

CITY OF BETHEL

City Council Meeting Agenda, August 5, 2019 – 12:00 PM

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

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

Council Members: Fred Watson, Mayor; Thor Williams, Vice-Mayor; Leif Albertson;
Mitchell Forbes; Perry Barr; Carole Jung-Jordan; Fritz Charles



1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

4. PEOPLE TO BE HEARD – FIVE MINUTES PER PERSON

5. APPROVAL OF AGENDA

6. NEW BUSINESS

- 6.1. AM 19-46: Authorizing the City Attorney Profile for Recruitment Process (Mayor Watson)

7. ADJOURNMENT

Posted July 31, 2019 at City Hall, AC Co., Swanson's, and the Post Office.

Kevin Morgan, Asst. City Clerk

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

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

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

City of Bethel Action Memorandum

Action memorandum No.	19-46		
Date action introduced:	August 5, 2019	Introduced by:	Mayor Watson
Date action taken:		Approved	Denied
Confirmed by:			

Authorize the Administrative Profile and Job Announcement for the City Attorney Recruitment Process.

Attachment(s): City Manager Administrative Profile, Brochure and Advertisement Listings.

Amount of fiscal impact:		Account information:
Part of Ongoing Contract		10-52-544

Items of Particular Interest:

Salary \$125,000 - \$145,000 DOQ.

Qualifications and Experiences

- A demonstrated knowledge of federal, tribal, state and local laws and ordinances, rules and regulations, particularly with respect to municipal operations and the ability to interpret and ensure compliance with applicable federal, tribal, state and local policies, rules, laws and regulations specific to the State of Alaska and the City of Bethel.
- Ability to work in conjunction with the Mayor, Council, City Manager as a credible and impartial legal advisor, maintaining professional objectivity and neutrality with respect to policy and procedural matters which may affect the municipal operations of Bethel.
- A Juris Doctorate Degree from an accredited law school and be admitted to and in good standing with the Alaska Bar or able to be admitted to the Alaska Bar prior to commencing employment with the City. A minimum of five (5) years of full-time experience (preferably seven (7)) as a practicing attorney in Civil or Administrative law, preferably for a municipality. Experience in Alaska is preferred. Residency is required.

POSITION ANNOUNCEMENT
CITY ATTORNEY

BETHEL, AK (Population: 6,500) is a remote city on the western coast of Alaska, approximately 400 miles west of Anchorage. Bethel is only accessible by air and water and it is the largest Kuskokwim River port, serving as a transportation and administrative hub for over 50 Alaskan villages. With a population of over 6,500, the city contains about 48 square miles of land with approximately 5 square miles as water. Bethel has been a conservative driven community placing value on keeping the financial stability of the community at the forefront of their capital planning and growth. The total budget for 2019-2020 including all funds is about \$31 million with a general fund budget of around \$15.6 million. The city currently has approximately 100 FTE employees.

Within Bethel, there are approximately 36 miles of roads which are not connected to any contiguous highway system. The Port of Bethel is the northernmost medium-draft port in the U.S.A. River travel is the primary means of local transportation in the summer and supports barge service that provides goods to Kuskokwim villages. The state-owned Bethel Airport is a regional transportation hub served by four passenger carriers and three major cargo carriers. The airport ranks third in the state for total number of flights.

Bethel is a vibrant and bustling community and continues to be a hub of commerce and transportation for its residents and surrounding villages. The city could see some potential growth in the coming years through two proposed housing developments. The median household income is approximately \$83,400 with 32% of the population under the age of 18 and only 7% of the population over the age of 65, it is a young community.

The successful candidate will have the following qualifications and experiences:

- A demonstrated knowledge of federal, tribal, state and local laws and ordinances, rules and regulations, particularly with respect to municipal operations and the ability to interpret and ensure compliance with applicable federal, tribal, state and local policies, rules, laws and regulations specific to the State of Alaska and the City of Bethel.
- Ability to work in conjunction with the Mayor, Council, City Manager as a credible and impartial legal advisor, maintaining professional objectivity and neutrality with respect to policy and procedural matters which may affect the municipal operations of Bethel.
- A Juris Doctorate Degree from an accredited law school and be admitted to and in good standing with the Alaska Bar or able to be admitted to the Alaska Bar prior to commencing employment with the City. A minimum of five (5) years of full-time experience (preferably seven (7)) as a practicing attorney in Civil or Administrative law, preferably for a municipality. Experience in Alaska is preferred. Residency is required.

The starting salary range for the position is \$125,000 - \$145,000 DOQ. The City will also offer an outstanding fringe benefit package including low cost health, dental and vision. Residency within the City is required. Interested candidates should apply online by August 30, 2019 with a cover letter, resume, and contact information for at least five (5) professional references to www.GovHRjobs.com and to the attention of Sarah McKee, Senior Vice President, GovHR USA, 630 Dundee Road, Suite 130, Northbrook, IL 60062. Tel: (847) 380-3240.



