



DOCKS AND HARBORS BOARD MEETING AGENDA

June 26, 2025 at 5:00 PM

Port Office Conference Room/Zoom Webinar

- A. CALL TO ORDER** by Mr. Etheridge at 5:00 PM
- B. ROLL CALL:** James Becker, Tyler Emerson, Clayton Hamilton, Matt Leither, Nick Orr, Annette Smith, Shem Sooter, and Don Etheridge.

Absent: Debbie Hart

Also in Attendance: Carl Uchytel-Port Director (via Zoom), Melody Musick-Administrative Officer, Nicole Lynch- Deputy Municipal Attorney, Matthew Creswell-Harbormaster. Matthew Sill-Port Engineer, Greg Smith- Deputy Mayor, and Mr. Sahlander of Goldbelt (via Zoom).

C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES- NONE.

Motion made by Ms. Smith to approve the agenda.

Mr. Clayton objected to the agenda regarding the topic that Goldbelt would be tabled and addressed with the new Board in July.

Motion to approve the agenda passed 6 to 2 opposed.

D. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS— none.

E. APPROVAL OF MINUTES

- 1. Special Board Meeting, June 5th, 2025**
- 2. May 29th, 2025**

Mr. Hamilton asked for the minutes to reflect the conversation the Board held regarding the sale of the Seadrome property to Goldbelt to be tabled until the new Board members were appointed. Mr. Hamilton said that discussion related to this issue was omitted.

Ms. Lynch said that objections to the minute's usual contain recommended changes and asked if there were any recommended changes.

Mr. Hamilton said that he would request the conversation related to the sale of the Seadrome Property be tabled until the new Board members are appointed.

Ms. Lynch recommended that the Board and staff review the audio/video to include the discussion at the meeting.

Mr. Etheridge said the minutes' approval would be moved to the next Board meeting after staff review and any added information would be inserted.

F. CONSENT AGENDA

- 3. A. Public Requests for Consent Agenda Changes-none.**
B. Board Member Requests for Consent Agenda Changes

MOTION BY MR. ORR TO REMOVE THE GOLDBELT LEASE FROM THE CONSENT AGENDA.

Mr. Orr said regarding the property, if the property was flat revenue for the next 15 years, and if Goldbelt wants a new lease, a more appropriate approach is to sell it in an open market to someone who can realize the rent gains on this property. Once the lease is signed, no one can rent the property. If a reserve was put on the property, then Docks and Harbors wouldn't be any worse off than they are now.

Mr. Ethridge asked to pull the Lease for the Goldbelt Tram property from the consent agenda.

MOTION BY MS. SMITH TO ACCEPT THE CONSENT AGENDA AS AMMENDED.

Motion passed with no objection.

C. Items for Action

- 4. Taku Dock Use Permit**

Presentation by Port Director

RECOMMENDATION: TO APPROVE A USE AGREEMENT WITH TAKU SMOKERIES FOR ANNUAL RENTAL RATE OF \$10 PER TON OF GOODS CROSSING THE DOCK.

- 5. Engineering Design Contract - Aurora Harbor Drive Down Float**

Presentation by Port Director

RECOMMENDATION: THAT THE ASSEMBLY APPROVE A CONTRACT WITH PND ENGINEERS NOT TO EXCEED \$700,000 FOR PRE-AWARD DESIGN EFFORTS AS APPROVED BY THE MARITIME ADMINISTRATION.

G. UNFINISHED BUSINESS

- 7. New Goldbelt Lease**

Board Questions:

Mr. Orr explained that the flat revenue from 2015-2030, if passed, would not be a good financial asset for Docks and Harbors. He asked if Docks and Harbors treats the property

like an asset then the Board should explore selling it. If the property is worth \$3-5 million then Docks and Harbors do not have to sell the property and could leave the reserve. An alternative would be to sell the property and let a private enterprise renegotiate.

Ms. Smith said her understanding was that Docks and Harbors had the lease based on the appraisal, in addition to assessing CPI (Consumer Price Index) yearly so Docks and Harbors shouldn't be losing money on the property.

