

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA
For Thursday, June 24th, 2021

Zoom Meeting
<https://bit.ly/3rnMB5W>
via Phone 1-253-215-8782
Meeting ID: 932 8132 4565
Passcode: 333125

- I. Call to Order** (5:00 p.m. via Zoom)
- II. Roll** (Lacey Derr, Chris Dimond, James Houck, Mark Ridgway, David Larkin, Annette Smith, Bob Wostmann, Jim Becker and Don Etheridge)
- III. Approval of Agenda**

MOTION: TO APPROVE THE AGENDA AS PRESENTED.
- IV. Approval of May 27th, 2021 Board minutes & June 7th, 2021 Finance Sub-Committee minutes.**
- V. Special Order of Business**
- VI. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time).
- VII. Consent Agenda –**
 - A. Public Requests for Consent Agenda Changes
 - B. Board Members Requests for Consent Agenda Changes
 - C. Items for Action

- 1. Fee Modification for Tour Sales Permits (05 CBJAC 10.040)
Presentation by the Port Director

RECOMMENDATION: THAT DUE TO THE EXTRAORDINARY ECONOMIC HARDSHIP FOR CY2021, THAT THE FEE FOR TOUR SALES PERMIT BE REDUCED TO \$1500 FOR THE REMAINDER OF THE CY2021 CRUISE SEASON FOR ANY COMPANY WHICH WAS PERMITTED IN CY2019.

MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED

VIII. Unfinished Business

- 1. Dockage Fee – Next Steps
Presentation by the Port Director

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Committee Questions

Public Comment

Committee Discussion/Action

MOTION: FOR THE DOCKS & HARBORS BOARD TO FORWARD A LETTER TO THE CBJ MANAGER RE-ENGAGING THE DISCUSSION TO INCREASE THE DOCKAGE FEE UNDER 05 CBJAC 15.030.

IX. New Business - None

X. Items for Information/Discussion

1. CBJ RecycleWorks – Gill Net Recycling Challenges
Presentation by Stuart Ashton, Operations Manager

Committee Discussion/Public Comment

2. Auke Bay Loading Facility – Guide Pile Removal Option
Presentation by the Port Director

Committee Discussion/Public Comment

3. Professional Consulting Services for Comprehensive Fee Review
Presentation by the Port Director

Committee Discussion/Public Comment

4. CBJ Fireworks Ordinance – Communication to the Assembly
Presentation by the Port Director

Committee Discussion/Public Comment

XI. Committee and Member Reports

1. Operations/Planning Committee Meeting- Thursday, June 16th, 2021
2. Member Reports
3. Assembly Lands Committee Liaison Report
4. Auke Bay Neighborhood Association Liaison Report
5. South Douglas/West Juneau Liaison Report

XII. Port Engineer's Report

XIII. Harbormaster's Report

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REGULAR MEETING AGENDA (CONTINUED)
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XIV. Port Director's Report

XV. Assembly Liaison Report

XVI. Board Administrative Matters

- a. Finance Sub-Committee Meeting – TBD
- b. Ops/Planning Committee Meeting – Wednesday, July 21st, 2021
- c. Board Meeting – Thursday, July 29th, 2021

XVII. Adjournment

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, May 27th, 2021

Zoom Meeting

I. Call to Order (5:00 p.m. via Zoom)

II. Roll – The following members were present via zoom or in person: Lacey Derr, James Houck, Mark Ridgway, Annette Smith, David Larkin, Jim Becker and Don Etheridge.

Absent – Chris Dimond, and Bob Wostmann

Also Present - Carl Uchytel – Port Director, Jeremy Norbryhn – Deputy Harbormaster, and Teena Larson – Administrative Officer.

III. Approval of Agenda

MOTION By MR. RIDGWAY: TO APPROVE THE AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

The motion passed with no objection.

IV. Approval of May 3rd, 2021 Board minutes and May 19th, 2021 Special Board minutes.

Hearing no objection, the Regular Board minutes of May 3rd, 2021 and the Special Board minutes of May 19th, 2021 were approved as presented.

V. Public Participation on Non-Agenda Items-
Matthew Leither, Juneau AK

Mr. Leither thanked staff for the minutes being posted faster than in the past.

VI. New Business

1. CY2021 Dockage Special for Cruise Ship Fees in accordance with 05 CBJAC 15.030(i)
Mr. Uchytel said this was left on the agenda, but with this not being approved by the Assembly there is no need for this now. If the Assembly would have adopted this fee increase, this would have reset the dockage fees for this calendar year back to what was proposed in a memo in January. He said this will be a good opportunity to talk about the meeting on Monday with the Assembly and try to craft another direction. He played the video from the Assembly meeting on May 24th where they discussed the Dockage Fees. The link for the Assembly meeting is vimeo.com/cbjuneau. This is an appropriate time for the Board to discuss where we are at and where we want to go at this time. There is a Finance Sub-Committee meeting on Monday June 7th and it has been publically noticed.

Committee Questions

Mr. Ridgway recounted what he heard from the Assembly meeting that they want to know the specifics of the rate increase which the Board does not have at this point, the overall Board approach on a rate increase, and the implication that Docks & Harbors public process was not demonstrated. Before going back to discuss the rate increase, each one of the items recounted needs to be addressed. What does the Assembly mean

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by public outreach versus what the Board believes has been done. Our meeting were public meetings and noticed. There was many people that got to speak on the regulation changes through letters, emails, and discussion which had an impact on this Board's thinking. This was also posted on Docks & Harbors facebook page. He believes staff advertised more than what he believes is required for the Board's intent to raise these fees. He really would like to hear from the Assembly what they believe the Board is not doing. It may come down to whether the Board provided the Assembly with the corrollogical chain of events regarding how many public meetings were held, how much advertisement, and how much public testimony.

Mr. Uchytel said the role of an enterprise Board is to carry out and execute on behalf of the Juneau community. In the past, Assembly members have given deference to the Board to ensure the work and staff action meets what is required in ordinance regarding the public process. If there is a higher standard that the Assembly is looking for, he just needs to know what that standard is.

Mr. Ridgway said he believes staff did go above and beyond in some instances but the Board may not have communicated to the Assembly that was done.

Mr. Etheridge said he knows staff sent out emails to all known live-aboard patrons on the fee increase also.

Mr. Ridgway commented there was a lot of public input on the live-aboard rate increase and he believes that is an indicator of public process.

Ms. Smith said this seems like there is a failure to communicate. She did not like the Assembly acusation that the public process was not followed. The Assembly should have looked into this more before they spoke. However, since they have spoken, she would like to know where the failure was. The documentation the Board has read from the Port Director has been outstanding and thorough and the Board even held a Special Board meeting for people to speak on the fee increases. Is the issue that the information transferred to the City Manager was not transferred to the Assembly? Where is the breakdown in communication?

Mr. Etheridge said that is the communication we need to have with Assembly members and the Mayor to find out what happened.

Mr. Becker said he believes the Board should have had the message out that we were looking at all the rates because some of the rates have been in place for a long time. The rates should be looked at in a timely manner. The fee increase proposals were legitimate in his mind. There are people falling through the cracks but there are agencies that help with that and living in Juneau is expensive. He does not believe the Board failed in the fee increase process and would like to hear from the City Manager after he reviews this.

Mr. Houck asked if the Assembly Liaison spoke up at the Assembly meeting to let them know our public process, and is there any preliminary direction from the City Manager to act upon today?

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Mr. Etheridge said the Assembly Liaison did not speak on our public process.

Mr. Uchytel said the City Manager is currently on leave and he has not heard from him.

Mr. Larkin said his take away from the Assembly discussion was not that they questioned the public outreach but they had no evidence they could look at on our public outreach. He believes there needs to be a better description to them on what the Board has gone through. Moving forward, he suggests to do a better job getting the word out for meetings. He is wondering if a notice for future meetings could go in with the monthly bills?

Mr. Ridgway said in terms of the overall communication with the Assembly, do they understand the potential impact for sending this back which means we are not getting additional funds for the Harris gate and other harbor needs?