City of Bethel, Alaska
City Attorney
Advertising Sources list

Source	Estimated Cost
Int'l Municipal Lawyers Association imla.org (IMLA)	\$350
American Bar Association americanbar.org (ABA)	\$399
Alaska Bar Association	Free
Linked in	\$250
Law Crossing.com	\$199 month
Alaska Municipal League	(free to members)
League of OR Cities	\$80
Association of WA Cities	\$200
Grass is Greener	Free
TOTAL ESTIMATED COST (as listed):	\$ 1,478
Advertising Budget	\$2,500

CITY OF BETHEL, ALASKA

CITY ATTORNEY

COMMUNITY INFORMATION

BETHEL, AK (Population: 6,500) is a remote city on the western coast of Alaska, approximately 400 miles west of Anchorage. Bethel is only accessible by air and river and it is the largest Kuskokwim River port, serving as a transportation and administrative hub for over 50 Alaskan villages. The biggest city in western Alaska, Bethel is in the top ten most populated communities of the state. With a population of over 6,500, the city contains about 48 square miles of land with approximately 5 square miles is water. Unlike much of Alaska, the geography is primarily treeless as it is in the Yukon Delta National Wildlife Refuge, the second biggest wildlife preserves in the U.S.A.

Southwestern Alaska was and still is the traditional place of the Yup'ik people and their ancestors for thousands of years. They called their village Mamterillermiut, meaning "Smokehouse People", after their nearby fish smokehouse. In 1885, the Moravian Church established a mission in the area and eventually moved Bethel from Mamterillermiut to its present location on the west side of the Kuskokwim River. A United States post office was opened in 1905.

Development came to the area during and after World War II, causing a great social disruption among the Alaska Natives at the time. In 1971, Bethel established a community radio, which has been a strong influence in the redevelopment and revival of the Yup'ik culture. It was the first Native-owned and operated radio station in the U.S.A.

Within Bethel, there are approximately 36 miles of roads which are not connected to any contiguous highway system. The Port of Bethel is the northernmost medium-draft port in the U.S.A. River travel is the primary means of local transportation in the summer and supports barge service that provides goods to Kuskokwim villages. Winter ice roads lead to several local villages, but their condition varies depending on temperature and snow fall. The state-owned Bethel Airport is a regional transportation hub served by four passenger carriers and three major cargo carriers. The airport ranks third in the state for total number of flights.

The town's single paved road and numerous dirt/gravel roads support a taxicab industry. With approximately 100 taxi drivers, the town has more cab drivers per capita than any other city in the U.S.A. The town is also home to the Alaska State prison system's Yukon Kuskokwim Correctional Center.

Health care is provided by Yukon-Kuskokwim Health Corporation (YKHC) which is a Tribal Organization that administers a comprehensive healthcare delivery system for 58 rural community in southwest Alaska. They operate the Yukon-Kuskokwim Delta Regional Hospital in

Bethel and have recently completed a major renovation that will allow patients access to essential services and comprehensive health care in one location.

Bethel is a vibrant and bustling community and continues to be a hub of commerce and transportation for its residents and surrounding villages. The city could see some potential growth in the coming years through two proposed housing developments. The median household income is approximately \$83,400 with 32% of the population under the age of 18 and only 7% of the population over the age of 65, it is a young community.

OUTDOOR/INDOOR ACTIVITIES

Bethel offers a variety of indoor and outdoor recreational venues and one of the primary reasons that people seek it as a destination. With fishing, canoeing, boating, swimming and kayaking, there is plenty to do on the Kuskokwim river and surrounding lakes. Subsistence activities for natives, such as hunting and fishing, are commonplace. On land, there are numerous activities offered throughout the year including hunting, bicycling, snow machining and skiing.

Bethel is home to the noted mid-distance dogsled race, the Kuskokwim 300. Held every January since 1980, the race commemorates an early mail route that once tied the settlement to the outside world. Top mushers and hundreds of sled dogs participate in the race, the largest purse offered by any 300-mile sled dog race. Bethel is also an established starting point to the “Float Alaska” wilderness river systems.

The Yukon-Kuskokwim (YK) Fitness Center houses many other activities for children and adults. Swimming classes along with open swim times and swimming meets are held year-round at the indoor pool. Additional activities include fitness classes, salsa dancing, judo and martial arts as well as tumbling for tots and women’s empowerment and self-defense classes. The facility also houses many native pieces of art that depict the history of the Yukon.