Mr. Orr responded that his understanding is that the rent goes back based on the appraisal. The appraised value is the same in 2015 as it is now in 2025. Mr. Orr said the appraisal seemed off and he disagreed with the appraiser using comparable property amounts as it should be an income-based amount for that property. It didn't appear to him that according to CBJ's ordinances that Docks and Harbors could use an income-based appraisal which ties D&H into a phenomenal increase over time. He said it would be worth exploring an income-based approach while the lease is up for renewal and Goldbelt wants to renegotiate the lease. Mr. Orr explained once a 35-year lease is set up, it is not attractive.

Mr. Ethridge said the lease will not be up for another 5 years.

Mr. Orr said Goldbelt would like the lease up now so that they can do development.

Mr. Hamilton asked Mr. Orr, what are the next steps?

Mr. Orr replied, before Docks and Harbors move forward with the motion, they contact a realtor, the realtor would then contact an institutional buyer base indicating what the property would be worth. Then that would attract institutional funds and then a sealed bid would provide reserve the money. If that didn't work, then Docks and Harbors could go back to signing the lease.

Ms. Smith asked if the property was sold then Docks and Harbors have a legal obligation to follow what the appraiser assessed value?

Mr. Ethridge said he had been told no.

Public Comment

Steven Sahlender, Juneau AK, Goldbelt

Mr. Sahlender said Goldbelt has been a pillar in the community for many years and has created opportunities and jobs. Goldbelt has had this lease for a long time and expected that the lease would go through. They hoped that development could be made as the tram is a top tourist destination. Goldbelt thinks that through taxes and that everything else they do to paying into the community, would speak for itself. Mr. Sahlender asked for consideration of Goldbelt's impact in the community; for its involvement, charity, and

scholarships and everything they do with their money. Goldbelt is not a public entity; they are a private entity that supports its people, and the people were originally from this Auke landing and Auke Bay. Goldbelt's preference would be that the motion goes back to the original motion, rather than the most recent Motion.

Mr. Uchtyl said he thought the Board needs to think through the ramifications of pulling the agreement and not leasing to Goldbelt. Goldbelt owns the property at the top of Mt. Roberts. They also have DNR leases for the tramway. Mr. Uchtyl said it would be short-sighted that Docks and Harbors would sell the property at the bottom of the tram knowing that the top of the tram is owned and held by Goldbelt. He said it would be odd to have two different owners, one at the bottom and one at the top, which would not be conducive to the operation of the tram.

Board Discussion & Action-

Mr. Hamilton said he liked the idea of options. He said he felt that looking at options was not irreparable.

Mr. Leither said Docks and Harbors owns the bottom and Goldbelt owns the top. He said having two owners would be the same if Docks and Harbor sold the property. He said that he didn't see a difference. He asked Mr. Uchtyl to respond.

Mr. Uchtyl said there would be an odd relationship should someone come in and outbid Goldbelt, then they would operate the levers of the Tram. Under the existing condition, he said it would be highly irregular. Mr. Uchtyl said at Docks and Harbors, one of our roles is to manage lands in the best interest of the community. Even if Docks and Harbors got someone to buy the lease at the base of the tram and building would be quite a leap of how Docks and Harbors typically managed our public lands.

Ms. Smith said there are currently three owners of that land; there is DNR, Goldbelt owns the top property and Docks and Harbor owns the bottom property. Ms. Smith opposes the motion and selling of any of the property.

Mr. Orr said he felt that the reason he brought this up is that the charge is flat on the lease of the land. From a financial standpoint, he said it would be a bad investment. While Goldbelt does much for the community, Docks and Harbors has the financial responsibility to our patrons. Mr. Orr said it would be his preference that we renegotiate a lease that is not flat fee over 5 years.

Mr. Leither asked whether Docks and Harbors gets to renegotiate every 5 years?

Mr. Etheridge responded yes and that every 5 years the lease is revalued using the appraisal process.

Mr. Sooter asked either Law or Mr. Uchtyl whether there is any contractual language in the current lease that stipulates review every 5 years? Or can it be extended?

Mr. Uchtyl responded that Goldbelt is operating on a 35-year lease that expires in 2030, so every 5 years by code, the property is re-evaluated. Docks and Harbors evaluates the

use of the property via contracted appraiser. He supposed that following the letter of the law that the property would not have to be appraised. Mr. Uchytel said the Board must review, every 5 years, the value of the property. The existing contractual language gives the lessee a one-time renewal of 35 years.

