

CITY OF BETHEL

City Council Meeting Agenda, September 21, 2020 – 6:30 PM

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

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

Council Members: Mayor Perry Barr, Vice-Mayor Haley Hanson, Alyssa Leary, Mark Springer, Cece Franko, Michelle DeWitt, Hugh Dymont



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

Join Zoom Meeting

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

Dial by your location

- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 669 900 9128 US (San Jose)
- +1 301 715 8592 US (Germantown)
- +1 312 626 6799 US (Chicago)
- +1 646 558 8656 US (New York)
- 833 548 0276 US Toll-free
- 833 548 0282 US Toll-free
- 877 853 5257 US Toll-free
- 888 475 4499 US Toll-free

Meeting ID: 488 845 6188

Passcode: 13871

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. UNFINISHED BUSINESS

7. NEW BUSINESS

- 7.1. Interim City Manager Interviews (Acting City Manager Strickler)
- 7.2. Review Of Recruitment Strategies For Permanent City Manager With GOVHR (Acting City Manager Strickler)
- 7.3. Interim City Manager Conditional Offer (Acting City Manager Strickler)
- 7.4. Appointment Of Interim City Manager (Acting City Manager Strickler)

Posted September 18, 2020 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

8. EXECUTIVE SESSION

- 8.1. AS 44.62.310 (C) (2) Subjects That Tend To Prejudice The Reputation And Character Of Any Person
- Interim City Manager Review and Employment Agreement Development (Note, All Interim City Manager Candidates May be Discussed During the Executive Session) (Acting City Manager Strickler)

9. ADJOURNMENT

Posted September 18, 2020 at City Hall, AC Co., Swanson's, and the Post Office.

Kevin Morgan, Asst. City Clerk

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**City of Bethel, Alaska
City Manager
Advertising Sources list**

Source	Estimated Cost
ICMA	\$445.5
LinkedIn	\$250
League of Women in Govt.	\$150
Alaska Municipal League member (free to members)	\$300 (2wks non
Govtjobs.com	\$199
Local Govt. Hispanic Network	\$75
National League of Cities	\$350
Strategic Govt Resources	\$50
National Forum for Black Public Admin	\$350
League of OR Cities	\$80
Association of Washington Cities	\$200
Grass is Greener	Free
TOTAL ESTIMATED COST (as listed):	\$ 2,449.5
Advertising Budget	\$2,500

city of
Bethel *Alaska*

CITY MANAGER



BETHEL, ALASKA



EXECUTIVE RECRUITMENT

CITY MANAGER

CITY OF Bethel, Alaska

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 is about 48 square miles 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 preserve 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.

Indoor/Outdoor 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's always 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



Indoor/Outdoor Activities Continued

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 Manager is appointed by the Bethel Council and serves at its pleasure.

The City Manager's powers and duties are set in state law and the Municipal Code of the city. The Manager is the chief executive officer of the City. The Manager directs the day-to-day operations of the city. The manager's office also oversees a variety of interdisciplinary programs and initiatives while communicating the City Council's vision and values.

The City Manager's Office is responsible for many of the City's centralized functions:

1. Implementing public policies adopted by the City Council.
2. Actively managing the municipal organization to ensure efficient, cost-effective service delivery.
3. Supporting city departments and divisions in efforts to innovate and improve customer experience.
4. Providing public information through media requests and reports.
5. Developing and recommending policies that protect the city's fiscal foundation; and Influencing state and federal policies that impact Bethel's ability to thrive.

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.