Pinky’s Park is approximately 27 acres of natural area that has youth sports fields as well as slightly over a mile of boardwalk which connects to other walking areas in the City. The City also operates Boat Harbor Park, Dillon Park, Wally Park and Tundra Ridge Park.

SCHOOL SYSTEM/EDUCATIONAL OPPORTUNITIES

Lower Kuskokwim School District, with offices in Bethel, operates five schools in Bethel as well as others in the surrounding villages. Bethel is served by three elementary schools, Bethel high school and Kuskokwim Learning Academy.

Mekelnguut Elitnauriviat School (“M.E.”) serves grades kindergarten through second grade and has approximately 260 students. Gladys Jung Elementary School (previously Kilbuck School) serves third grade through sixth grade and has an enrollment of approximately 350 students. Ayaprun Elitnaurvic School is a kindergarten through sixth grade Yup’ik-English bilingual

program that originated from a total immersion language program and is housed within the two elementary schools.

Bethel Regional High School has approximately 500 students from grades seven through twelve. Kuskokwim Learning Academy has approximately 60 students that are a part of their dropout prevention program encouraging students to find a different path to academic success that might not be found in a traditional school setting.

The University of Alaska Fairbanks's (UAF) Cooperative Extension Service's Yukon-Kuskokwim District office is based in Bethel. The Yukon-Kuskokwim District office aims to support the population through education and outreach relevant to the local lifestyle and encouraging subsistence activities, such as hunting and fishing. The UAF Kuskokwim Campus offers many certificate and degree programs such as Nursing qualifications, medical billing, Associate of Applied Science, Bachelor's in Social Work or Education and a master's degree in Education or Rural Development and many others.

The district staff support many program activities which support improvement in the quality of life for the population. Some of these areas include: Bethel Community Garden, 4-H youth development, food preservation workshops, healthy homes, nutrition education, home energy education, StrongWomen and more.

UAF also operates the Yupiit Piciryarait Cultural Center that celebrates the Yup'ik culture. The center serves as a regional gathering center for Southwest Alaskans to stimulate ideas, advance their knowledge, and enhance the quality of life. The Yupiit Piciryarait Cultural Center, Library, Kuskokwim Art Guild gift shop and Museum provide access to information, resources, and services to all members of the Bethel community and region.

BETHEL CITY GOVERNMENT

Bethel is a general law, second-class city within the state's unorganized borough and operates under the manager form of government as defined in Alaska Statutes 29.20.460 through 29.20.520. The city is governed by a City Council consisting of an elected Mayor and six other elected council members for two-year terms. The City Attorney is appointed by the Bethel Council and serves at its pleasure.

The City Attorney is the legal advisor and attorney for all City officials, officers and departments of the City and represents the City in all litigation and proceedings, including the prosecution of minor offense and code violations. The Attorney is responsible for drafting and reviewing ordinances, resolutions, policies and procedures and contracts for consideration by the City Council and ensures they are compliant with state, federal and local laws. Additionally, the City Attorney prepares the departmental budget, coordinates with outside counsel regarding litigation on behalf of the City, researches/prepares oral and written legal opinions for the City Council, City Manager, Department Heads, Committees, Commissions and Boards.

Bethel has the following departments: Administration, Finance, Public Works, Planning, Police, Fire, and Bethel Port. Bethel is a fiscally conservative driven community placing value on keeping the financial stability of the community at the forefront of their capital planning and growth. They are a value-driven organization dedicated to responsive, respectful and courteous customer service. The total budget for 2019-2020 including all funds is about \$31 million with a general fund budget of around \$26.4 million. There are six enterprise funds which are comprised of the pool expenses, solid waste, municipal dock, water and sewer, leased property and transit. The city has approximately 100 FTE employees.

CHALLENGES/OPPORTUNITIES FOR THE CITY ATTORNEY

The city council is in the process of reviewing the current alcohol sales ordinances of the city. The voters of Bethel opted out of the State of Alaska's local option regulations thereby electing to limited restrictions of the sale of alcoholic beverages within the City. The City has modified the Bethel Municipal Code to implement more strict laws associated with the sale, distribution, purchasing and consumption of alcoholic beverages. This continues to be an issue that contributes to increased first-responder calls and nuisances to businesses and residents.

With the recent passage of marijuana laws in Alaska and having a business currently going through approval process through the Bethel Planning commission and Alaska Marijuana Control Board, the City Council will be faced with another burden of controlling the sale and illegal use of marijuana within the City. Resident are concerned about the distribution to minors and availability to them with this business in town.

Like most municipalities, Bethel is faced with non-payment collections related to services provided by the City. This will be a continued focus as the community continues to grow in the future and more demand is placed on city services.

The City has traditionally held title to various properties throughout the city and has numerous leases with various tenants within those properties. The City will need to continue to analysis the implications of being a landlord or to sell properties that it no longer deems to be essential to municipal operations.

