a bit frustrated in his current position due to the lack of progress within the department he is now in. 4) Attended P&R committee meeting.

August 9 – 1) We will make a conditional offer to the candidate for the police chief's position. Hopefully, the City council will confirm him on September 13. 2) I inspected the playfield at Pinkys Park to look at rearranging the volleyball courts and the repairs that we will outsource to a contractor. 3) Discussion with the finance director concerning sales taxes. 4) Zoomed into the city council meeting.

August 10 -1) Forwarded A.C. Co. an appraisal of property adjacent to two lots that they might be interested in leasing. 2) Asked the P.W. Dept to spot a pile of gravel for use by those maintaining gravesites for the cemetery on Tower Rd. We also discussed installing the fence. 3) Reviewed the progress for permits concerning the Bethel Permanent Supportive Housing. We are waiting for a decision from the Fire Marshall office before the next steps can be determined.

August 11 - 1) Discussed refinancing the loan of the Jetty Sewer Lagoon Project with the USDA using funds from the State Revolving Loan Fund. The SRLF interest rate is lower than the USDA's, which would lower the payment for this project. 2) Met with Brillant Media to discuss September's newsletter. 3) The Kuskokwim Consortium Library would like to use the City's contribution toward a match they are receiving from the USDA. 4) Reviewed a sales tax audit concerning a local business.

August 12 – 1) Responded to a Fire at AVCP and helped facilitate the BFDs request for water trucks. 2)

August 15 – 1) The Administration's negotiating team met to discuss the CBA. We will forward the City's response to the APEA on the week of August 22.2) Discussed various issues concerning collecting delinquent sales taxes and the process to appeal them. 2) Responded to BFK9 concerning transferring funds and a POC. 3) Notified DOWL that an investigation of a crack in the sheet pile at the city Dock was needed.

August 16 – 1) Administration met to discuss some issues regarding City Business Licenses. 2) Met with H.R. Dept. and City Clerk. Fiance Dept and the manager from YKFC to discuss a Budget Mod. for a discount for city employees to use the pool. 3) Notifications will be sent to homeowners concerning changes to the Aves Project. 4) Discussed the tasks the Planning Dept will be involved in after the Planning Director retires on September 1. I've contacted DOWL Inc. to help out

till a new director can be found. We have advertised for the position for some time.

Peter Williams
Bethel City Manager

MEMORANDUM

DATE: August 4, 2022

TO: Peter Williams, City Manager

FROM: John Sargent, Grant Manager

SUBJECT: Grant Manager's Report for August 9, 2022 Bethel City Council Meeting



Grant Awards

CSP Program Grant

The City's FY 2023 CSP grant agreement has been executed for the same amount of money the City has received in past years (\$323,081).

Grant Applications

Preparing

Justice Assistance Grant

I am completing the FY 2022 Edward Byrne Memorial Justice Assistance Grant (JAG) application in the amount of \$14,170 to apply for the purchase of one drug-sniffing canine and officer-dog training. The target drugs will be heroin, methamphetamine, and opioids. This application is strongly supported by the Bethel Friends of Canines. The application is due August 8, 2022.

Alaska State Revolving Fund Loan Questionnaire

Complete questionnaire to request \$8,250,000 in loan funding to replace the City's interim loan it has with First National Bank of Alaska, backed by the promise of a USDA-RD loan. The State Revolving Loan will provide the City a better interest rate than the USDA-RD loan and allow the City to save some money in interest payments as it rescopes the Avenues project and goes out to bid in 8 months to a year from now.

Grant Administration

Community Service Patrol Grant

The Finance Department and Carmen Jackson, CPA was able to determine the amount of salary and benefits overcharges to remove from the CSP Grant account. I filed the Quarter 4 cumulative fiscal report with the grantor and requested the full grant allocation to salaries and benefits (\$303,995), but there was still \$34,931.04 in overages to Personnel.

Homeland Security Grant

I filed a Procurement Method Report with the Alaska Division of Homeland Security and Emergency Management for approval of the Police Department attend taser instructor

training as part of our funded grant. The Police Department has \$20,000 for taser instructor training and \$20,000 for interrogator training.

I completed the paperwork for the Fire Department to purchase one mobile radio and 10 portable radios. These radios are funded by one of the City's homeland security grants.

Purchasing Agent Duties

YK Fitness Center RFP Issued

I prepared and issued the Request for Proposals (RFP) to hire an Operator for the YK Fitness Center. Legal, Finance, and Administration had considerable input in the development of the RFP. One prospective company attended the mandatory site visit on July 27, 2022. Proposals are due August 12, 2022.

Hydrographic Survey Proposals Submitted

The City received three proposals from companies interested in performing a hydrographic survey for the City of Bethel. The proposals are being scored. The City hopes to get the survey done this summer-fall.

RFPs in Process

I have many RFPs in process to be prepared and issued, including: bulk fuel, carrier on tracks (marooka-like equipment), boardwalk helical installations, and surface material for parks.

Current Grants and Loans

Active grants/loans:	21
Grant amount in play:	\$25,381,542
Loan amount in play:	<u>\$8,423,786</u>
	33,805,328

#	Grant	Amount	Status: Excellent: Good - Fair - Needs Work
1	CSP - DHSS FY 2023	\$323,081	Excellent
	The Quarter 4 fiscal and progress reports were filed with the State Department of Health and Social Services to close out FY 2022. The City's FY 2023 CSP grant is approved and active.		
2	USDA Loan - Avenues	8,250,000	Excellent
	DOWL continues to work on redesigning the Avenues water and sewer infrastructure project to make the project more fundable. The City will go out to bid again in a few months.		
	To do: Prepare report for USDA summarizing progress and expenditures.		