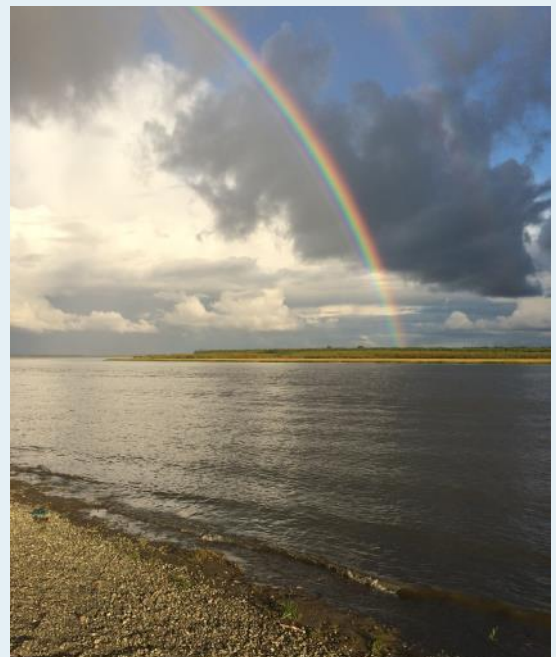
CHALLENGES/OPPORTUNITES FOR THE CITY MANAGER

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.

As with most communities, there are department heads that have moved to other positions or retired from the City. The Police Chief, City Planner and City Attorney positions are currently vacant. Additionally, there remain issues with recruitment and retention of employees especially with the Police and Public Works departments. As with other communities, they compete for these qualified employees and the city is seeking new ideas on how to retain those valued employees.

Bethel places a high value on quality of life through its commitment to recreational activities in the community and providing venues for them. This will be a continued focus as the community continues to grow in the future and more demand is placed on these facilities. The City will need to analyze the related costs associated with these facilities to determine how they can continue to meet a high quality of life for the residents of Bethel.

The City has gone through several managers in the past 10 years, so it is imperative that the new Manager build trust with employees and instill a sense of caring and respect for the personnel in place. Being able to have compassion for the employees and respect their expertise within their given roles, will enable them to again feel a part of a *TEAM*.



CANDIDATE QUALIFICATION CRITERIA

The City Council is seeking Candidates who are strong leaders in City/County Management with a proven record of providing effective leadership in a complex organization, preferably in a City, municipal or other level of government of similar size as Bethel. Experience working in Alaska is a plus, but not a requirement. Idea candidates will be able to drive innovation and move agendas forward in a multi-stakeholder environment. The successful candidate will demonstrate excellent communication skills and significant career success in building collaborative, effective relationships across departments. Additional experience in strategic planning, budgeting and project management and complex problem solving with the ability to work effectively in a wide variety of governmental disciplines is important.