Ms. Lynch said Goldbelt currently has a lease for 35 years, and they have 5 more years on the current lease. If Docks and Harbor chooses to not renew this lease right now then, the 5 years continue. Ms. Lynch specified that this lease must go with ordinance to the Assembly. The Assembly can approve the execution, the negotiation of a new lease or if Docks and Harbors approves a negotiation on a sale. The lease is drafted based on the current lease extension and there is not an attentional extension drafted lease. If Goldbelt signs the new lease, they will be held to those 35 years.

Ms. Smith asked Mr. Orr what recommendation he would have if he were to change the lease. Ms. Smith stated that the lease is the amount of appraisal plus the CPI. When Docks and Harbors gets another appraisal every 5 years then CPI would continue only if Docks and Harbors had to renegotiate.

Mr. Orr stated he would recommend Docks and Harbors not use a comparable approach when getting an appraisal on properties. He said he didn't feel a comparable approach was appropriate rather, recommend an income-based appraisal as the property generates more revenue. Mr. Orr specified Docks and Harbors should seek someone who specializes in concession-based appraisals. He said the appraisal of comparing it to a jewelry shop next door was not the same thing. Mr. Orr answered Ms. Smith's second question, that if the CPI was added after every 5 years, then after the appraisal more CPI is added to the appraisal amount.

Mr. Leither said he was confused about 2015 as a flat rate. The last lease was \$200K annually. The new lease is \$270K annually.

Mr. Orr said in 2015 the lease was \$272K and then it went down. He said looking at 2015 to the extension of 2030, effectively, it's the same lease payment for 15 years.

Mr. Uchytel commented that Goldbelt has the lease until 2030. Goldbelt came to the Board in good faith wanting to waive 5 years of their current lease for another 35-year lease that would help their financial interests in obtaining a loan for repairs upwards of \$5 million dollars to repair the foundation. If the Board decides in 2025 to consider other options, Goldbelt will keep the lease until 2030.

Mr. Emerson commented that he would not be in favor of selling the land or extracting a higher rent. He said that Goldbelt has invested the money in the property which has created the value. Mr. Emerson said that under City ownership it was a piece of pavement that has not done anything to create any sort of additional value.

Mr. Sooter concurred.

Mr. Hamilton commented if you plug the 2015 amount into the current inflation index, it comes out to over \$400K. Mr. Hamilton said his moorage goes up with inflation every year and his business costs keep going up. Mr. Hamilton said he didn't feel that the lease

agreement should be any different. None of what Docks and Harbors does exists without the community, which Goldbelt acknowledges. He said it was insane to say that there is no value on our end.

Mr. Orr said that reading through the lease there was a revenue component in the original lease, Goldbelt was difficult to deal with and couldn't provide the information in a timely manner, there was a point when Docks and Harbor or the City decided to go away with the revenue-based component which ended up in Goldbelt's favor. This mismanagement got them low rates. If Goldbelt was able to honor the original agreement, the whole thing that was predicated on was that there was some sort of revenue sharing, which Docks and Harbors has gone away from.

MOTION BY MR. ORR FOR DOCKS AND HARBORS TO EXPLORE THE SALE OF THE GOLDBELT TRAM PROPERTY VIA A SEALED BID AUCTION WITH RESERVE ON THE PROPERTY AT \$3 MILLION DOLLARS.

Mr. Sooter objected.

Mr. Ethridge asked for a roll call on the motion.

Roll Call Vote:

Those in favor: Mr. Becker, Mr. Hamilton, Mr. Orr,

Those opposed: Mr. Emerson, Mr. Leither, Ms. Smith, Mr. Sooter and Mr. Ethridge

Motion as amended failed 3-5.

MOTION BY MR. SOOTER TO RECOMMEND THE ASSEMBLY APPROVE A NEW 35-YEAR LEASE WITH GOLDBELT, INC FOR THE TRAM PROPERTY AT A LEASE RENT OF \$272,007 ADJUSTED ANNUALLY WITH THE URBAN ALASKA CPI (CONSUMER PRICE INDEX).