3	USDA Grant - Avenues	5,021,000	Excellent
	The USDA grant cannot be spent until the loan funds are exhausted. The City will likely receive additional grant funding in USDA's next grant/loan offer.		
4	Forensic software/body cameras-20SHSP-GY20	255,784	Excellent
	City working to purchase \$105,000 worth of servers to body camera and car camera video storage. Alaska Communications is assisting with the purchase of Dell computers from the NASPO ValuePoint contract. To do: Prepare RFP to hire a company to produce Emergency Operations Plan.		
5	Section 5311: Rural Area Formula (CARES Act)	731,328	OK
	Transit Manager Evon Fox doing a great job completing and submitting billing summaries to the State Transit Office. The City pushed DOT&PF Transit officials to allow for the purchase of two new cutaway buses with CARES Act Transit funds. To do:		
6	COPS – School Violence Prevention Program-LKSD	500,000	Fair
	School district revised the Request for Bids document and is nearly ready to go out to bid to hire a contractor to complete the project. To do: Gather information from LKSD and use it for progress and financial grant reports.		
7	COPS Hiring Program - School Resource Officer (SRO)	125,000	Good
	SRO served from August 11, 2021 to May 25, 2022 on Bethel school campuses. To do: Complete reports for reimbursement. Ask for grant performance period extension. Bill LKSD for SRO salary not covered by grant.		
8	FEMA Public Assistance Program	\$58,066	Fair
	To do: Upload completed forms and all support documents to FEMA's grant portal website.		
9	Yukon-Kuskokwim Health Corporation Diabetes Prevention & Control Program	\$4,738	Good
	To do: Complete Final Report and close grant.		
10	FY 22 Alaska Public Entity Insurance Safety Grant	\$5,000	Good
	The Police Department used the grant money to buy two portable vehicle speed detectors. To do: Complete Final Report and close grant.		
11	COVID-19 Community Funding	\$284,730	Good
	I completed Final Report and requested reimbursement of City, LKSD, and YKHC expenditures that were submitted. No word yet on reimbursement.		

12	Alaska Chamber of Commerce Vaccine Incentive Program	\$45,000	Excellent
	To do: Complete final report and close grant.		
13	Coronavirus Local Fiscal Recovery Fund (ARPA)	\$3,361,604	Excellent
	I completed the City's first report by the April 30, 2022 deadline. The City spent \$457,931.87 thus far from the grant.		
	To do: Spend funds according to grant guidance. Complete first financial and progress report due by April 2023.		
14	Designated Legislative Grant YK Fitness Center Gym/Track Design	\$500,000	Excellent
	DOWL completed the gymnasium feasibility. Paying for new gymnasium will be a challenge. Grantor does not want to cover the cost of a second feasibility study. No funds from this grant have been spent.		
15	Justice Assistance Grant (JAG)	\$13,508	Excellent
	Grant funds should be expended by the September 30, 2022 deadline.		
	To do: Continue to collect expenditure documentation and prepare and submit grant reports.		
16	Healthy & Equitable Funding	\$37,703	Excellent
	City ordered playground equipment as part of this grant. The equipment will arrive in spring 2023 and hopefully be installed by locals under the direction of a certified playground installer.		
	The City arranged to give Winter House the \$13,500 portion of this grant designated to support homeless individuals. Winter House will use the money to pay staff, food costs, and toiletries associated with the daytime summer openings.		
17	ARPA Non-Profit Funding	\$100,000	Excellent
	I completed grant report and claimed \$100,000 in expenditures.		
18	Camp Initiative Grant	\$15,000	Excellent
	YK Fitness Center used the \$15,000 to offer scholarships to children who attended a 10-week summer camp. City will use records provided by YK Fitness Center to request reimbursement.		
19	VSW Capital Improvement Project Grant	\$14,000,000	Excellent
	Newly awarded grant to pay for water and sewer infrastructure in Bethel Heights Subdivision. City awaits grant agreement.		

20	State Revolving Fund Loan – Drinking Water	\$86,893	Excellent
	Loan will cover half of the cost City’s Community-wide Water System Expansion Preliminary Engineering Report and Environmental Assessment cost. VSW to subsidize \$75,000 of this loan (i.e., forgive principal). To do: City Manager must sign loan agreement.		
21	State Revolving Fund Loan – Clean Water	\$86,893	Excellent
	Loan will cover half of the cost City’s Community-wide Water System Expansion Preliminary Engineering Report and Environmental Assessment cost. VSW to subsidize \$75,000 of this loan (i.e., forgive principal). To do: City Manager must sign loan agreement.		

Schedule, Events and Programs

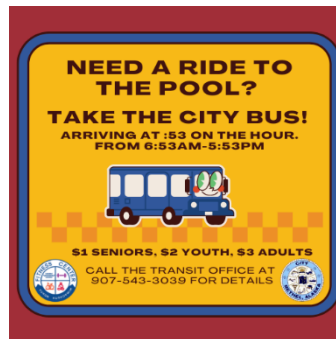
Visit ykfitness.org for the most up to date schedules and information.

Summer has seen a boost in activity at the Fitness Center. Starting the week of June 27th we removed all remaining COVID-19 restrictions as have seen an increase in visits to the facility. We continue to monitor Community Risk levels and will re-introduce mitigation strategies if health officials recommend doing so.

Staffing for July was very challenging with many of our students out and few new staff applications received. We are actively hiring for Programming Staff to help finish out the summer and Lifeguards to help us throughout the year and are looking for an Aquatic Supervisor to help increase our ability to offer aquatic programs and services. We are offering Lifeguard Training in August.



