



CITY OF BETHEL

P.O. Box 388 Bethel, Alaska 99559

907-543-2297

FAX # 543-4171

Introduced by: Council Member McComas

Date: November 14, 1995

Public Hearing Date: November 28, 1995

Action: 4-Yes, 0-No

Vote: Passed

ORDINANCE #95-35

AN ORDINANCE OF THE BETHEL CITY COUNCIL AMENDING TITLE 2 OF THE BETHEL MUNICIPAL CODE ENTITLED ADMINISTRATION, BY ADDING CHAPTER 2.25 ESTABLISHING A PUBLIC SAFETY COMMISSION.

WHEREAS, the Bethel City Council wishes to establish a Public Safety Commission.

NOW, THEREFORE, BE IT ENACTED by the Bethel City Council as follows:

Section 1. Title 2 of the Bethel Municipal Code is amended by adding Chapter 2.25, establishing a Public Safety Commission.

Section 2. This ordinance shall not be construed as abating any action now pending under, or by virtue of, prior existing laws or as discontinuing, abating, modifying, or altering any penalty accruing or about to accrue, or as affecting the liability of any person, or as waiving any right of the City under any section or provision existing at the time this ordinance is adopted, or as vacating or annulling any right obtained by any person, firm, or corporation, by lawful action of the City except as shall be expressly provided for in this title.

Section 3: If any part or provision of this ordinance or application thereof to any person or circumstances is adjudged invalid by any court of competent jurisdiction, such judgment shall be confined in its operation to the part, provision, or application directly involved in all controversy in which this judgment shall have been rendered, and shall not affect or impair the validity of the remainder of this title or application thereof to other persons or circumstances. The City Council hereby declares that it would have enacted the remainder of this ordinance even without such part, provision, or application.

Section 4: Title 2 of the Bethel Municipal Code is hereby amended by adding a new chapter 2.25 to read as follows:

Chapter 2.25 Public Safety Commission

Sections:

2.25.010 Establishment of Commission.

2.25.020 Powers and Duties

2.25.030 Composition.

2.25.040 General Procedures.

2.25.010 Establishment of commission.

There is hereby established a Public Safety Commission to act in an advisory role in matters pertaining to public safety issues. The commission shall identify public safety issues of concern to the citizens of the City of Bethel and advise the City Council on these issues.

2.25.020 Powers and Duties

- A. The commission is empowered to:
1. Hear and review public safety concerns and advise the City Council on these issues;
 2. Hear and review citizen complaints regarding Police and Fire Departments and provide suggestions for resolution to City Manager;
 3. Produce interim or special reports on specific public safety concerns that the commission believes will affect the City of Bethel;
 4. Inform the City Council on municipal, state and federal legislation relevant to public safety;
 5. Support municipal legislative programs on state issues relevant to public safety;
 6. Review information presented regarding the availability of all Federal, State, municipal and private resources for public safety in the city, and advise the City Council;
 7. Perform such other duties as the City Council may refer to it from time to time;
 8. Do such other acts as are necessary and proper to the performance of the duties and functions set forth in this chapter;
- B. Nothing in this Chapter should be construed to provide the following authority to the Public Safety Commission:
1. To hear or advise on any concerns or complaints related to potential or pending litigation with the City of Bethel;
 2. To review or advise on any complaints, concerns or negotiation strategies related to labor contracts with the City of Bethel;
 3. To review or advise on any hiring or disciplinary decisions made by the Bethel Police or Fire Departments;
 4. To review or advise on past, pending or potential grievance, arbitration or administrative matters that pertain to public safety personnel;
 5. To review any personnel files of public safety employees;
 6. To review police and fire reports and records unless compliance with BMC 2.40.050 and 2.40.060, AS 47.10.093, AS 9.25.120, AS 12.61.110, AS 11.41.300(a)(1)(c), 11.41.410-11.41.460, and AS 12.62.160 is met prior to review.

2.25.030 Composition.

- A. **Membership.** The voting members of the Public Safety Commission shall be six citizens who have been residents of the city for at least one year. The seventh voting member shall be a member of the City Council. The Police Chief and Fire Chief will act as staff to the Commission, but will not be allowed to vote.
- B. **Appointment.** Members shall be appointed to the Commission by the Mayor and shall be confirmed by the City Council. Appointments to fill vacancies shall be for the unexpired term only. Before taking office, members shall affirm in writing that they have read and understood the Commission's powers and duties, and will honestly, faithfully and impartially perform the duties of their office.

C. Term. The term of office shall be three years. Two commission member's terms shall expire each year on the thirty-first of December. The City Council representative will be appointed for the duration of his or her term on the City Council.

D. Presiding Officer. The Public Safety Commission shall designate a member to preside as chairperson for a period of one year. The commission shall also designate as its vice-chairperson a member to serve in the absence of the chairperson. The Police Chief and Fire Chief, or their designees, will provide administrative support to the commission.

E. Vacancies. The Police Department staff shall keep attendance records and notify the Mayor when vacancies occur. A vacancy shall be declared and filled when the member:

1. Fails to qualify and take office within thirty days after appointment by the mayor of confirmation by the council;
2. Plans to depart from the city for more than ninety (90) days and is unable to attend meetings;
3. Resigns from service on the commission;
4. Misses three unexcused consecutive regular meetings;
5. Is convicted of a felony or an offense involving a violation of the Public Safety Commission Oath of Office.

F. Quorum. Four members constitute a quorum. Any act of the commission requires a majority affirmative vote of at least four members.

2.25.040 General Procedures.

A. Meeting. Regular meetings shall be held. Special meetings may be called by the chairperson or shall be called by the chairperson at the request of two members.

B. Agenda. An agenda shall be prepared and posted in at least three conspicuous public places within the city no later than seven days before the regular meeting.

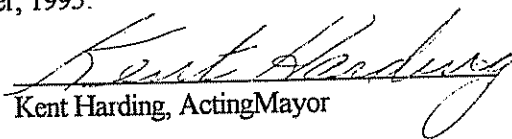
C. Minutes and Records. Meetings shall be public and minutes shall be kept. Minutes and records shall be retained as a public record in the office of the City Clerk.

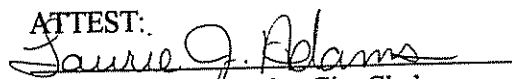
D. Rules of Order. Meetings shall be conducted under Robert's Rules of Order and such modified or amended rules as may be adopted by the commission.

E. Office and Staff. The commission and its staff shall be provided meeting space suitable for its needs. The City Manager shall make available to the commissions and its staff the public records to aid the furtherance of the performance of the commission's duties.

Section 5. This ordinance shall take effect upon passage.

PASSED AND APPROVED THIS 28 DAY OF November, 1995.


Kent Harding, Acting Mayor

ATTEST:

Laurie J. Adams, Acting City Clerk