Mr. Orr objected, saying he would vote for this because it is in statute that we must use the comparable method but that is inappropriate. He said it should be income-based, but because Docks and Harbors has moved away from revenue sharing, the rent has been flat for 10 years and will be flat for another 5 years.

Ms. Smith said she took Mr. Orr's comments to heart. Ms. Smith questioned whether it was in statute or is it in CBJ code? If it's in CBJ code, is it something that the Board can work on changing for the future?

Ms. Lynch said it is in code but didn't know if it was in a statute.

Mr. Orr said that he was referring to the statute that was in the last packet provided by Mr. Uchytel.

Mr. Ethridge called for a roll call on the motion.

Roll Call Vote:

Motion passed unanimously.

8. Remove Motion to Table - Seadrome Property sale to Goldbelt, Inc

Presentation by Board Member

Board Questions

Public Comment-none.

Board Discussion/Action-none

MOTION MADE BY MR SOOTER TO REMOVE TABLED MOTION PERTAINING TO SALE OF SEADROME PROPERTY TO GOLDBELT.

Mr. Hamilton objected.

Ms. Lynch said the motion is not debatable, as it just a vote.

Mr. Ethridge called for a roll on the motion.

Motion failed.

Mr. Ethridge called for a roll count.

Roll Call Vote:

Those in favor: Mr. Becker, Mr. Leither, Mr. Sooter, Mr. Ethridge

Those opposed: Mr. Emerson, Mr. Hamilton, Mr. Orr, Ms. Smith

The vote was 4-4.

Ms. Smith asked if this means that this will be on next month's agenda.

Mr. Ethridge responded whenever it gets scheduled to appear before the Board again.

Ms. Smith asked if it would be up to the new Chair.

Mr. Ethridge responded it could be put on the agenda at any time by the new chair or Mr. Uchytel.

Ms. Smith asked if the agenda item must be on the agenda, could she make a motion to put it on the next Board meeting's agenda.

Ms. Lynch said no, the process starts over as a new issue to be brought back to the Board. If the Board wants it to be brought back to another meeting, the Board will need to take it off the table and make a motion to postpone it to the date of the next meeting.

Mr. Ethridge said it's still on the table so it cannot be discussed.

Mr. Uchytel said that he works with the board chair in putting together the agenda. The Board will not see this item on the July meeting agenda.

H. STAFF, COMMITTEE, AND MEMBER REPORTS

I. PORT ENGINEER'S REPORT: Mr. Sill gave an overview of new projects.

- Aurora Harbor Phase IV – Mr. Sill said that construction will begin around July 5th. The contractors will start by tearing down and building a new approach in about 3 weeks. Mr. Sill said there is a lot of fabrication going on in the background but there won't be a lot of progress until the fall on that project.
- Statter Harbor Phase IIID- Mr. Sill said the paving and uplands improvement project with Dawson has begun construction. There is a lot of coordination going on between Docks and Harbors staff and the tour operators. They just started rebuilding the kayak launch ramp so that project is just getting going. That project is being watched very carefully. There's a tremendous amount of coordination going on to make that go smoothly to have a construction project going on at the same time as one of the busier tourism operations in Juneau.
- Taku Harbor Improvement Project- Mr. Sill said that the replacing of all the old boarding floats with gangways is moving along nicely. Docks and Harbors had a pre-construction conference with Trucano Construction. No progress will be made until spring as there is a long lead time on the fabrication of the aluminum catwalks and aluminum gangways. The fabrication does not begin until November so that's why that will be a spring project when the weather is better.
- The Statter Harbor Office Re-Roof – Mr. Sill said that notice to proceed has been issued and Docks and Harbors are scheduling a pre-construction conference. So far the project is on track for completion before winter.

Mr. Hamilton asked who got the bid for the Statter Harbor Re-Roof?

Mr. Sill answered Dawson Construction, and it was approximately \$190K. Docks and Harbors is pleased that the engineers estimate for the project was high and that bids were favorable.