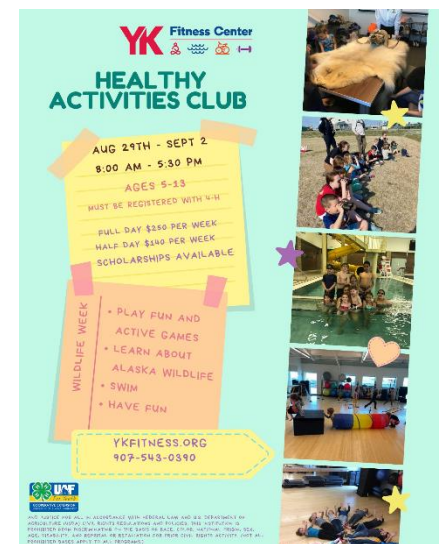
In July we offered Swim Lessons and will offer Lifeguard Training in August. We also worked with community members to host Family Field Nights at Big Dipper Field.



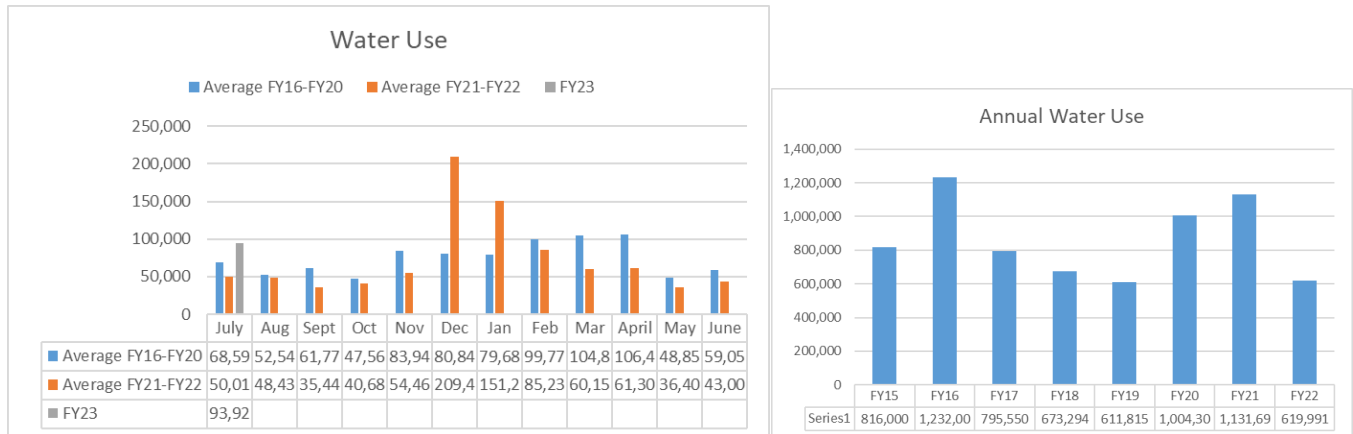
At the end of July the City bus added the fitness center to their route and we added the City bus to our marketing materials.

Our Healthy Activities Club Continued through July and into August with an additional week offered during the school break week at the end of August.

GROUP SWIM LESSONS Summer 2022				
Classes meet July 9th - August 6th				
AGE*	CLASS	Day/Time**	Notes/Requirements	Fee/In Fee
4-5 years	Pre-swim 1	Wednesdays at 5:30pm with Elna	Swimmers not fully toilet trained must wear swim diaper with a tight fitting cover over the diaper.	\$10
	Pre-swim 2	Saturdays at 10:30am with Elna	Swimmers entering this class must be at least 4 years old on the first day of class. Should be willing to put their face in the water, fully submerge their head, and be willing to float on their back with arms in the water with minimal assistance.	
6-8 years	Level 1	Saturdays at 10:30am with Elna	Swimmers entering this class should be comfortable participating face in the water and fully submerging underwater without assistance. Swimmers should be able to float with minimal assistance on front with face in the water and on back with arms in the water.	\$10
	Level 2	Saturdays at 10:30am with Elna	Swimmers entering this class should be comfortable participating face in the water and fully submerging underwater without assistance. Swimmers should be able to float with minimal assistance on front with face in the water and on back with arms in the water.	
	Level 3	Saturdays at 10:30am with Elna	Swimmers entering this class should be comfortable participating face in the water and fully submerging underwater without assistance. Swimmers should be able to float with minimal assistance on front with face in the water and on back with arms in the water.	
	Level 4	Wednesdays at 4:30pm with Elna	Swimmers entering this class should be able to swim 25 yards each of Front Crawl with side breathing, Backstroke, Elementary Backstroke, and 5-10 yards of Breaststroke or Dorsalstroke. They should be comfortable in deep water and able to float or tread water.	
12+	Swim Club	Wednesdays 7:30am-8:30am with Elna	This class offers swimmers familiar with the competitive swim strokes and interested in learning about competitive swimming. Swimmers entering this class should be able to complete at least 25 yards of Freestyle, Backstroke, and either Breaststroke or Dorsalstroke without stopping. They should be comfortable in deep water.	\$30
12+	Introduction to Aquatics	Tuesdays at 7:00pm with Elna	Swimmers entering this class should be able to swim 25 yards each of Front Crawl with side breathing, Backstroke, Elementary Backstroke, and 5-10 yards of Breaststroke or Dorsalstroke. They should be comfortable in deep water and able to float or tread water.	\$10
12+	Adult Beginner	Saturdays at 10:30am with Elna	Swimmers entering this class should be familiar with the basic swim strokes and ready to develop/improve swim technique and endurance. Instructor will work with students to develop and improve stroke technique and water safety skills.	\$20
12+	Adult Intermediate	Saturdays at 10:30am with Elna	Swimmers entering this class should be familiar with the basic swim strokes and ready to develop/improve swim technique and endurance. Instructor will work with students to develop and improve stroke technique and water safety skills.	\$20
12+	Lifeguard Training	August 1st 10am-6pm	Swimmers entering this class must be at least 15 years old, be able to swim 500 yards nonstop, tread water for 1 minute with arms up, and complete a swim test. To view a list of the skills test visit https://ykfitness.org/certifications	\$0