CANDIDATE QUALIFICATION CRITERIA

The City Council is seeking candidates who have experience working with municipal code as well as state and federal laws and regulations. Experience working in Alaska is a plus, but not a requirement. Idea candidates will have knowledge of labor relations, civil litigation, collective bargaining, land sue and planning, public finance, public contracts and bidding, drafting of ordinances and resolutions, as well as municipal, state, federal and constitutional laws affecting municipal government. The successful candidate will demonstrate excellent communication skills and significant career success in building collaborative, effective relationships across departments. Experience in reviewing various contracts and memoranda to ensure that the city's legal interests are not compromised is a must.

The following factors of education, experience, and leadership and management skills have been identified as *ideal* attributes for the City Attorney to possess to function effectively in the position.

EDUCATION, EXPERIENCE, QUALIFICATIONS AND SKILLS:

- A Juris Doctorate Degree from an accredited law school and be admitted to and in good standing with the Alaska Bar or able to be admitted to the Alaska Bar prior to commencing employment with the City. Residency in Bethel is required.
- A minimum of five (5) years of full-time experience as a practicing attorney in Civil or Administrative law, preferably for a municipality, but preferably seven (7) years.
- Broad knowledge of federal, tribal, state and local laws and ordinances, rules and regulations, particularly with respect to municipal operations and the ability to interpret and ensure compliance with applicable federal, tribal, state and local policies, rules, laws and regulations specific to the State of Alaska and City of Bethel.
- Skilled in legal research, drafting legal documents, ordinances and resolutions as well as providing legal advice to Council and Department Heads.
- Ability to work in conjunction with the Mayor, Council and City Manager as a credible and impartial legal advisor, maintaining professional objectivity and neutrality with respect to policy and procedural matters.
- Demonstrate an ability to keep elected officials, City Manager and senior staff informed about emerging legal and legislative issues with advanced notice to provide ample opportunity for them to consider the implications and alternatives for action.
- Be skilled in working with elected officials as a group, and in a system of committees, and commissions. An appreciation for an active citizenry that expects community involvement from its government leaders.
- Have a full understanding of the remoteness of Bethel is essential to appreciate the challenges it presents as well as the opportunities of the area surrounding the community. Bethel is only accessible by land or by air and some of that access can be affected by weather conditions.
- Have an understanding of governmental finances and budgetary preparations. Possess the ability to state the implications of budgetary actions and how as they may affect legal actions of the city.

- Demonstrated experience with land use and environmental issues and how they can legally affect municipal operations of the city.
- Demonstrated record of representing municipalities in a court before quasi-judicial or administrative agencies of government through proper preparation and researching of issues facing the City.
- Ability to prepare legal pleadings and briefs, develop strategy, arguments and testimony in preparation for presentation of case; gather evidence in civil and other cases to formulate defense or to initial legal actions or file pleadings with the court.
- Highly committed to ethical standards of the legal profession and transparent government operations, balanced with a need for confidentiality in representing the interest of the City and ability to establish a high level of credibility with citizens and fellow attorneys.
- Have a proven track record of fostering an attitude of teamwork and creativity in problem solving, while ultimately being accountable for presenting all legal alternatives available to the City.
- Willingness to be accessible, respectful and responsive to the elected officials, city management and department heads.
- Be committed to the community and the City Attorney profession and have a willingness to commit to a long tenured service in the community including residency.
- Have the maturity, self-confidence, and strength of professional convictions to provide legal insights and administrative counsel to the City Council and staff, being able to firmly and diplomatically present professional views and carry out administrative decisions in a timely, professional and impartial manner.
- Have the ability to work with area intergovernmental organizations such as the school district, healthcare providers, Orutsarmuit Native Council (ONC) and others to understand the effect of legal matters being considered by the City and to build working relationships with them.
- Establish a lasting credibility with Elected Officials and Department Directors; the ability to develop effective collaborative relationships is a must!
- Have strong communication skills, both orally and in writing, with the ability to interrelate with the public, City Council, department heads, staff and other stakeholders. Have the skills to present to audiences ranging from staff members to the community at large.

- Exhibit a style characterized by candor, directness, tactfulness, and diplomacy, with the ability to admit when mistakes were made, and when corrective action needs to be taken.
- Maintain a calm demeanor during times of stress, providing thoughtful advice to department heads, city management and elected officials. Be open to listening to their concerns and addressing them with legal alternatives. Be assertive when necessary, yet empathetic.
- Have a genuine passion for public service from both an internal standpoint and for service to the community. Have a high energy level and enthusiasm for meeting the challenges and responsibilities of the City Attorney's position; have a good work ethic.

INSERT ORGANIZATIONAL CHART SUPPLIED BY CITY