J. HARBORMASTER'S REPORT: Mr. Creswell reported:

- Port Storm Response: Mr. Creswell said that last Monday there was a storm that came up very quickly in the downtown area. The Celebrity cruise ship tied up at the AJ dock that came up broadside to the prevailing wind. It was a storm with sustained 65-mile per hour wind. The ship had been docked for about an hour when the storm hit. The standard mooring lines set, with no warning of a large storm coming up. The Celebrity's bridge watch realized once the storm hit that their bow lines started coming off the dock and proceeded to dump the remaining lines to prevent damage to ship or damage to dolphins. The ship set the anchor down and got propulsion as they had the Carnival ship behind them. The Carnival ship was able to maneuver to give the Celebrity ship plenty of time to get their anchor grab and get propulsion up. No one was hurt. No structure was damaged, and emergency plans worked the way they should have. Mr. Creswell said he went down to AJ Dock with Mr. Green of Cruise Line Agencies of Alaska and the AJ dock representative. Mr. Creswell immediately notified the Coast Guard, and the cruise line worked with the pilot on board the ship. A tugboat was on standby, and the dock and ship staff were able to retrieve all the lines that were either

dumped, departed or hooked on to the dolphins. The ship was able to get their lines onboard and come back alongside the dock. Mr. Creswell said there were some logistical issues as far as whether to lighter or not lighter there people ashore. It turned out to be a quick enough evolution that passengers did not lighter to the ship. The ship and crew were happy with the way things were handled. There were additional buses at the AJ dock for people to take cover from the weather, but then it turned out to be sunny and 65 degrees after the storm passed. Everyone was able to nicely recover in the sunshine. Mr. Hinton and Mr. Creswell scheduled a debrief with the captain of the ship for this coming Monday. The debrief will cover lessons learned, best practices and ways to move forward in the event of something like this happening again. The weather service responded appropriately by issuing warnings and making phone calls. Kudos to the National Weather Service.

Ms. Smith said that it was her understanding that the Coast Guard was doing a report on the event. She asked if that copy can be made available to her.

Mr. Creswell felt that it may be two years before he would see that information, but it will probably be public information.

Mr. Leither commented that it sounds like everything was handled expertly. Mr. Leither asked what happens when people are on the gangway and people are in the water in storm events. What is Docks and Harbors liability in that situation? Is it Docks and Harbors responsibility to adjust procedures to ensure this doesn't happen again? Or is this a cruise ship and long shoreman situation?

Mr. Creswell said Docks and Harbors liability and that dock was none, because the dock is privately owned. Docks and Harbors cruise ship docks are not perpendicular to the wind, so risk is lower than AJ's dock. AJ has always been a point of concern for as they sit perpendicular to the channel and the prevailing forces come up the channel that's why we want to debrief and see what we can learn from the ship.

Mr. Leither said he was appreciative of the good job that was done. He asked if there is a ship at the AJ dock, a privately owned dock, was it Docks and Harbors responsibility to step up?

Mr. Creswell said as Harbormaster he is involved in any emergencies that involve the maritime world. If Juneau continues to see storms of this nature, Mr. Creswell said he would activate the ICS structure and start a formalized command. Docks and Harbor started an informal command in a minivan at the AJ dock, and it was a divided and conquer approach between himself and Mr. Green. As far as next steps, communicating proper authorities, letting the Port know, getting clearance from customs to have crew, ships longshoremen on the dock dolphins. He said that the Harbormaster isn't always required to be there, but once there he was put to work.

Mr. Hamilton said is the Huna Totem dock going to be in the same situation, due to the perpendicular position of their dock?

Mr. Creswell responded he could not speak to that as he had not seen a final plan for the orientation of their dock design.

Mr. Becker said he didn't feel that the question about liability was addressed. He felt that should be pursued should a gangway fail.

Mr. Creswell answered that he could not speak to the liability right now but would investigate.

Ms. Smith said in the maritime world, the philosophy is that we all work together in an emergency. If it comes to a liability issue, that was a private dock. Does the liability ride with the cruise ship or Docks and Harbors?