Water Use

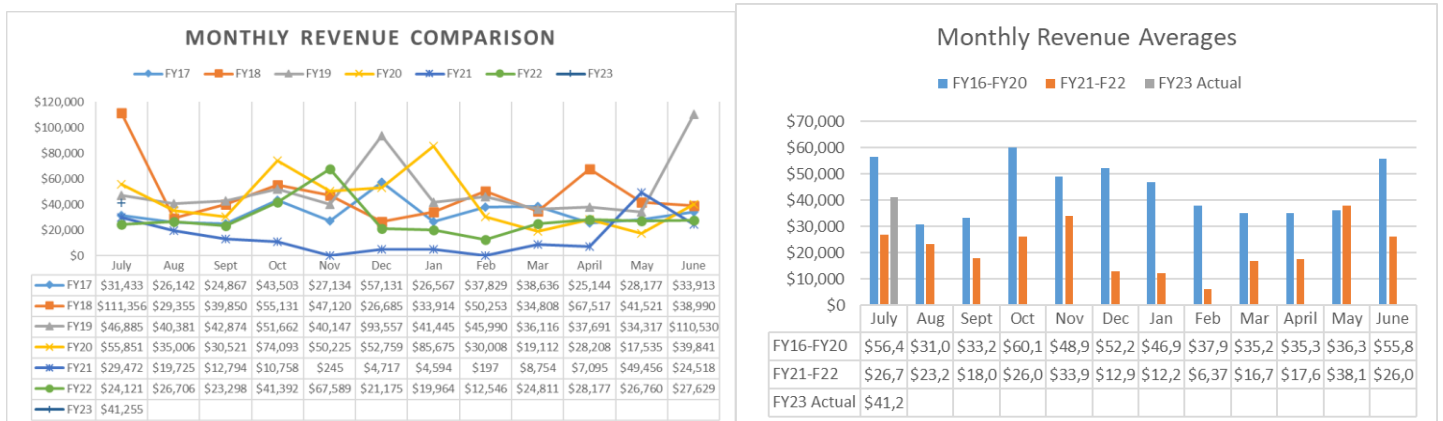


*Note: Facility opened in November of 2014 (FY15). Starting during maintenance closure in Dec 2019/Jan 2020 hot water has been used to keep pipes from freezing resulting in higher-than-normal usage. Water was turned off in late March 2020 once outside temps were consistently above freezing temperatures. 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

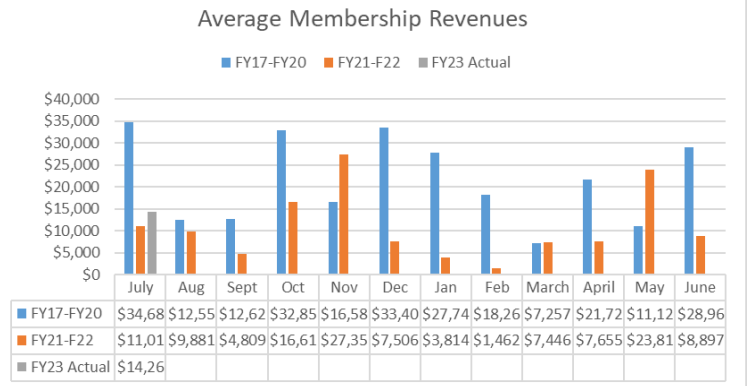
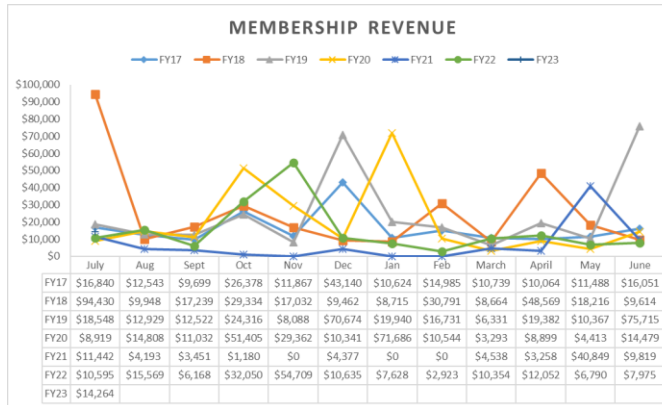
Code	Facility Revenue	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Total	FY22 Budgeted	%attained
43-9421	Memberships	\$14,264												\$14,264	\$260,000	5%
43-4360	Pro Shop	\$4,621												\$4,621	\$40,000	12%
43-4361	Concessions	\$5,143												\$5,143	\$60,000	9%
43-4369	Entry Fees	\$9,545												\$9,545	\$100,000	10%
43-4440	Facility Rental	\$595												\$595	\$25,500	2%
43-4364	Program Fees	\$4,051												\$4,051	\$50,000	8%
Misc (Grants, Donations, Etc.)		\$3,037												\$3,037	\$5,000	61%
Facility Revenue Total		\$41,255	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$41,255	\$540,500	8%

During July we continued to lift COVID-19 restrictions and saw a return to the facility of more community members. We achieved approximately 73% of pre-COVID-19 average revenue in July.