EDUCATION AND EXPERIENCE

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

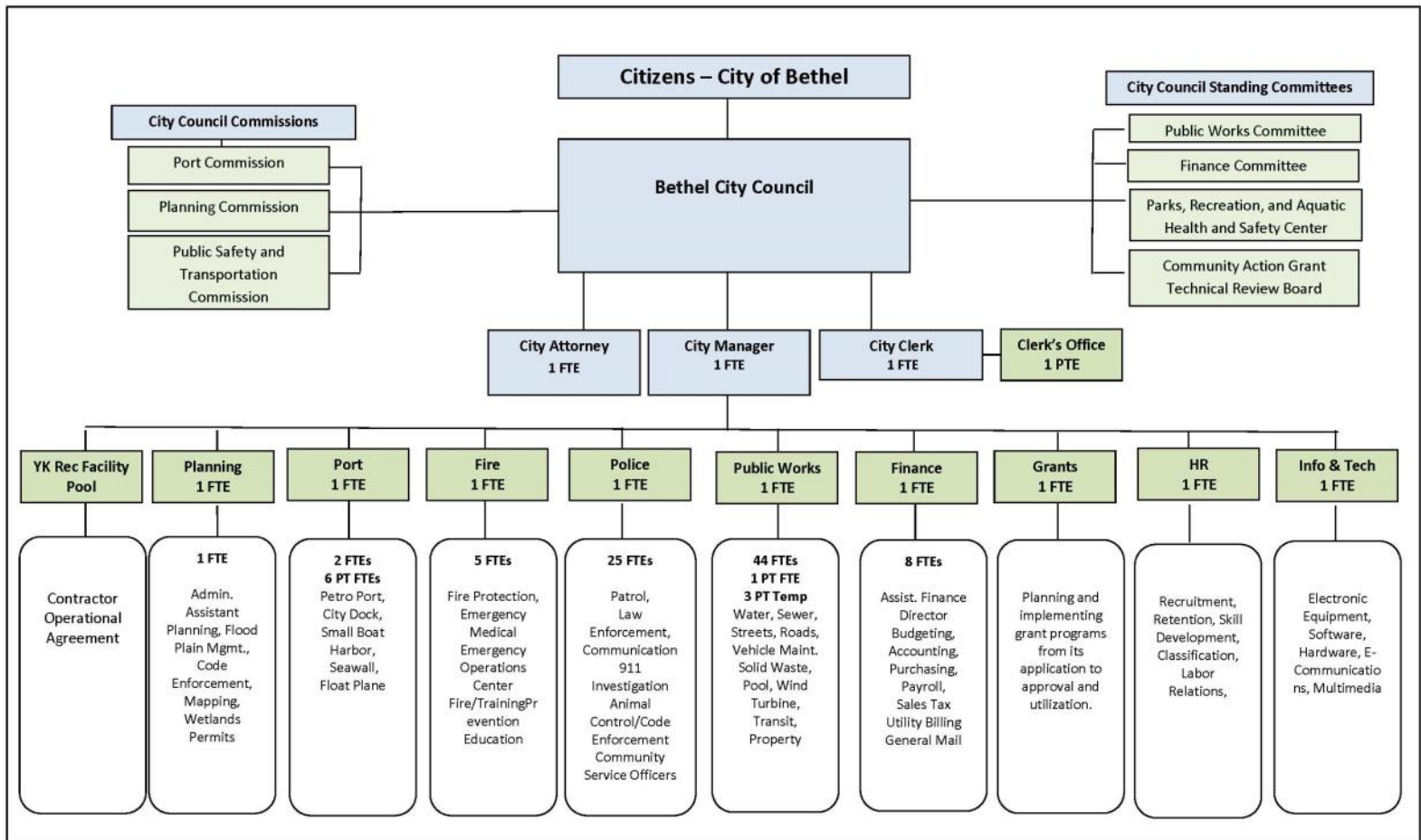
- A Bachelor's Degree in public administration, public policy, business or related field with a Master's in Public/Business Administration or related discipline from an accredited college or university preferred.
- Five to seven years of progressively responsible experience in local government management, including significant experience at a senior level interacting with elected officials and other stakeholder groups.
- Candidates must possess proven managerial and interpersonal skills to lead a dynamic financially fit organization in a community with high customer-service expectations, community involvement and a desire for government transparency.
- Candidates must possess proven managerial abilities, including financial forecasting, revenue enhancement, capital improvement programming and budget development and control.
- Demonstrate significant accomplishments in complex project management with the ability to interact with elected officials, senior staff, commissions and community organizations in the development and implementation of project goals and objectives.
- 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-outreach efforts from its government leaders.
- 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 weather can have an effect on that accessibility.
- Candidates must have strong analytical skills with the ability to examine programs, budgets and proposed policies for efficiency and effectiveness; candidates must approach local government with a desire to improve processes and procedures in a thoughtful way that inspires directors and managers and other affected employees.
- Have experience in fostering business-community relationships with the City; be adept at how the City can craft meaningful and sustainable economic development initiatives.
- Have the ability to interpret and ensure compliance with applicable Federal, State and local policies, rules, laws and regulations.
- Have a strong understanding of government finances and budgetary preparations. Possess the ability to formulate a budget and capital improvement plan and present the proposed budget to City Council in a way that provides the most accurate information and transparency for City operations and financial stability.
- Have extensive experience in delivering written and oral presentations to officials at all levels of the organization, including elected officials.
- Demonstrate the ability to perform organizational analysis in determining the structure of city departments and how to best utilize personnel allocations and being able to present those ideas to the employees in a manner that affords open communication and feedback from employees.
- Have a proven track record of delegating to staff and fostering an attitude of teamwork and creativity in problem solving, while ultimately being accountable for the quality and effectiveness of overall performance of the organization.
- Have proven superior communication, interpersonal, and human relations skills, and adeptness at interacting with people possessing a wide variety of attitudes and in a wide variety of situations. Have a willingness to meet with citizens and assist them with issues they have involving City services.
- Have proven and successful managerial skills utilizing a consensus-building, team-oriented approach to managing staff members; have the ability to remain accountable for departmental activities without unnecessary micromanagement of senior staff.
- Be committed to the community and the City Management profession and have a willingness to commit to a long tenured service in the community.