Mr. Uchytel said he does not believe the Assembly knows the gates are a high priority for Docks & Harbors.

Mr. Ridgway asked if they know where Docks & Harbors is financially and without a rate increase things will not get done?

Mr. Uchytel said they were briefed on our financial budget and asked for an update which was provided. They know Docks will be taking approximately \$800,000 from the fund balance and they were also told there is a very slim margin for our Harbor Enterprise to operate in the black this fiscal year. There is no reason to assume the Assembly does not know Docks & Harbors financial situation.

Public Comment –

Matthew Leither – Juneau, AK

He said having a sign at the top of the gangway going down to the harbor everyone would see. There are other signs there, but not for these meetings.

Committee Discussion/Action - None

No Action taken on this topic

VII. Items for Information/Discussion

1. Professional Consultant Support for potential Harbor Rate Study

Mr. Uchytel said he was encouraged by Board Members to look into hiring a consultant to conduct a rate study. This is something that is done quite frequently throughout Alaska harbors and done due to necessity where it is difficult for the port authority or an advisory board to come to some consensus with the harbor rates. He has online from Northern Economics, Mike Fisher from Anchorage. Mr. Uchytel said Mr. Fisher is a long time colleague through AAHPA and he has known him for ten years. He is here to speak to what a rate study could look like and answer questions. If the Board decided on a rate study, Northern Economics would not just be given the job but this would need to be a competitive procurement action.

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Mike Fischer, Northern Economics, Anchorage, AK

Mr. Fischer said his company has done rate studies all over the state. He talked about his company doing a rate study in Sitka. The engineers did an extensive study of Sitka's facilities and developed the capital plan in terms of what was needed and Mr. Fischer then took that information and developed a set of rates and plan to increase the rates over time for different user groups that would accomplish their goals to pay for the improvements or harbor needed maintenance. We also did studies for smaller communities that they applied for a grant and they needed to demonstrate that they had a sustainable operation and they used the study to apply for a grant. This presentation is to provide information for this Board. There are two kinds of rate studies. A simple approach is a market base rate study which is focused on making sure your competitive against other facilities in your region. It is popular but does not necessarily meet financial goals. A market study is not always the solution when you are having financial needs. The second kind of market study is the cost based study. This would be deciding on a fee to make sure the facilities will be operational and sustainable from a financial perspective. The other approach is to do with cost allocation and equity issues. This study would look at what activities or users are driving costs. This would be to have a good understanding on how to allocate the costs to all the different parties. In doing these studies, there can be a lot of different choices to get to your goals. Rate studies can take a look at the bigger picture.

Committee Discussion/Public Comment

Mr. Etheridge asked for a range in cost for a study.

Mr. Fisher said in the lowest range for Docks & Harbors would be \$10,000 to \$15,000 but in most cases it will be more in the \$20,000 to \$30,000 range. A really detailed study would be a little over \$30,000. The high end would be \$30,000 to \$35,000.

Mr. Becker asked if he did a rate study for the Sitka Harbor?

Mr. Fisher said they did a study that was part of the master plan which included a lot of work from the engineers. When the engineers were complete, that is when he did a lifecycle cost. There was an immediate cost increase for transient users and a five year step increase for other users so there was decisions on how to divide that up.

Mr. Becker asked if his company would start with an initial rate increase and then make recommendations for periodic rate increases.

Mr. Fisher said this would be up to the Board on what they wanted to pursue either a large increase or step increase but there are a lot of options. There are recommendations for adjusting for inflation. Sitka's City Council has to vote on increases every year but it is understood that they will make adjustments according to the price index so it is an easy process because everyone has agreed to that.

Mr. Ridgway asked what the timeline for a study would be? Do the rates have the operational costs built into them?

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Mr. Fisher said market based study is relatively quick and could be completed in a month or two. For a cost based study and using our engineering staff the development of the models can be done in maybe a month or two and with completing the analysis could be completed in about three to four months. In terms of separating out the cost per item, that can be done, and there are several ways to do it.

Ms. Smith asked why we are looking into a harbor rate study because we do not trust our own staff for this information or there is not enough experience. As she listens to the presentation she sees the harbor gate going out the window and if we decide to do this study, what message is it going to send to our Harris Harbor patrons. She does not think it is a good message.

Mr. Etheridge said he does not believe whatever staff comes up with that people are going to believe it. If we go to a third party, there is a better chance for justification for a rate increase, and there are several rate increases needed. This may be easier to have public buy in on it and to get through the Assembly.

Ms. Smith said spending the money on this, over \$25,000, what are we telling our Harris Harbor patrons when we tell them we can not put the gate in because we are paying for this expensive study.

Mr. Ridgway said staff spends a lot of time putting together a package and the Board did not move forward the recommendation from staff. Those funds would have gone to the new gate. We need to raise the money first and he believes this is a significant path forward. This will raise money not just for the Harris gate but for additional gates as well.

Mr. Etheridge said there is more than just the gate to worry about, there are ladders, lights in Douglas, there are a lot of issues. We need to increase the rates to be able to do the needed projects. He said this will give Harbors an opportunity to increase the rates and have back up with the numbers and to get the rate increases through the process without a lot of fight.

Ms. Smith said she understands what the Chair is saying but there can be a lot of money spent on this study and there is no guarantee the Assembly will accept it. She does not think this will do any good but just throwing money away. Unless we can get some assurance from the Assembly, she can not support a rate study.

Mr. Houck asked if the Board would have approved the rate increase, how much money would that have generated per year?

Mr. Uchytel said the \$69.00 live-aboard increase would have generated approximately \$115,000 per year. The increase to the dockage fees would have had a increase of about \$150,000 per year. The increase to the dockage fee would not have raised the fee for any Juneauites.

Mr. Houck said given these increases would have raised \$265,000 and we are looking at paying at least \$30,000 for a survey to back up our fee increases, his intent is to call every Assembly member this week to explain to them how much time and effort the Board

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members put into this and their submissiveness is disappointing to him as a Board member who is up for continuation, or not. It does not make sense to spend another \$30,000 on something that he sees is a no brainer. It is worth restating the fact that no one with 99801 or 99802 zip code is going to be affected by the dockage increases. He said it is worth the Board members time to spend some one-on-one time with the Assembly members and he will start at the Manager's office and work his way down.

Mr. Etheridge said it is not just the Dockage fee but all the fees that have not been increased in many years.

Mr. Ridgway said he is hearing from some of the Board members tonight that the Assembly indicated this Board was incompetent and he is only aware of this video that was shown tonight. He said the Assembly did not pass the Dockage fee increase and there was possibly a communication issue, but if someone has said this Board is incompetent, he would like to be aware of that.

Ms. Derr said not moving the live-aboard fees forward showed the Board did not do all their homework. Seeking an outside source is valuable because we are talking about increasing all our fees. One of the biggest complaint is that only two user groups are targeted. Working with a group that will build in a rate system moving forward will mean that we can be sustainable and have money for projects. It will cost money that we really do not have, but this will show the Assembly that we have done our homework. She is looking forward to having the fees spread out over all the fees and not just one user base.

Public Comment-

Mr. Russell Peterson, Juneau, AK

Mr. Peterson said it seems a little odd for something that is going to go out to bid. There is only one person here tonight that has been a long time colleague of Mr. Uchytel's. The first thing he heard him say in a joke-like was: "what number do you want". He did not hear anything about working with patrons to hear their side of no lights in the parking lots and the value that we do not have. He thought it was interesting to meet the person that caused Sitka to have the highest live-aboard fees in the entire state of almost \$200 or more. In regards to the sustainability part, lets just stop spending money. This study is \$35,000 plus the cost of engineering, which he said would be double, good if we can use our own but the price is up to approximately \$100,000. That is the entire next years live-aboard fees that has not even been collected yet. He recommended to work together to win hearts and minds and have bake sales and get people to donate money if it is needed that bad. He hopes that more people are inspired to get involved and trusting in the process. He did not hear that Mr. Fisher worked with the patrons because that is what this should all be about. A fee increase for anyone not in 99801 he likes. Everyone likes gouging the tourists, so lets do that and not feed off ourselves.