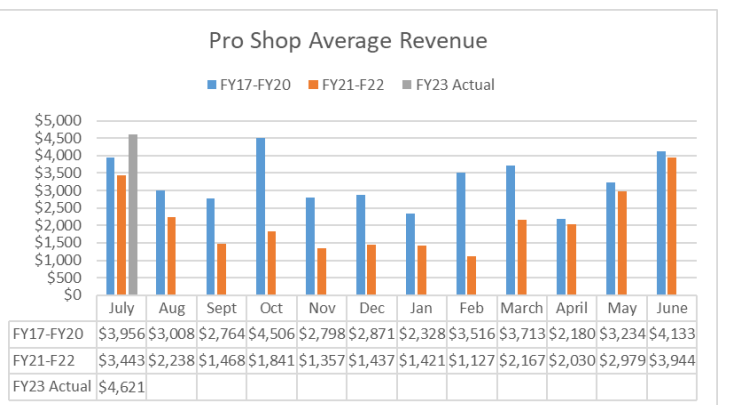
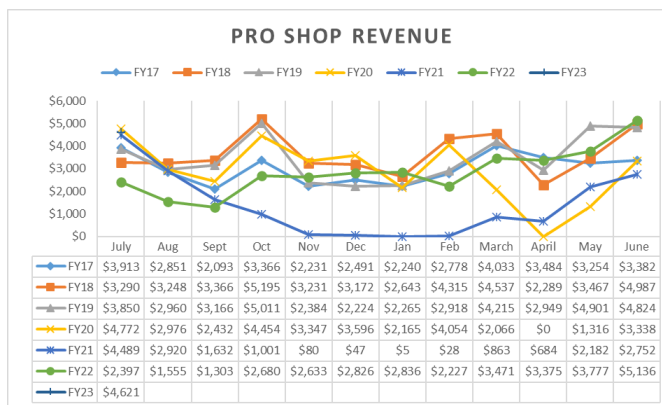


Revenue Comparisons by line Item:

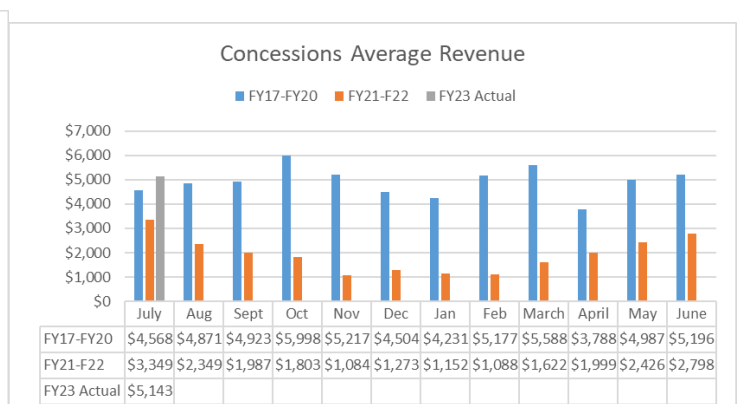
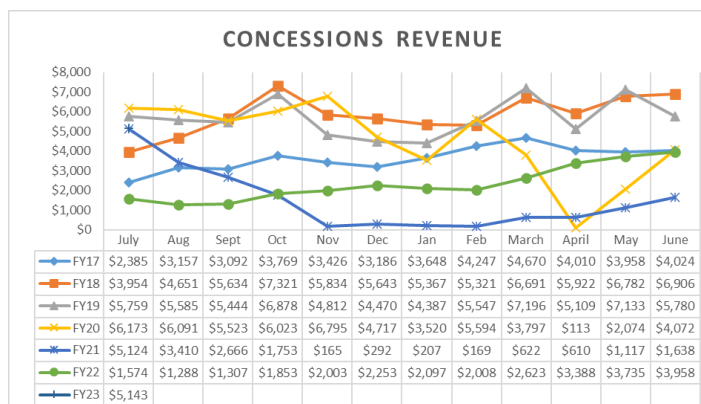
Confidence is growing in the community that we are reaching the end of the pandemic and membership revenue is beginning to re-build.



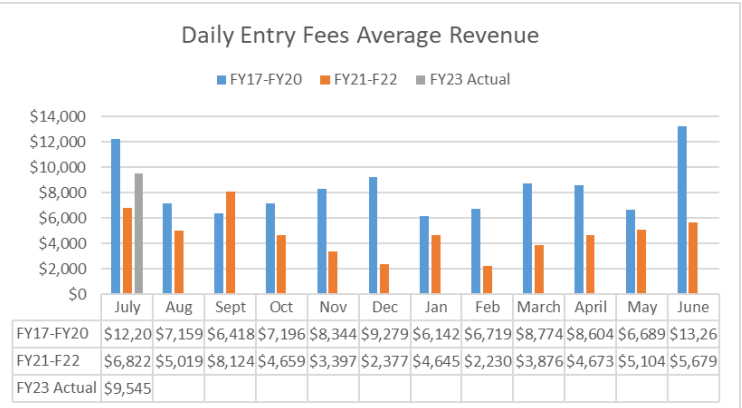
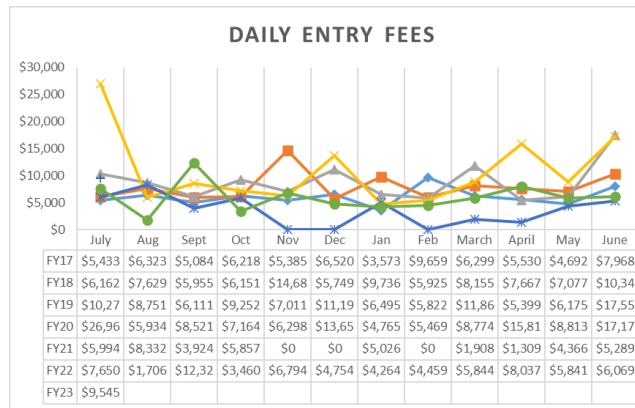
Proshop revenues for July were positively influence by an increase in users as we continue to lift COVID restrictions and return to normal operations.