- DNR Abandoned Derelict Vessel Reimbursement- Mr. Creswell said at the last meeting he had applied to DNR for disposal reimbursement of abandoned derelict vessels. Nine applications were submitted for the period of April 1st, 2024- May 31st, 2025. All 9 applications received approval for a total of \$84,320 from DNR. This reimbursement has covered most Docks and Harbors abandoned and derelict vessels over the last year. Mr. Creswell said that he didn't know if this money was only funding at one time or if it would be made available again. Should the funding be available again, he said that Docks and Harbors would continue to submit applications in the future. Mr. Creswell said that he is pleased by the result. Mr. Creswell said that in current vessel disposal news, the motor vessel Seal in A-float at Aurora Harbor, was successfully towed to Thomas Bay near Petersburg last week.
- Facility Maintenance- Mr. Creswell said there was a very low tide this morning, so staff re-positioned a loader and sweeper at the Auke Bay Loading facility and at the launch ramp and swept the green off.
- UAS Internship Program- Mr. Creswell said a new intern will be starting next week with the Docks and Harbors partnership with the University. Overall, very pleased with the results of the program.
- Cruise Ship Update- Mr. Creswell said that the Port are doing 8 ship turns this year and they are going very well. Docks and Harbors has a x-ray machine owned by CLAA that they bring on sight to screen bags. That is working very well and approved by the Coast Guard.
- Fourth of July Planning- Mr. Creswell said that next week, Juneau will have July 3rd fireworks and the July 4th parade. Docks and Harbors have been coordinating with JPD and CFR. Mr. Hinton and Mr. Creswell met last week and got together a press release regarding fireworks and safety on the Sea Walk.
- ROV- Mr. Creswell said that the remotely operated vehicle, the submersible vessel that Docks and Harbors has purchased has already paid for itself several times. Docks and

- Harbors are using it extensively with the Army Corp of Engineers for the Harbor breakwater study. Mr. Cryts, the staff operator, has taken it on and is adept at using it.
- Downtown Harbor Maintenance- Mr. Creswell said that the team is continuing with summertime pressure washing. Docks and Harbors received lumber for the rebuild of the Douglas float after damage from the fire last year. It will be delivered tomorrow to Aurora Harbor. We plan to get that float rebuilt and re-installed shortly following.
 - Statter Harbor Update- Mr. Creswell said messaging and operations with the Statter Harbor construction is going as well as can be expected. Docks and Harbors have felt the pinch a little bit from removing the employee parking and the spots that were located by the restrooms. Mr. Creswell said he didn't think that it would play into the construction congestion, but it is. Mr. Creswell said he is discussing a plan with Mr. Norbryhn for additional parking options should it be needed. On busy days when there are a large group of locals going out on either Goldbelt or Allen Marine there's a bit of a clog in the Harbor.
 - Army Corps of Engineers Breakwater Feasibility Study- Mr. Creswell said that Docks and Harbors received a public complaint today, as part of the general investigation there was a need for crab pot surveys being done around the project area. Docks and Harbors assisted the crew in setting crab pots. A member of the public made a complaint at City Hall that a Docks and Harbor member was pulling crab pots, which was true; however, for research purposes.
 - Amalga Harbor- Mr. Creswell and Mr. Norbryhn went to Amalga harbor this morning at a negative 3.9 ft tide. They found there was significant silting on the south side of the ramp. Mr. Creswell said they would be working with Mr. Sill to come up with a plan to get that cleared up. There may be an option for a nationwide permit to dredge up 25 yards without having to get a special permit. Mr. Creswell said he was hoping to do that in October during the low tide cycle but may have to wait until spring. The north side is still fully useable.
 - Sea trials- Mr. Creswell said that sea trials are still in progress as Ms. Thrower has been making headway with the downtown boats. Mr. Norbryhn has got notices out in Statter Harbor so there is some movement there. Mr. Creswell said staff are working to bring people into compliance with Docks and Harbors Sea trial requirements.

Mr. Hamilton asked about Douglas boat owners and sea trials and whether exemptions were available. Would a patron need to come to the Board for an exemption?

Mr. Creswell said he has already acted in that situation. As soon as the patron made Docks and Harbors aware, they handled the concern.

Mr. Hamilton asked when the Douglas parking lot would be handled.

Mr. Creswell said he has gone out with an RFQ and hopes to have a quote by next week.