Mr. Etheridge verified that Mr. Fisher was here on invitation to give the Board information on what can be done, and how it looks when it is done. He is not here to bid on anything or set rates.

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Mr. Clayton Hamilton, Juneau, AK

Mr. Hamilton said he is comfortable with a cost based analysis but not with a market based analysis. Will the base moorage be evaluated. There is a formula currently that kind of works, would this study re-evaluate the moorage formula that is defensible or are we just going to pay someone else to do our homework. As a public enterprise, is there concern with spending this money this year? If this does move forward, he would like this to be a cost based analysis and limited to an assessment of our current spending and not projected spending that includes all kinds of pipe dreams.

Mr. Etheridge said Mr. Fisher is providing the Board with what is available and how the Board can use it.

Mr. Dennis Watson, Juneau, AK

Mr. Watson said he can not remember how many studies the City and Borough of Juneau has done and no action was taken after completion. If we do studies and nothing, the only person happy is the person doing the study. We are in this current situation because there was not a simple process of how all the fees are evaluated. We let the live-aboards go on and on and no increase but everything else has increased. The water rates for the cruise ships which finally got fixed but he is not totally sure how that fee is. There are a lot of fees that have not changed for many years. It is imparitive that we do some kind of program to get there. He does not have fault with an increase and the credibility of the Harbor Board is at stake if you keep trying to do it on your own. He heard dissatisfaction from the Assembly members and it was very pointed and a tad bit on the nasty side.

Mr. Matthew Leither, Juneau, AK

Mr. Leither said he is wondering if a study like this has been completed previously and if it has to do an update or gain some information from a previous set of studies. He wanted to address the discussion about the live-aboard fees not going up and being behind the eight ball on increasing those fees and that is why the Harbor is in the hole we are now. He looked back to as far back as he could find on the moorage rates and from 2007 to current, all the other rates have increased 22%. If you are thinking about increasing rates to be commensurate with the other fees you should raise 22% and not 100%.

Mr. Etheridge said his years on the Board he has not seen a rate study.

2. Dock Electrification Study Briefing

Mr. Ben Haight with Haight & Associates provided a briefing on the Dock Electrification study for the new cruise ships. Brandon Ivanowicz with PND Engineers will talk about the configuration of facility for cruise ship connections, Jim Calvin with McKinley Research group will discuss the economics of the installation, and Jim Rehfeld has been assisting with the energy analysis.

Committee Discussion/Public Comment

Ms. Smith commented that it looked like the Engineering design was based on how ships are configured now, but has anyone looked at planned configuration for future ships, and does the design meet those needs as well?

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Mr. Haight said the information collected from the cruise line agencies indicated that several of the new ships were considered in this study. There are some that have connection on both sides and some that have connections on the port side. This study is based on the most recent information received, and there is no indication it will vary that much.

Mr. Houck said he is curious with the FERC [Federal Energy Regulatory Commission] ready to begin license for construction at Sweetheart Creek, why was that not mentioned in the presentation? When they are estimating an increase in power of 25% over what is currently produced?

Mr. Haight said he did not mention it but it will be addressed in the report. We do acknowledge that the construction of Sweetheart Lake as well as Sheep Creek and possibly Lake Dorothy phase II can add capacity to the system. These are considerations that need to be worked through AEL&P and how does that affect their tariffs as well. There is the potential for more capacity to address our needs.

Mr. Houck said in his experience increasing the number of supply from five hydroelectric to possibly eight, would not only increase the capacity but also the reliability of the power. He asked if he was incorrect in that assumption and how so?

Mr. Haight said it would increase the capacity and when something is increased of that size, you have to be able to sell an adequate amount of energy to make your return on your investment.

Mr. Ridgway asked if there is any other avoidance beside 12% of emissions? What does 12% come down to in terms of emissions and what other benefit might there be?

Mr. Haight said the benefit is that it is a reduction of smoke in the Port which is gas emissions. Basing this on a high level perspective is with the assumption that all the ships are operating the same and that is not always true. Some of the ships are converting from heavy oil to natural gas or propane type engine and this changes the emissions content. It is an estimate to decrease the amount of emissions by 12%. The other advantages are less engine noise while in Port and economics.

Mr. Houck said in 2016 the Assembly charged the Juneau Commission on Sustainability with figuring out how to increase our hydroelectric production in Juneau to 80% with it being currently between 40% and 50%. We sell our energy to our non-interruptible sources and homes between \$.11 and \$.14 cents per KW hour. Princess on their own, built their own, and decided to buy power on a interruptible basis, they are doing it at 25%. Even the ships that run on propane are still producing CO₂ which is the gas we are all trying to reduce. Producing with propane or diesel are second only to nuclear in cost per KW hour. He believes if given the opportunity, these ships would not only hook up to our system and pay \$.20 to \$.25 cents per KW hour for the energy, they would make all future ships capable of connecting to these docks on either side. If the State of Alaska and Juneau requested them to hook up, and if they do not, there would be fiscal penalties to recapture the harm that is being done to our community. We can not make them do it because we are not federal, but we could incentivize this economically to make

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that happen. He believes 12% is too low of a number given the behavior that has been shown by Princess over the last ten years.

Mr. Russell Peterson, Juneau, AK

Mr. Peterson asked what the failure rate is on power supplied. He asked if the power on the new docks would be more stable than the power in Aurora Harbor where, if certain things are plugged in, the entire Harbor shuts off? He said this is unrelated but he would like Mr. Haight to come back and address the harbor issue, and he would come back to listen. He appreciates trying to lower the emissions downtown.

Mr. Haight said the cruise ships are required to maintain certain protecting relay that is more sophisticated than we see in the smaller harbors. There are some challenges with connecting ships to shore and synchronizing them without creating chaos on the utility. This is something that is continued to be studied to make it easier for the utility and the cruise lines. A lot of this will involve synchronizing software. The cruise ships systems are pretty stable.

Mr. Duff Mitchell, Juneau, AK

Mr. Mitchell asked if there was a cost for each of the 30'X 66' power floats?

Brandon Ivanowicz with PND said the float shells are roughly \$300 per square foot which equates to \$831,000.

Mr. Mitchell asked what the total cost would be.

Mr. Ivanowicz said roughly \$1.1M.

Mr. Mitchell said was there consideration given to a rail tram system on the catwalk over the floating dock cost that would eliminate the electrical equipment being at the water level and longshoreman and other factors of safety.

Mr. Ivanowicz said he had not seen that system supported on rails from a catwalk.

Ms. Derr asked for point of order. This is going out of the bounds of public comment and into a question and answer time.

Mr. Mitchell commented that analysis needs to be done for firm rate payers.

Ms. Anjuli Grantham, West Juneau, AK

Ms. Grantham said one of the Visitor Industry Task Force recommendations to CBJ is to maximize shorepower by all cruise lines by requiring CLAA to assign shorepower configured ships to electrified docks once additional shorepower infrastructure is in place. The presumption by most members of the community of Juneau and especially the task force, that there will be additional shorepower infrastructure in Juneau. This is a community value represented both here and in many documents which is a benefit. Proceeding with dock electrification is meeting the values of the community.

3. ADNR Tideland Conveyance - ADL 10905 (in vicinity of Franklin Dock)

Mr. Uchytel said this is the final finding decision for the additional tidelands for the Franklin Dock expansion project. Staff will petition DNR for survey instructions and

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then we need to hire a survey company to complete a plat. This will then go through CDD to get a subdivision accomplished and at a future date we will enter negotiations with Franklin Dock to lease this property for their proposed dock expansion.

Committee Discussion - None

Public Comment - None

4. CY2021 Cruise Ship Update

Mr. Uchytel said the latest news, President Biden did sign the bill that found the work around for the Passenger Vessel Services Act. The Industry has figured out a way to navigate that. There is nothing now stopping the cruise lines from selling tickets and sailing to Alaska this summer. He said he believes Holland America/Princess and Norwegian Cruise Lines will be going down the path of 95% of crew members and passengers will be required to be vaccinated. Royal Caribbean Cruise Lines is going to follow the other CDC guidelines that requires simulated voyages and he believes that is primarily to accomodate under 12 year of age passengers. Late July and August we may be seeing 10 to 15% of what we saw in 2019. Docks staff is working with CLAA to make sure we have the up to date schedule and we have enough personnel to support this Industry in Juneau.