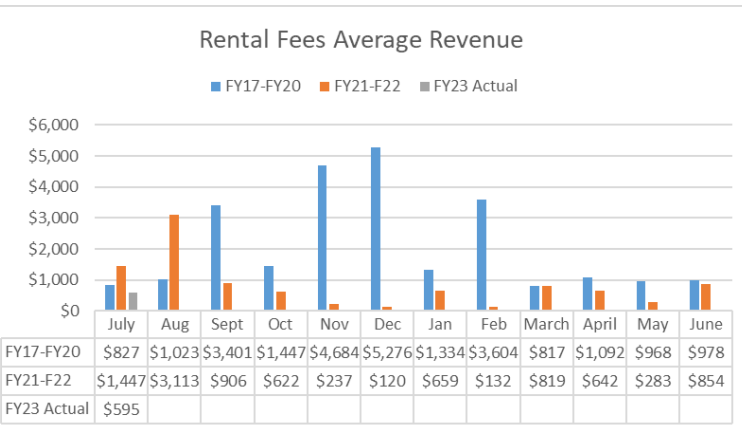
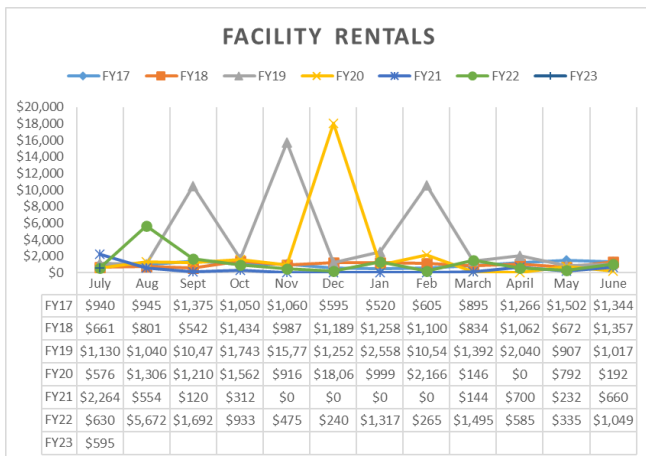
In July we have seen an improvement in the supply of goods getting to the facility as well as an influx of patrons visiting and staying for concessions. As a result July 2022 Concessions revenue rebounded and surpassed the pre-covid July average.



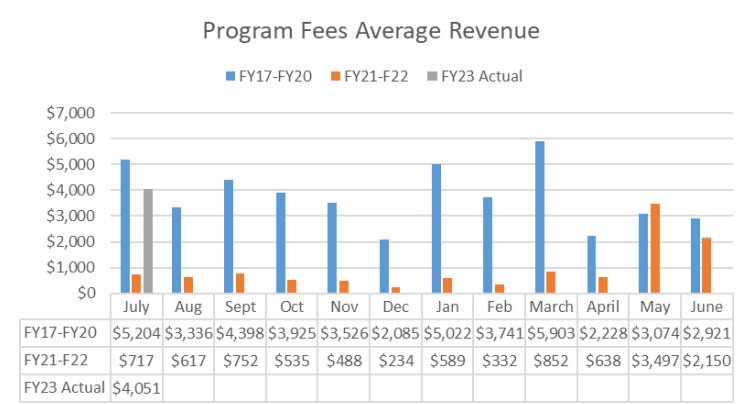
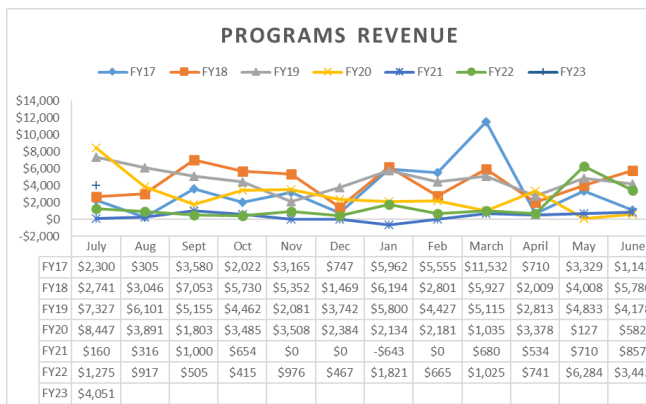
Daily entry fee revenue has continued to increase as we continue to reduce COVID-19 restrictions and community members continue to return to using the facility.



Facility rental fees will continue to remain low until we are able to resume larger group rentals and parties.



With the addition of swim lessons and our Healthy Activities Club Program, revenues for July reached 78% of pre-pandemic totals. Additional program revenue will be collected after invoiced fees are received from grant funders.