LEADERSHIP AND MANAGEMENT SKILLS

- Have a balance of technical and leadership/management skills with people skills a high priority. Have skills in diplomacy and interpersonal skills and the ability to remain objective despite personal feelings towards a situation or person.
- Have the maturity, self-confidence, and strength of professional convictions to provide administrative 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 a City-wide perspective and utilize a “we” mentality rather than an “I” mentality in dealing with all City matters. Possess a track record of addressing an issue in a thoughtful and progressive manner; be someone who can build bridges and bring people together.
- Have the ability to work with area intergovernmental organizations such as the school district, healthcare providers, Orutsarmuit Native Council (ONC) and others to understand their concerns and how it relates to their needs as well as inform them of issues that may involve their organizations resources and create working relationships to resolve resident issues.
- 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.
- Have the maturity and self-confidence to firmly and diplomatically present professional views, concerns, and implications of proposed policy actions that may be under consideration by the Bethel City Council, while also being committed to carrying out final decisions in a timely, professional, and impartial manner.
- 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.
- Have a collaborative and open, friendly personality and management style and be one who can establish trust quickly with others. Know how to deal with conflict in a constructive manner. Have the ability to keep information confidential.
- Be able to represent the City to the residents of Bethel in a responsive and helpful manner. Have good listening skills and a willingness to work through challenges in a collegial, respectful manner.
- Maintain a calm demeanor during times of stress, providing thoughtful advice to residents, department heads and elected officials. Be flexible and open to change with a willingness to learn and ask questions. 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 Manager's position; have a good work ethic.



Organizational Chart



HOW TO APPLY

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. Interested candidates should apply online by November 29, 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.



POSITION ANNOUNCEMENT

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 has about 48 square miles of which approximately 5 square miles is 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 100 FTE employees.

Within Bethel, there are approximately 16 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 strong commitment to creative problem-solving through teamwork and professionalism, outstanding supervisory and administrative skills, highly developed interpersonal and oral/written communication skills and ability to develop policies and procedures that evolve with the organization.
- A demonstrated record of leadership with a comprehensive knowledge of city/county management, governmental finances and budgeting, planning and growth, and consensus building.
- A bachelor's degree in public administration, public policy, business or related field and a Master's in Public/Business Administration from an accredited college or university is preferred along with extensive progressively responsible experience (5 to 7 years) in local government management, including significant experience at a senior level interacting with elected officials and other stakeholder groups. Experienced assistant and/or deputy managers/administrators are also encouraged to apply. Experience in Alaska is preferred.

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 XXXXX, 2019 with a cover letter, resume, and contact information for at least five (5) professional references to [\(INSERT LINK\)](#) and to the attention of Sarah McKee, Senior Vice President, GovHR USA, 630 Dundee Road, Suite 130, Northbrook, IL 60062. Tel: (847) 401-3240.



CITY OF BETHEL

INTERIM CITY MANAGER NEGOTIATED AGREEMENT

This Employment Agreement (Agreement) is entered into this ____ day of September 2020, by and between the City of Bethel, Alaska, a municipal corporation, hereinafter referred to as "City" and _____, an individual, hereinafter referred to as "Employee or Interim City Manager." Under this Agreement, the City offers, and Employee accepts, employment as Interim City Manager of the City as a provisional appointment in accordance with BMC 3.16.030.