Committee Discussion-

Mr. Kirby Day, Juneau, AK

Mr. Day said the Industry through CLIA is working on a Port Community Agreement in terms of COVID protocols in order to operate. The next meeting will be June 2nd and a draft schedule will go out.

Public Comment - None

5. Docks & Harbors Board Applications

Mr. Uchytel said in the packet he included the selection criteria to the Assembly for Docks & Harbors Board members. He changed the make up of the Docks & Harbors Board as he knows it. If a Board members sees an error in this document send him an email and he will adjust the document accordingly.

Committee Discussion - None

Public Comment - None

VIII. Committee and Member Reports

1. Operations/Planning Committee Meeting- Thursday, May 19th, 2021

Mr. Ridgway reported the Committee discussed;

- The Harris Harbor security gate and how to move this forward given the impact of not raising the rates.
- Discussed the Docks & Harbors security detail. The Deputy Harbormaster provided a run down of the new security position.
- Mr. Uchytel provided a white paper of the general projects this community needs in terms of Docks & Harbors.

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2. Member Reports – None
3. Assembly Lands Committee Liaison Report - None
4. Auke Bay Neighborhood Association Liaison Report - None
5. South Douglas/West Juneau Liaison Report - None

IX. Port Engineer's Report

Mr. Uchtyl said substantial completion of Statter Harbor phase III(b) will be next Tuesday.

X. Harbormaster's Report

Mr. Norbryhn reported;

- The passenger for hire floats will be open on Tuesday
- The evening security will start on June 8th
- We brought back two more seasonal employees getting ready for the cruise ships.

Ms. Smith asked if the large pot hole at the N. Douglas Launch ramp that is impossible to get around has been fixed.

Mr. Norbryhn said he did not know of it but he will put it on his to do list.

Mr. Etheridge requested to move the handicapped parking from the top of the hill at Statter Harbor to the spot beside the port a potties.

Mr. Norbryhn said he would look into that.

XI. Port Director's Report -

Mr. Uchtyl said the IVF is full and it is looking good for this season.

XII. Assembly Liaison Report - None

XIII. Board Administrative Matters

- a. Finance Sub-Committee Meeting – Monday, June 7th, 2021
- b. Ops/Planning Committee Meeting – Wednesday, June 16th, 2021
- c. Board Meeting – Thursday, June 24th, 2021

Mr. Etheridge appointed Mr. Ridgway to the Finance Sub-Committee Meeting.

XIV. Adjournment – The meeting adjourned at 7:45pm.



**DOCKS & HARBORS
FINANCE SUB-COMMITTEE
MEETING MINUTES**

Monday, June 7th, 2021
Via Zoom Meeting

- I. Call to Order** – Mr. Wostmann called the June 7th, 2021 meeting to order at 5:00pm via zoom meeting.
- II. Roll Call** - Lacey Derr, James Becker, David Larkin, Mark Ridgway, Don Etheridge and Bob Wostmann.

Absent – Chris Dimond

Also in Attendance – Carl Uchytel - Port Director, Matthew Creswell – Harbormaster, and Teena Larson – Administrative Officer.

III. Approval of Agenda

Mr. Uchytel asked to add a new #1 – Proposed Fee for the Vendor Booth Sales.

MOTION By MR. ETHERIDGE: TO APPROVE THE AGENDA AS AMENDED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

IV. Public Participation on Non-Agenda Items - None

- V. Approval of May 17th, 2021 Finance Sub-Committee Meetings Minutes.**
Hearing no objection, the May 17th, 2021 Finance Sub-Committee Meeting minutes were approved as presented.

VI. Items for Information/Discussion

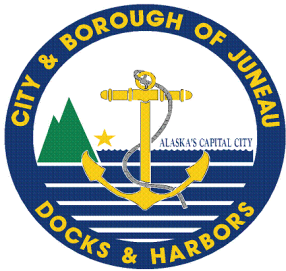
1. Proposed Fee for the Vendor Booth Sales.

Mr. Uchytel said he brought this forward because he has had interest from the permit holders. There is usually an outcry auction for the vendor permits. In 2019 we had nine permit holders, and each paid \$30,000 to sell independent tours. With the interest he sees no reason to not let them operate but at a reasonable compensation. We have done similar action with the loading zones as well as the for-hire vessels at Statter Harbor. He asked what an appropriate request would be for a permit this year.

Committee Questions

Ms. Derr asked if we have the staff for this permit, increased foot traffic, and enforcing boundaries so they do not go outside their booth to sell tours.

Mr. Uchytel said he is trying to set up a meeting next week to get more information from Cruise Line Agencies as far as the days of the week we will need to support the CT dock and the AS Dock. With that information, we are planning to go out with our part time limited



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employees. It is true on busy days this permit does require more attention from staff but he believes this would be good.

Mr. Wostmann asked what was settled last year on these permit holders?

Mr. Uchytel said we collected the \$30,000 from all nine and then refunded it. If there was a season we were going to readdress this at that time. Initially this year it did not look like we were going to have a season but now there is some interest.

Mr. Becker asked if two people inquired so far this year and is there nine permits?

Mr. Uchytel said we have rotating permits and we have booths sufficient for 11 permits at three locations. There has only been nine companies interested recently. There is loss of revenue but nine is a good number. There are only four active permits for 2021. He recommends not to allow any newcomers in a permit but allow the expired ones to have a permit this year if they wanted.

Mr. Wostmann asked if it would be feasible to set a day rate?

Mr. Uchytel said it can be set up anyway the Board wants. We kept the other fees very simple. At a future meeting we can invite the companies to a meeting to speak.

Mr. Becker asked if the vendor booths can sell all tours or just specific tours.

Mr. Uchytel said the companies have to tell us what tours they are selling. There is a lot of cross over. We do not direct them on what they sell or who they sell to.

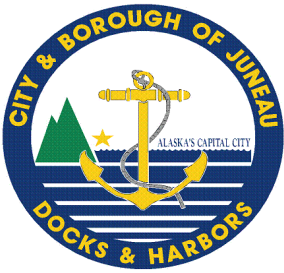
Public Comment –

Mr. Kirby Day, Juneau, AK

Mr. Day said all the permit holders are members of TBMP. On behalf of TBMP he said he supports making it reasonable for them to operate because we still do not know how many people are going to be on the ships. This will be a good customer service as well because depending on how many regular tour operators that have a contract with cruise vessels that are going to operator or not operate and depending on how full the ships are they may run out of tour space.

Mr. Larkin suggested that once there is a more stable cruise schedule, look at the percentage compared to normal and potentially reduce the cost by that. Then look at the percentage of passengers on the ships and maybe reduce by that, and also look at how many tour operators are operating.

Mr. Etheridge said we need to keep this simple. We know it is going to be a reduced number of passengers and he has heard that we may only see 10% of the normal amount of passengers. He suggests \$1,500 for each of the booths to finish off this season.



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Mr. Wostmann commented that if the best guess at this time is that there is only going to be 10% of normal, why would we not pick 10% of the normal fee?

Mr. Etheridge said he suggested \$1,500 to start the discussion.

Mr. Wostmann suggested to start at \$3,000. He would like to get feedback from the permit holders to see what their suggestions are.

Ms. Derr said she is in favor of getting the booths opened up and provide an opportunity to get people back to work.

Mr. Wostmann asked when the operators will need to have a decision?

Mr. Uchytel said there are still several things in motion but not final. The CDC guidelines are still being crafted, the Port Agreements and how that plays out with excursions but we still do not know all the details at this point. We will not have all the answers to make a decision as a Board but the next Operations Meeting is next Wednesday and the Board meeting is the last Thursday in June. This will be the last opportunity to make the best decision you can because we expect to see cruise ships in late July and it gives clarity to the operators.