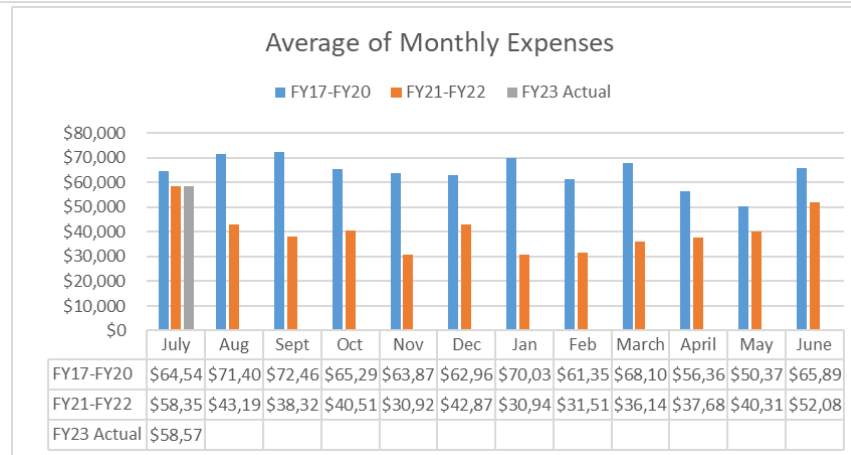
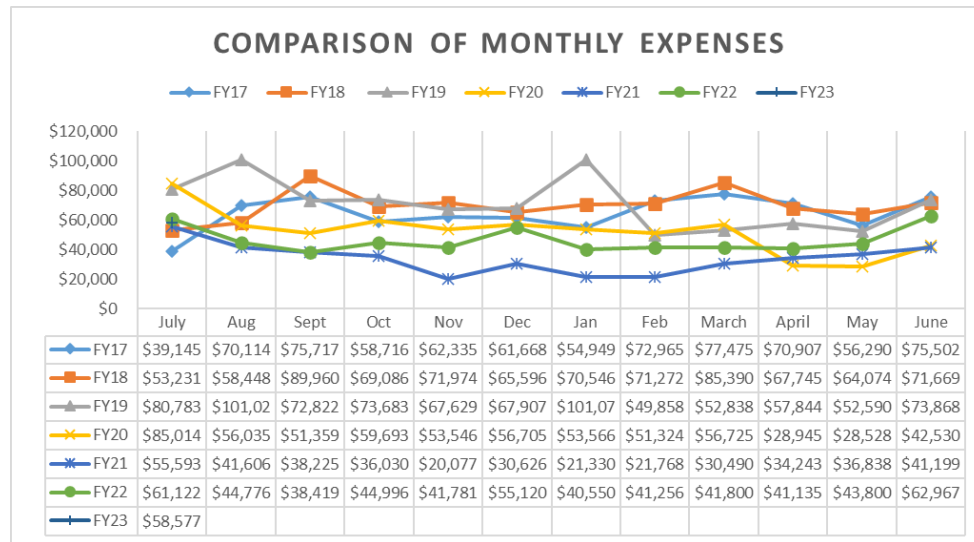


Expenses

	Expenses	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Total	Budgeted	% used	remaining
	Wages & Benefits	\$58,339												\$58,339	\$652,550	8.94%	\$594,211
545	Travel/Training	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,000	0.00%	\$1,000
561	Supplies	\$12,261	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$12,261	\$76,000	16.13%	\$63,739
580, 661, 663, 799	Building Maintenance	\$166	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$166	\$22,600	0.74%	\$22,434
668	Software Licenses	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$6,500	0.00%	\$6,500
669	General Expenses	\$5	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$5	\$30,850	0.02%	\$30,845
790	Allowance for Special Events	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,100	0.00%	\$1,100
799	Unforeseen	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$2,500	0.00%	\$2,500
	Non Budgeted/Grant Funded	\$879															
	TOTAL	\$71,651	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$70,772	\$793,100	8.92%	\$722,328

* Due to our 2 week pay period structure there are 2 months out of each year in which 3 pay periods fall, skewing wages totals upwards for those months.

**Expense totals do not include purchases for the building that have been made by City of Bethel Property Maintenance or other direct city expenses.



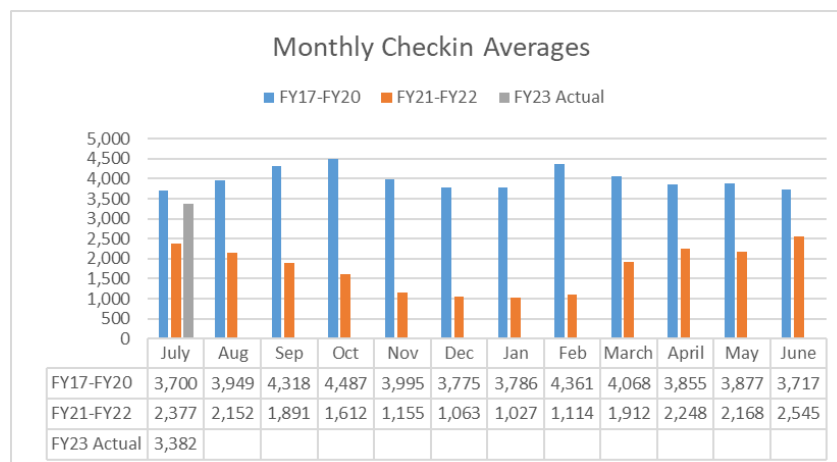
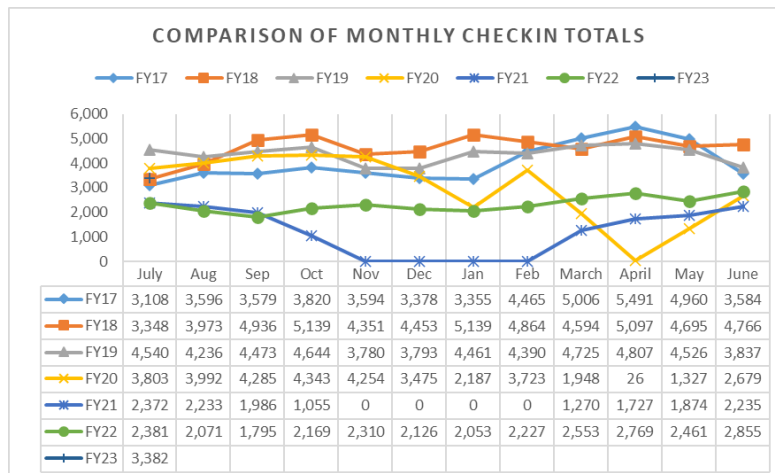
We actively work to keep expenses low while still making seasonal purchases, purchases for maintenance and cleaning, and to keep essential proshop and concessions items stocked as well to maintain staffing at levels appropriate to provide safety and customer service.