Section 1 Duties

- A. City hereby agrees to employ _____ as Interim City Manager of the City, effective _____, 2020, to perform the functions, powers, and duties specified in AS 29.20.500 and Bethel Municipal Code as well as other legally permissible and proper duties and functions as the Council shall from time to time assign.
- B. Employee is the Chief Administrative Officer of the City and shall faithfully perform the duties as prescribed in the job description and as set forth in the City's ordinances and as may lawfully be assigned by the Council and shall comply with all lawful governing body directives, state and federal law, City policies, rules, and ordinances as they exist or may hereafter be amended.
- C. Direct, assign, reassign, and evaluate all of the Department Directors of the City consistent with policies and procedures, ordinances, state and federal law.
- D. Provide for management, development, and training, and develop leadership qualities as necessary to ensure the highest standards of managerial practices throughout the organization.
- E. Enforce policies that organize, reorganize and arrange the staff of the City and that develop and establish internal regulations, rules, and procedures that are deemed necessary for the efficient and effective operation of the City consistent with lawful directives, policies, ordinances, and state and federal law.
- F. Evaluate administrative practices that may result in greater operational effectiveness or economy in City government, and develop and recommend to the City Council long range plans to improve City operations and prepare for the City's growth and development.
- G. Prepare and present a timely annual budget to the City Council and ensure audits are completed in accordance with City, state and federal laws and standards.

Perform the duties of City Manager of the City of Bethel with reasonable care, diligence, skill and expertise. Attend, all meetings of the City Council and upon request attend the City's Board and Commissions meetings.

The Employee shall act in the City's best interest at all times and perform Employee's duties in a competent and professional manner.

Section 2 Term

- A. Employee shall serve at the pleasure of the City Council and is an at-will employee of the City. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Council to terminate the services of the Employee at any time with or without cause, subject only to the provisions set forth in Section 7 of this Agreement. The City shall comply with the City's insurance policy endorsement regarding any termination.
- B. Nothing in this Agreement shall prevent, limit, or otherwise interfere with the right of the Employee to resign at any time from the position of Interim City Manager, subject only to those provisions set forth in Section 7 Agreement.

Section 3 Salary and Benefits

- A. Compensation. City agrees to compensate Employee an annual base salary of \$_____ payable in installments at the same time that the other management employees of the City are paid. Employee's base salary shall be increased annually between zero (0) and three (3%) percent, dependent on the City's financial situation and at the discretion of the Council upon a very good performance evaluation.
- B. Health and Medical Benefits Insurance. Employee may participate in the City employee's Life Insurance group coverage plan, Accidental Death & Dismemberment, Short Term, Long Term Disability, Dental, Vision and Health Insurance program equal to that which is provided to all other management employees.
- C. Pension. The Employee may be enrolled in the Alaska Public Employees Retirement System (PERS) at a rate equal to that which is provided for all other employees of the City.
- D. Utility Benefit. Employee shall have the opportunity to participate in the City Utility Services Benefit for the same monthly fee as paid by all other City management employees.
- E. Personal Time Off (PTO). Upon Employment, the Employee will begin with 80 hours of PTO with the City. PTO shall accrue at the rate of 20 hours per month of service. PTO can be accumulated up to a maximum accrual of three hundred fifty (350) hours. Employee shall use a minimum of One Hundred Sixty (160) hours per year. PTO should be requested two (2) weeks in advance. The City does not recognize or endorse "comp time." Unscheduled PTO

shall be utilized only for the illness of the Employee or illness in the Employee's immediate family. Should the Employee be absent for more than three (3) consecutive working days, the Employee shall be required to provide a physician's certificate to the Mayor. PTO is a benefit with no cash value. PTO may not be cashed-in, borrowed against, or withdrawn at any time during or following employment.