Mr. Larkin asked if this should be opened up to whoever wanted a permit?

Mr. Uchytel recommended offer this to only current and expired permit holders.

Mr. Ridgway commented that the \$1,500 fee sounds reasonable and this is straight forward and gets people on the dock.

Mr. Wostmann said this will go before the Operations Committee at their next meeting with as much information as you are able to gather.

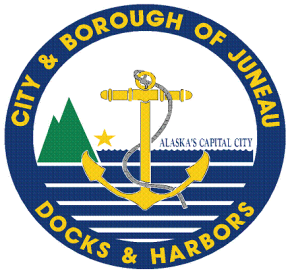
Mr. Wostmann proposed a 2 minute break.

2. Residence Surcharge 05 CBJAC 20.050 (Live-aboard Fees) increase proposal.

Mr. Wostmann said this was put on the agenda to have a discussion about how we would respond to the public testimony and address the Assembly concerns, and consider what we might do to improve public awareness for the rate changes being discussed.

- Response to public testimony
- Response to Assembly Concerns
- Ways to improve public awareness of publicly noticed meetings

Committee Discussion



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Ms. Derr said from her notes, the overwhelming negative was on the rate increase. The comments that stood out was on security, trash issues, and a reason for the increase. Resources have been brought to the Boards attention, and we have to look forward to the future and not be in this position again. The rate may be the right number to move forward with but we need supporting documentation behind it. If the rates are increased, it would be nice to address the gate, snow removal, ladders, lighting, shower/restroom facilities and those things. Nobody wants to see rates increased right now, but the reality is that is where we are at.

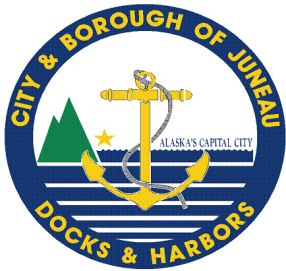
Mr. Larkin said understandable most of the public comment was negative, but some of the suggestions were reasonable. One of the comments received, the person went back and looked at the last time the live-aboard rates were raised to now and the other rates have increased about 22%. The recommendation was to increase the live-aboard fee by 22% to bring it up to the other fees. This would work out to be about \$15.18 a month increase. Another recommendation would be to include this fee with the CPI rate increase. The patrons will know what the rate adjustment will be going forward.

Mr. Ridgway said this may be a longer process than originally anticipated. He wants to be assured that we are not going to take up another two rates in three months and go through the same very involved process. He suggested to go through as many rates as possible and move all forward at the same time which could be a lot of efficiencies.

Mr. Wostmann said the Finance Sub-Committee passed three additional rates to increase but they were not brought forward at this time because the Operations Committee already had a full agenda. He said other comments for consideration is that one person as a live-aboard pays the same as four people staying on a vessel which he does not see as fair. He heard the Assembly recommend an increase in phases which should come back for further discussion.

Mr. Etheridge said having conversations with Assembly members, they do not feel they were kept in the loop as well as they should have been and there was not enough explanation for them. They wanted to know why we were looking at these increases and justification for the amounts. He said talking to the Mayor, she indicated that the Assembly would not look very favorable on spending \$30,000 on a study when we do not have the money to do the projects we say we want to do now. He said the rates need to move forward and they have to be a fairly significant increase to be able to purchase the security gate, the ladders, and add lighting.

Mr. Wostmann said he is looking for a specific recommendations on an alternate approach for these fee increases. He suggested for comment to increase the live-aboard rate by the 22% that is the CPI increase that would have been applied if this rate was increased in the same manner as the other fees. Moving forward, continue to apply the CPI each year as



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well as a 1% or 2% each year to build a reserve for improvements the live-aboard community would like to see. In addition, he read the three rate studies done for Sitka, Wrangle and Ketchikan, and he noticed three components to a rate. One is to maintain the current facilities, second was to start saving for recapitalization over the 40 to 50 year life span of that facility, and third is to develop a reserve budget for matching funds or funds to expand or develop a new facility.

Ms. Derr said this is a great starting point. She is in support of the additional 1% to 2% increase for additional resources. She asked Mr. Etheridge if the Board needs to write a letter accompanying the fee increase proposals to the Assembly or is that something staff is going to do?

Mr. Etheridge said the Board needs to work with staff to come up with a letter. The letter should come from the Board to the Assembly to let them know the Board is behind the increase. He said years ago when the moorage rates were increased, and a CPI was to be applied annually, the Board thought they took care of having to increase fees. There also needs to be another fee added to keep up with the maintenance costs, and building a reserve for projects.

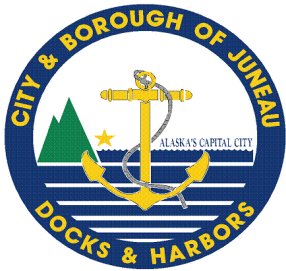
Mr. Wostmann said in the fee change proposal, there should also be included a maximum time period of five years whereas the fee comes back to the Board to determine whether there was material changes in the cost structure such that the fee is no longer appropriate. The user group will know that every year there will be the normal CPI increase and after so many years there will be another review to make sure the revenue collected is covering our expense.

Ms. Derr suggested with the live-aboard fee to have a per person rate and not a break after four people.

Mr. Wostmann said there should be some consideration for a family with children but if it is all adults he agrees with the per person rate.

Mr. Uchytel said one of the issues with struggling with the fee currently is because several things have converged at one time. There is COVID, there is the need for the downtown boatyard, the other asks of better lighting, security gates, up and out ladders, and new facilities. All these things are converging now at a time we see a loss in revenue. There is a real reason for this Board to do the right thing and raise rates. Raising rates just a little bit every five years is still hard.

Mr. Wostmann said the Board is tasked with determining the rates we need to charge in order to support the services the community asks for. Making a special one time rate change will always be a challenge and there are the different user groups that feel their rate should not be changed. That is why he believes all our rates should be increased by



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the CPI with an additional surcharge every five years where we can identify that we have catch up work to do or whatever it may be. If the yearly increase process is automatic, when we do come to a five year review, and the current rates are no longer sufficient, the difference needed to apply to the rates will not be nearly as large as it has been in the past. The live-aboard rate should have been adjusted years ago and now we are looking at a major rate increase to the customers and it is tough to do.

Mr. Etheridge said the Board needs to increase this fee more than just 22%. He suggested 22% per year for three or four years. This fee needs to be increased because our fees have increased.

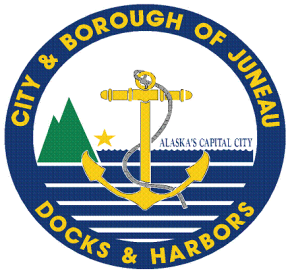
Mr. Wostmann said it would be the CPI difference for the past so many years of no increase which would bring the rate to approximately \$90. After that increase, staff would increase the fee based off the CPI, and to cover all the requested items from the live-aboard community the Board would increase another one to two percent or three to four percent depending on the need.

Mr. Becker said there is a fair amount of catching up. He asked Mr. Wostmann if the increase would be a lump sum or a little over so many years.

Mr. Wostmann suggested a small amount over several years. That is why there would be an additional percent above the CPI until we bring that rate up over time up to where it should be to maintain the facilities, buy the ladders, put up security gates and cameras, and all the things we do not currently have funding for.

Mr. Ridgway commented that perhaps the Assembly wanted more detail than what was provided for the dockage charges increase but he is surprised the Assembly did not understand the dockage charges would not affect anyone in Juneau. The Board needs to push back to the degree possible. It is the methodology that is hampering us it seems. He is a firm believer of outsourcing this and taking months to complete it. He suggested the Board author a letter to the Assembly requesting authorization for the rate study to move forward in the long run. If the Board does this one rate at a time, we will not have time to do anything else. Having an economist study our rates and having a sustainable, repeatable, defensible, dependable methodology and put it in our budget every five year. The Board would spend \$60,000 across the board to make sure our rates fund us fully. Mr. Wostmann said he supports the rate study as well and it will provide a much better justification for the proposed rate increases. Bringing in an outside consultant will go along ways with establishing a solid basis for why there is a specific rate increase to properly manage the Docks & Harbors Enterprise.