- K. **ASSEMBLY LIASON REPORT:** Mr. Smith said he was asking the City Attorney about whether Docks and Harbors is bound by State law on types of appraisals for lease properties. The Assembly met on June 9, 2025 on to discuss the budget, the Capital Improvement Plan, the mill rate, and a proposal to approve the collective bargaining unit for MEBA employees. They are aware of the improvements in Taku Harbor and approved the commercial passenger vehicle regulations moving those to code. There was discussion regarding refunding Docks and Harbors bonds. The Statter Harbor Roof Repair was approved for \$199K. The Assembly met earlier this week and made appointments for the Docks and Harbor Board and appointed Ms. Smith, Mr. Mark Ridgeway and Mr. Robert Horchover to the Board. Mr. Smith said that on behalf of the Assembly he extends his thanks to the outgoing Chair, Mr. Etheridge, for his long and many years of service on the Docks and Harbors board and Ms. Debbie Hart for her service.

Ms. Smith thanked Mr. Ethridge for being the chair and for his leadership.

Mr. Leither asked who all applied for the Docks and Harbor board.

Mr. Smith answered he believed there were 8 applicants.

Mr. Hamilton asked how many interviews were done.

Mr. Smith responded there were 2 who didn't interview so 6 were interviewed.

L. **PORT DIRECTOR'S REPORT:**

Mr. Uchytel said the question from Ms. Smith of liability at various cruise ship berths was a difficult question. Mr. Uchytel said what would happen if there was a major mishap, the Coast Guard would investigate all major mishaps and there would be culpability or findings of responsibilities. A determination would be made on whether it was an infrastructure failure, whether it was a structural failure or whether it was a failure from the ship's crew or the pilot. He said it was complicated to ask what our liability is at City owned docks. All maritime mishaps are adjudicated by the Coast Guard. Mr. Uchytel said he felt very good about the layout of City Berths and said he felt strongly that our structures are strongly built and maintained. Mr. Uchytel said at next month's Operations and Planning Committee meeting it will be an odd month with the new Board getting seated at the July Annual board meeting. The Ops committee is made up of minus the same body, Mr. Ethridge and Ms. Hart so it will be a 7-person meeting. Mr. Sooter will chair that meeting. The July Regular Board meeting will conduct elections for the Board Chair, Ops and Vice Chair.

Mr. Leither thanked Mr. Uchytel and complimented Docks and Harbor staff and facilities. He said he works as a doctor and if he had come to a car accident, he would be legally protected if he jumped into that situation even though he doesn't have malpractice coverage. That's following the Good Samaritan Laws. Mr. Leither asked whether there are similar laws that protect Mr. Creswell if he jumps into overseeing an accident that is not his responsibility.

Mr. Creswell responded that he didn't have the authority to direct operations upon the water. The Harbormaster job depends on what jurisdiction in that area; there are different authorities, which vary by state.

M. COMMITTEE ADMINISTRATIVE MATTERS

1. Next Operations and Planning Committee Meeting- July 24th, 2025.
2. Next Regular Board Meeting- July 31st, 2025

Mr. Hamilton asked whether he could make a motion not to have an Ops meeting next month as it's a busy time of the year.

Mr. Sooter said he thought that discussion could be held later if anything important didn't come up.

Ms. Smith said she felt it could always be canceled.

Mr. Ethridge said Mr. Sooter will chair the Ops meeting.

- N. SPECIAL ORDER OF BUSINESS** – Mr. Uchytel said on behalf of staff and other Board members he wanted to thank the Chair, Mr. Ethridge for his dedicated service to the community and Docks and Harbors especially. Mr. Uchytel said he appreciated his leadership and everything he has done. As a special note, Mr. Ethridge has helped with organizing the citizens' patrol. He was the impetus of bringing on Docks and Harbors nighttime watches. He wanted to thank Mr. Ethridge for his initiative, guidance and leadership and for showing up for all the meetings. He said he felt Mr. Ethridge should be very proud of the job he's done and that he has accomplished as the Chair of Docks and Harbors. He said Mr. Ethridge has been Chair since 2017 and it's been a pleasure to work with him.

O. ADJOURNMENT - Ms. Smith made a motion to adjourn.

Motion approved unanimously.