- F. Jury Duty. In accordance to BMC 3.60.070 Court Leave, as amended.
- G. Holidays. All holidays recognized by the Employer shall be granted to the Employee. It is understood that from time to time, Employee's duties may require him/her to work on such holidays at no additional compensation.
- H. Family Medical Leave. Employee may become eligible for family medical leave pursuant to federal and state law. Upon eligibility, Employee shall have all the rights and protections of the Family Medical Leave Act as any other regular full-time employee of the City.
- I. Workers' Compensation. Should the Employee become injured on the job, he/she will be entitled to compensation benefits as provided by Alaska's Workers' Compensation Act.
- J. Administrative Leave. The Employee may be granted administrative leave with pay by a majority vote of the Council for reason's specified, including attendance at professional conferences.
- K. Emergency Leave. The City agrees to grant the Employee up to forty (40) hours of leave for the death or serious illness of an immediate family member. For purposes of this type of leave, Employee's immediate family member includes the Employee's spouse, child, son-in-law, daughter-in-law, parent, father-in-law, mother-in-law, sibling, or grandchild.
- L. Cell Phone. The Employee will be provided a cell phone for use in the performance of his or her duties. While some personal calls may occur, the cell phone is issued for City purposes and any information gathered or stored on the cell phone is subject to public disclosure. The Employee is responsible for any charges in excess of the basic monthly service fee.
- M. Relocation Bonus. The City agrees to pay Employee relocation expenses in an amount equal to \$_____ (subject to any applicable tax and other required withholdings) on the first regular payroll date following the Effective Date of hire, to cover Employee's relocation-related expenses.

Section 4 Hours and Days of Work

The Employee's position requires the exercise of independent judgment on the part of the Employee and requires periods of extended work to exceed the normal office hours, work day, and work week established by the Employer. The Employee will be available during regular business hours. Employee will be expected to work whatever hours are needed based upon the demands of the job. Employee is exempt from the overtime provisions of the Fair Labor and

Standards Act, as amended, but is expected to engage in those hours of work that are necessary to fulfill the obligations of the Employee. Any time worked in excess of the normal hours in a day or week is not compensated or credited in any manner by the Employer.

Section 5 Performance Evaluation

Employee shall be evaluated, in writing, by the Council within six (6) months of commencing employment and then annually thereafter on or about the anniversary date of hire.

Section 6 Outside Employment

Outside employment and business pursuits are prohibited unless first authorized by Council. Any outside employment or business pursuits other than those authorized by Council must occur while Employee is on leave and must occur outside the regular business hours of the City. Notwithstanding the foregoing or any authorization by Council, the Employee is required to perform the duties of the Employee when the interests of the City require, without regard to regular work hours or days or the competing needs of the Employee's outside employment or business pursuits.

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

Section 8 Notices

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

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

EMPLOYEE –
[CONTACT]

Section 9 General Provisions

- A. The text herein shall constitute the entire agreement between both parties.
- B. Any modification or amendment of this Agreement shall be enforceable only if approved by a majority vote of the Council in a duly convened public session and if transcribed to a written document signed by both parties.

- C. Employee shall not assign any interest in this Agreement, and shall not transfer any interest in the Agreement without the prior written consent of City.
- D. If any provision, or any portion thereof, contained in this Agreement is held unconstitutional, invalid or unenforceable, the remainder of this Agreement, or portion thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
- E. The failure of the City at any time to enforce a provision of this Agreement shall in no way constitute a waiver of the provisions, nor in any way affect the validity of this Agreement or any part thereof, or the right of the City thereafter to enforce each and every provision hereof.
- F. This Agreement is being executed by the parties following negotiations between them. It shall be construed according to the fair intent of the language as a whole, not for or against any party. The titles of sections in this Agreement are not to be construed as limitations or definitions but are for identification purposes only.
- G. The Council, in consultation with Employee, shall fix any other such terms and conditions of employment as it may deem necessary from time to time relating to the performance of Employee, provided such terms and conditions are not inconsistent with or in conflict with the provisions of this Agreement, the City Code, or any other applicable state or federal law.
- H. This Agreement shall be governed by the laws of the State of Alaska and the City of Bethel and any litigation brought shall be in Bethel, Alaska. Employee expressly waives any rights he or she might otherwise have as provided in Alaska Rules of Civil Procedure to remove any action from Bethel, Alaska.

Section 10 Bonding

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

Section 11 Indemnification

In accordance with Bethel Municipal Code 2.48 as amended.

EMPLOYEE

CITY OF BETHEL

, Employee

Perry Barr, Mayor

Dated

Dated