Public Comment – None



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Mr. Uchytel said all three of the Harbors fees were increased that had a rate study performed by Northern Economics that Mr. Fisher talked about at a previous meeting by their recommendations.

Mr. Wostmann said that shows these studies have results.

Mr. Wostmann asked for suggestions on ways to improve public awareness of publicly noticed meetings beyond what has already been done.

Mr. Etheridge said staff sent our emails to all live-aboards and he is unsure how else everyone could be contacted. The bulletin board idea was tried in the past and they were tore down and thrown in the parking lot and someone wrote across them.

Mr. Ridgway recommended to put a laminated copy of our Committee and Board meetings annual schedule up at every harbor.

Mr. Uchytel said some members of the Assembly commented that our public hearings are not well attended, organized, and not communicated. He said staff posts meeting notices on facebook and social media and word of mouth is the most successful way of getting the word out. The fact that we did have good participation from the live-aboards at the public hearing, which was a special Board meeting, indicated staff outreach was successful. We only had one person to comment on the dockage fees, but that was also advertised the same as the live-aboard fee regulation.

Mr. Etheridge said in his conversation with the Mayor, she indicated the Assembly did not know all the outreach and was unaware of the special Board meeting for the public hearing. All future fee increases should have a memo attached outlining our process.

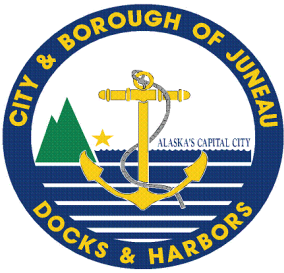
Mr. Wostmann said he agrees to have a supporting memo with items going to the Assembly.

3. Dockage Charges 05 CBJAC 15.030 (Reservation Fee) increase proposal.

Mr. Wostmann asked for comments on the below three bullet points.

Committee Discussion

Mr. Etheridge said when talking to the Mayor, the Assembly did hear push back on this fee increase from industry even though the Board did not. He also explained that this fee increase would not affect the Juneau Community. The Mayor indicated the discussion among the Assembly members was that they were told it could harm the industry when they come back with the cruise ship. When he explained to the Mayor staff and the Board already looked into that and moved the increase affecting the cruise ships until next year she said the Assembly did know that. The Board has no intention to harm the cruise industry because that is how we survive.



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Mr. Wostmann said the Board needs to provide better background information when we bring things forward to the Assembly.

Mr. Etheridge said he would like the Board to come up with a draft memo explaining what we have done on this fee increase to date. This fee increase is up to the Manager at this point.

- Response to public testimony
- Response to Assembly Concerns
- Ways to improve public awareness of publicly noticed meetings

Public Comment – None

Mr. Uchytel wanted to know if he is to draft a memo to the City Manager with detailed information.

Mr. Wostmann said the memo should be written coordinated between staff and members of the Board.

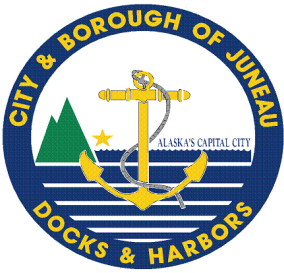
Mr. Etheridge recommended he work with Mr. Uchytel on the drafting of a memo and then take it to the full Board for approval to go to Mr. Watt and the full Assembly.

VII. Future Meeting – TBD

Items for Information/Discussion

- How to better inform the public of D&H obligations as an Enterprise Board and how to present a roadmap of the process the Board has initiated to match revenues to expenses and equitably consider the impact on all user groups
- Consideration of retaining a consulting firm to do a rate study to determine the rate structure required to:
 - Maintain current services and facilities.
 - Recapitalize current facilities to insure funding will be available for replacement at the end of their useful life.
 - Build a reserve for contingencies and as seed money for new capital investments through matching grants or bonds for user requests such as the North Douglas boat ramp and improved harbor security.
- Establish a consistent fee structure for all user groups with a defined annual adjustment and scheduled reviews.

Mr. Etheridge recommended to take to the Operations Committee the discussion about retaining the consulting firm for the rate study and come up with something to propose to the Assembly.



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Mr. Wostmann asked if the other bullets should be heard at this meeting or moved to the Operations meeting as well.

Mr. Etheridge recommended more information on the other bullets.

Mr. Uchytel said as far as executing less than \$100,000 contract, that does not need Assembly approval. Regarding this committee, at the end of June is when this committee ends. The Board Chair will assign special committees starting July 1st.

Mr. Etheridge recommended the items discussed tonight and the information item for the rate study should go to the Operations and the Board agenda this month. The letter should be drafted and sent to the Manager and the Assembly as soon as possible for the reservation rate increase. This can be voted at the Operations Committee. The rest of the items can wait until the next Board is seated.

VIII. Adjournment – The meeting adjourned at 6:26pm.

05 CBJAC 10.030 Permit duration, reissuance options, transferability, refunds, actively sell requirement, eligibility, number of permits available.

Permits may be issued by the director. Permits are valid only for the dates, times, areas, and activity specified.

(a) *Duration.*

- (1) Tour sales, tour broker, and loading permits shall be valid only from May 1 through October 15 of each permit year.
- (2) No permit may be issued for a period in excess of one calendar year.

(b) *Reissuance.* Permits may be reissued only as authorized by these regulations. A reissued permit shall be subject to the regulations in effect for the year in which the permit is used. Permittees and option holders assume the risk that changes in regulations could affect their business through reduced revenues, increased costs, or both; that the number, location and rules for permits may be changed from year to year without liability to the city, compensation to permittees or option holders, and that municipal regulation hereunder shall be immune from liability pursuant to AS 09.65.070 and other applicable law.

(1) *Reissuance options.*

- (A) A reissuance option entitles the holder to apply for and receive a permit for the tour season designated in the option, provided that the holder meets all the requirements for permit applicants and holders in the year the reissued permit will be operated.
- (B) The fee for any permit issued pursuant to a reissuance option shall be the same as the fee paid for the original permit.
- (C) The holder of a reissuance option shall notify the director of its intention to seek reissuance. Written notice must be received by the director no later than December 1 preceding the year in which the reissued permit will be operated. If the notice is not so received, if application is not made, or if for any other reason the permit is not reissued, the director may consider the permit, including any remaining reissuance periods, as forfeit and either available for issuance to others or withdrawn from any issuance.
- (D) Reserved.
- (E) These regulations apply to any permits and reissuance options authorized by 05 CBJAC 10.010—10.090.

(c) *Transferability.*

- (1) A permit, other than a limited loading permit, may be transferred, together with any reissuance options, provided that such transfer includes the transferor's entire business interest in activities conducted under the permit. The transferor's business interest includes all assets used in the business conducted under the permit.
- (2) No permit may be leased or rented, nor may the permittee allow the permit to be used by any person who is not an employee of the permittee.
- (3) A transferred permit is not valid until it has been approved and reissued by the director.

(d) *Refunds.* No permit fees shall be refunded after the issuance of a permit.

(e) *Reserved.*

(f) Permit eligibility and requirements.