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.

Facility Check-In	Jul-22	Aug-22	Sep-22	Oct-22	Nov-22	Dec-22	Jan-23	Feb-23	Mar-23	Apr-23	May-23	Jun-23	Total
Member Checkins	1,262												1,262
Daily Admissions	1,563												1,563
Rentals	0												0
Fitness Programming	103												103
Aquatics Programming	55												55
Youth Programs	399												399
Monthly Totals	3,382	0	0	0	0	0	0	0	0	0	0	0	3,382

Concerns about CoVID-19 began impacting facility utilization in late February 2020 and continue to the present, but July reached approximately 90% of pre-CoVID-19 normal boosted by strong participation in our Healthy Activities Club and an influx of users from individuals who were in Bethel due to Fires in surrounding communities. We anticipate continued higher utilization rates as we continue to remove the remaining CoVID-19 restrictions.



City of Bethel Public Relations

Report – August 16, 2022

FACEBOOK – BY THE NUMBERS

30 Facebook Posts Drafted/Posted by BR (from contract start)	15 Total Facebook Page Posts (past 28 days)	11,216 Total Facebook Post Reach (past 28 days)	55 New Facebook Page Followers (past 28 days)
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FACEBOOK – TOP PERFORMING POST (PAST 21 DAYS)

Most Engagement



City of Bethel, Alaska
August 12 at 8:15 PM · 🌐

PRESS RELEASE

On 08/12/2022 at approximately 0413 hours Bethel Police Communications received a report from a Bethel Community Service Patrolmen who had responded to 405 Ptarmigan, AVCP apartments on an unrelated call. Bethel Community Service Patrolmen immediately contacted Bethel Police Communications of the fire. City of Bethel Fire Department and Police Department personnel were dispatched and are currently still on scene. The Alaska State Fire Marshal Office has been contacted and will be arriving to assist with the investigation.

If anyone has any information regarding this incident, please contact the Bethel Police Department at (907) 543-3781.

Case Officer: Investigator Skyler Smith
Case number: 2208351



BETHEL POLICE DEPARTMENT

Press Release

Post Impressions
5,114

Post Reach
4,837

Post Engagement
1,685

Reactions – 104

Comments – 14

Shares – 22

Other Clicks – 637

IN THE LOOP – MONTHLY NEWSLETTER

91 Successful Email Newsletter Deliveries (August 2022 Issue)	31% Email Newsletter Open Rate (August 2022 Issue)	99 Total E-Newsletter Subscribers (as of this report)	8 New E-Newsletter Subscribers (past 30 days)
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City of Bethel, Alaska

City Clerk's Office

Council Meetings

August 23, 2022, Regular City Council Meeting

September 13, 2022 Regular City Council Meeting

- Processed 3 passport applications.
- Processed 4 burial permits
- Created and posted 5 Facebook posts.
- Began organizing travel accommodations for staff and council to attend the Alaska Municipal League Annual Conference. The Alaska Association of Municipal Clerk's Conference will be held December 3-6, The Alaska Municipal League Conference will be held December 7-9. The Conference will be held at the Dena'ina Center.
- Researched reduced fee options for the YK Fitness Center. Presented options to Administration and prepared an action item for the Council.
- Established Art Contest Review Procedures and created the Kids Vote Ballot. Reached out to LKSD to determine a timeline for the Kids Vote Election.
- Summarized, for the public, the State's Election Absentee Voting information and procedures for voting. Provided limited support to the State's election officials the day before the election. Delivered election equipment and assisted in the precinct set up/cleanup.
- Updated the election public notices of vacancy and election to include the additional term.
- Worked with contractor to outline calendar for the election programming and testing.
- Researched state law and other municipal pool operations to see if lifeguards are required to be present during pool operation. Created a form for liability release, allowing adults to participate in lap swimming if there are no lifeguards on duty.
- Prepared the Community Parks and Recreation Committee draft agenda and packet and provided general support to the committee.
- Prepared the Public Works Committee draft agenda and packet and provide general support to the committee.
- Created a budget ordinance to address the Community Parks and Recreation Committee recommendations for funding.
- Continued to coordinate with community volunteers on cemetery clean-up.
- Researched site plan permitting regulations with the Corps of Engineers and other Alaskan Communities.
- Worked with resident and planning to develop a solution for property numbering for an undeveloped portion of the community.
- Assisted the Public Works Director with interviews for Administrative Assistant.
- Researched amnesty programs for the forgiveness of taxes, penalties, and interest at the request of Council Member Hessler. Drafted an ordinance and discussed with administration and legal.
- Continue to promote the use of Civic Clerk for the Committees/Commissions. Four have fully moved to the Civic program.

Items to work on:

Senior Citizen Sales Tax Code Amendments (Henderson)

Code Amendment Fill on Properties, Site Plan Permitting (Hessler)

Committee/Commission/Board Vacancies –

	Regular Member	Alternate Member
Parks/Recreation Aquatic Health and Safety Center Committee	full	2
Planning Commission	full	full
Port Commission	2	2
Public Safety and Transportation Commission	full	2
Community Action Grant Technical Review Board	Full	2
Public Works Committee	3	2
Finance Committee	1	2
Ethics Board	full	full