- (1) To be eligible to bid on a tour sales or tour broker permit, the permit applicant must:
 - (A) Hold a current Alaska business license, and
 - (B) Maintain a place of business under the name on the Alaska business license within the boundaries of the city and borough.
- (2) Any person holding a permit must maintain a year round place of business and mailing address in the City and Borough of Juneau, Alaska, and must designate a single individual by physical address, mailing address and phone number in Juneau upon whom service of notices and legal proceedings may be made. Service of any notice concerning the permit to that person shall be legal and sufficient notice to any of the holders, owners or any other with an interest in the permit. The director must be notified in writing no less than ten days before there is a change in the name, address or phone number of the designated person for a permit. Failure to timely notify the director shall be considered a violation of the permit conditions.
- (3) No person, individual, business or corporation shall have an ownership interest in more than one tour sales or tour broker permit, meaning the person shall not pay for the operation of another permit holder's sales booth, direct or manage the activities of another permit holder's sales booth, or in any way financially contribute to the purchase of more than one permit. A permit holder who operates tours may have its tours sold by another permit holder, provided the permit holder operating the tour does not direct the activities of the other permit holder's sales booth or obtain any financial benefit from the other permit holder's sales booth other than that provided by the sale of the tour. Violations will result in permit revocation per 05 CBJAC 10.080(e).
- (4) Tour sales permit holders and tour broker permit holders must actively sell during the tour season. "Actively sell" means that the permit holder either derives a significant portion of its income from sales made through a tour sales or broker's permit, or that the permit holder is making substantial use of the permit.
- (g) *Number of permits available.* The director shall publicly announce the number, type and schedule for application for permits.

(01/19/98; Amended 5-2-2000, eff. 5-16-2000; Amended 6-28-2010, eff. 7-16-2010; Amended 2-7-2011, eff. 2-15-2011; Amended 4-1-2015, eff. 4-8-2015)

05 CBJAC 10.040 Tour sales permits.

A tour sales permit authorizes the solicitation and sale of tours and experiences.

- (a) Application process and permit award.
 - (1) *How to apply.* No later than December 1, of each year, the port director will publicly announce an application period for tour sales permits. The notice will include a description of how to apply for a permit, the number and type of permits available, and the process that will be used to award the permits. Persons must apply on an application form provided by the port director and must include all required information and attachments.
 - (2) *Application review.* The port director will review each application to determine if it is complete. The port director will reject incomplete applications. The port director will review complete applications to determine if the applicant meets the permit eligibility requirements set out in 05 CBJAC 10.030(f).

-
- (3) *How the permits are awarded.* The port director will manage and award the permits by public outcry auction. The minimum bid for a permit is \$30,000.00. Applicants meeting the permit eligibility requirements set out in 05 CBJAC 10.030(f) will be allowed to bid on a permit provided the applicant posts a \$30,000.00 bid bond payable to CBJ. The applicant must agree to forfeit the bid bond in the event the applicant does not honor a winning bid on a permit.
- (b) *Permit requirements.* The port director may issue permits and require permit holders to comply with stipulations as necessary to assure compliance with applicable requirements of this chapter and the Maritime Transportation Security Act of 2002. Permit holders shall also comply with the prohibitions set out in 05 CBJAC 10.020, the tour sales area rules set out in 05 CBJAC 10.040(c), and the general operating requirements set out in 05 CBJAC 10.070.
- (c) *Tour sales area rules.*
- (1) A permit holder shall only sell tours in a booth provided by the port director. The port director will provide booths at the Steamship Wharf Plaza, the Visitor's Center Lot, and the Columbia Lot sales areas. The port director reserves the right to relocate or close booths as required for public safety, security, or other good cause. The booths at each sales area will be assigned by lot. In order to assure equitable exposure for each permit holder, the port director will cause the permit holders to shift one booth on each day of operation. A permit holder shall only occupy the booth assigned by the port director.
 - (2) A permit holder shall not have more than one representative selling tours at a booth, except when training new employees and then for no longer than is necessary to adequately train the employee. A permit holder shall make its best effort to maintain a presence at its booths during all hours when cruise ship passengers are likely to purchase tours in a sales area. The permit holder shall provide the port director with a list of all individuals that will sell tours at its booths and, if requested, staff identification documentation, booth staffing schedules, and other documentation, as determined by the director necessary to demonstrate the permit holder complies with this requirement.
 - (3) The permit holder shall not sell, or permit to be sold, tours on any vouchers or receipts other than their own.
 - (4) The permit holder shall provide the port director with a list of all tours sold pursuant to its permit, including the name of the company providing the tour.
 - (5) The permit holder may display up to two large signs on a single booth provided the signs do not extend beyond the front profile of the booth. The permit holder may also display one-foot by one-foot signs for each tour the permit holder sells. These signs may not extend more than six inches beyond the front profile of the booth.
 - (6) The permit holder or its representatives shall not engage in hawking or disruptive behavior or interfere with the operations of other sales booths.

(01/19/98; Amended 5-2-2000, eff. 5-16-2000; Amended 1-7-2008, eff. 1-15-2008; Amended 2-7-2011, eff. 2-15-2011; Amended 4-1-2015, eff. 4-8-2015)



Port of Juneau

City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Docks & Harbors Board
To: CBJ Manager
Date: June 22nd, 2021
Re: Dockage Charges - 05 CBJAC 15.030 – Recommended Regulation Change

1. The Docks & Harbors Enterprise is tasked with operating and maintaining one of the largest harbor systems in the State solely funded with user fees. Our facilities assets are valued in excess of \$340M. In the past year, the Enterprise has experienced historic and significant levels of financial impacts with no relief from fund sources outside user fees.
2. At the May 24th, 2021 meeting, the Assembly directed the Manager “to consider reasons to review the proposed regulation change [for Dockage Charges] again.” This memo provides additional guidance for consideration. Should there be additional courtesies which the Assembly deems necessary, Docks & Harbors is always pleased to provide. The Docks & Harbors Board is guided under Title 85 of CBJ Charter (encl 1), specifically:
 - **85.02.100 Schedule of fees and charges.** (a) The board shall, by regulations adopted pursuant to CBJ 01.60, impose a schedule of fees and charges for use of ports and harbors, and facilities designated by the assembly by resolution.
 - **85.02.060 General powers.** (a) Subject to state laws and City and Borough ordinances, the City and Borough Docks and Harbors Board shall generally exercise all powers necessary and incidental to operation of all port and harbor facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board shall: (1) Be responsible for the operation, development and marketing of municipally owned and operated port and harbors, including such facilities as boat harbors, docks, ferry terminals, boat launching ramps, and related facilities except as designated by the assembly by resolution.

The Docks & Harbors Board interprets this guidance to be uniquely charged to carry out its fiduciary responsibility to set fees and exercise all powers to operate facilities under our charge.

3. The requirement set forth in **ARTICLE II. PROCEDURE FOR ADOPTING REGULATIONS** (encl 2) provide the **CBJ 01.60.200 - Notice of proposed action:**
 - At least 21 days before the adoption of a regulation, the agency undertaking the proposed action shall, at a minimum cause notice thereof to be: (1) Published in a newspaper of general circulation; (2) Posted on the municipal website at an address reserved for notice of all CBJ regulations; (3) Distributed to the municipal clerk and all municipal libraries; (4) Mailed to every person who has filed a written request for notice of the action proposed by the agency; (5) Mailed to every person holding a permit governed by the regulation. (b) The failure to mail notice to a person as provided in this section does not invalidate an action taken by an agency under this chapter.

Docks & Harbors Board certifies this was met and the spirit of this regulation was exceeded through additional outreach including social media, newsletters, radio interviews (encl 3, 4, 5, 6, 7, 8, 9, 10).

4. Docks & Harbors was severely impacted by the pandemic, perhaps more than any other Juneau governmental entity. The Docks Enterprise suffered losses due to no large cruise ships since October 2019. The loss of revenue for the Docks Enterprise and Harbors Enterprise will exceed \$1M from its fund balance before normalcy returns in 2022. It is important to note that when the Board, at its January 2021 meeting, approved the biennial operational budget there was optimism that cruising would rebounded this calendar year. When the Canadian government announced the closure of its ports to cruise ships, Docks & Harbors began a process to scrutinize all expenditures and evaluate revenue producing fees. The Harbors Enterprise has been significantly challenged due to the pandemic but also to other factors. The following are some FY21 financial stressors directly effecting the Harbor Enterprise balance:
 - Revenue Loss - Vendor Booth Sales Permits - \$270,000
 - Revenue Loss – Passenger for Hire Charters - \$300,000 (estimated for CY 2021)
 - Revenue Loss - Lease Rent for Juneau Tram - \$72,000/annually
 - Revenue Loss – FY22 Harbor Moorage Rate Reduction due to negative CY20 CPI - \$25,000/annually
 - New Lease Expenditure – Lease Rent Increase UAS Property - \$230,400/annually
 - New Lease Expenditure – Auke Bay Loading Facility ROW Encroachment Permit \$18,000/annually
 Additionally, harbor patrons are demanding more services, such as:
 - Small Boat Harbor Access Security Gates - \$25,000/gate (estimated)
 - Rescue Ladders throughout the Small Boat Harbors - \$250K (estimated)
 - Expanded and better camera systems (>\$100K)
 - Improved parking lot lights (>\$100K)
 - After hours security personnel (\$100K/FTE)
 - Expansion of the North Douglas Launch Ramp Facility (\$10M-\$20M)
 - Rebuilding Aurora Harbor (>\$4M to complete)
5. The Docks & Harbor Board scrutinized operating budgets throughout the pandemic to mitigate revenue losses and reduce expenditures. In CY2021, only 25% of the authorized seasonal staff was brought back. These employees were strategically assigned jobs to be completed in-house, rather than contracting out commercially. This enabled our Docks & Harbors staff to demolish the north end of Aurora Harbor, waterproof sealing of the cruise ship concrete floats and clean/prepare the derelict LUMBERMAN for in-water scuttling. Leveraging the services of in-house resources saved an estimated \$250K in costs to our budgets.
6. The resultant waning revenues coupled with an increasingly vocal participation to enhance harbor amenities has led to the Docks & Harbors Board standing up an active Finance Sub-Committee to address concerns as early as January 13th, 2021 (encl 11). The Port Director was requested to propose new “potential rate increase opportunities”. The first discussion of an increase fee was at a publicly noticed Docks & Harbors Finance Sub-Committee meeting on March 3rd, 2021 (encl 12). The original recommendation was specific to 05 CBJAC 15.035 (Reservation Charge Policy) which applies to the Intermediate Vessel Float, the Port Field Office Float, the Inside of the Cruise Ship Terminal and Statter Harbor (encl 13). The fee collected over the past two years (FY18/19) was \$165K/annually and was exclusively paid by yachts greater than 65 feet in length for reservations. Enclosure 14 is the Port Director’s March 17th letter to the Board recommending that the Reservation Charge Policy be doubled. [Note: The proposed regulation change process morphed to 05 CBJAC 15.030 (Dockage Charges) due to the Reservation Charge Policy referencing that the “charges will be assessed as set forth in 05 CBJAC 15.030.”]
7. Chronological summary of Docks & Harbors publicly noticed meetings, with agenda assigned topic:
 - January 13th, 2021 Finance Sub-Committee – *Review of FY21/FY22 costs*
 - March 3rd, 2021 Finance Sub-Committee – *Potential Rate Increase to Reservation Charge Policy*
 - March 17th, 2021 Operations-Planning Committee – *Proposed Fee for Services* (encl 15 & 16)

- March 25th, 2021 Board Meeting – *Proposed Fee for Services Increase – 05 CBJAC 15.030 Dockage Charge* (encl 17)
- April 12th, April 19th, April 26th & May 10th, 2021 Juneau EMPIRE *Notice of Proposed Change to Regulations Amendment to Title 05, Chapter 15 Port Fees and Charges* (encl 18)
- Posted Regulations Changes (encl 19)
- May 3rd, 2021 Board Meeting – *Preparation for May 19th Public Hearing – Resident Surcharge/Dockage Fee* (encl 20)
- May 19th, 2021 Special Board Meeting for Public Hearing – *Proposed Rate Increase to 05 CBJAC 15.030 (Dockage Charge)* (encl 21)

The Board approved the Dockage Charge increase unanimously. There was no testimony relating to this regulation change at the Public Hearing. Mr. Russel Peterson and Mr. Drew Green did provide this verbal testimony at the March 25th Board meeting:

- Mr. Russell Peterson, Juneau, AK Mr. Peterson pointed out that the IVF is one of the few places in town that has cable and internet available right on the pedestal and can be hooked up the same day as arrival. Those are two amenities that are no longer available in our Harbors and is a service added since the 2004 rate increase. He commented that vessels that do not have water and internet services in Statter Harbor could use the IVF during the winter.
- Drew Green, Cruise Line Agencies of Alaska, Juneau, AK Mr. Green said he is the Port Manager representing 17 cruise lines, 39 ships over 600 port calls, which was previously scheduled for 2021 bringing over a million passengers to Juneau. We also use the IVF, PFO, ICT and the Statter Harbor breakwater for small cruise ships and yacht traffic that they also support. He said he understands the fiscal frustrations Docks & Harbors is facing and the need to meet the demand of the UAS property acquisition. He wishes they were in a position to help but doubling of the dockage fees based on the current rate does not bring us to an unreasonable rate but it is an inappropriate rate of increase based on the fees to make a port call in Juneau in addition to this fee. The cruise lines pay a \$13 head tax from both private and CBJ docks as well as the port maintenance fee. From discussion over the years, to increase the dockage fee has been held at bay due to the increase in the head taxes over the years. If 2021 happened, the head tax would have brought in \$16.9M to offset operational costs and infrastructure to the Docks Enterprise. He is in support of incremental increases to meet the needs of CBJ Docks but he does not believe this fee is justified with the enormity of the other fees. Since this fee increase is needed to float a revenue bond, he would be more amenable to some kind of a compromise. The compromise could be offsetting the increase by eliminating the port maintenance fee or greatly reducing it. The traditional purpose of the port maintenance fee was a retainer after the revenue bond debt was retired for the original bonding for the old dock. This was implemented for maintenance on the old docks or special projects for the old docks. With the new facilities, these funds have not been used for the intended purpose. The head tax can be used for dock maintenance as well. Mr. Green requested if the Board does decide to increase the fees to consider implementing after October of 2021.

8. Rational basis for Docks & Harbors Board action:

- The current Dockage fee regulation was last approved by the Assembly in 2004; adjusting simply for inflation would result in the following:
 - \$1.50 to \$2.14 in 2021 (vessels < 65 feet)
 - \$2.50 to \$3.56 in 2021 (vessel between 65 and 200 feet)
 - \$3.00 to \$4.28 in 2021 (vessels > 200 feet)
- Increasing the Dockage Fee would have the least effect on Juneau residents with virtually no local residents believed to be subject to this fee.
- This fee was first proposed to be raised because the additional charge would not be a significant or burdensome service fee to the visiting clientele who would use Docks & Harbors facilities.

- Assuming an average vessel size of 100 foot, the additional new fee would be \$250/day or approximately the cost of a single hotel room.
 - The proposed new Dockage Fee, if enacted, would have been less than what the competing commercial rate is at the Seadrome Dock.
 - The visiting vessels who would be subject to this rate pay multiples times the existing Dockage Fee rate in the Puget Sound and elsewhere in the Lower 48.
 - For vessels greater than 200 feet (i.e. cruise ships), the proposed new Dockage Fees would only add 8% to an average cruise ship moorage costs to a Juneau visit. This is due the vast majority of costs imposed on a visiting cruise ship to the City owned docks is the effective \$13/passenger head tax, not the dockage fee (\$3/foot) or port maintenance fee (\$0.055/net registered ton).
 - The Docks Enterprise seasonal employees have, due to continual Coast Guard regulatory changes, are required to do more security validating with the completion of the new cruise ship docks. These unfunded federal mandates require additional resources which are not provided with Marine Passenger Fees.
 - The Docks & Harbors Board was set to honor the Port Director's January 2021 fee agreement with the cruise industry and provide a promotional discount for the pandemic shortened CY2021 season. With the failure of the Assembly to adopt the Board recommendation on May 24th this became moot for the Docks & Harbors Board meeting of May 27th. (Encl 22)
9. The Docks & Harbors Board stands ready to answer any of your or the Assembly's questions. It is the Board position that the proposed Dockage Fee increase is logical, responsible, equitable and that the Board fulfilled its responsibility in the public process.

#

Enclosures:

- (1) [CBJ 85.02.060 & CBJ 85.02.100 – Docks & Harbors Board General Powers & Schedule of Fees and charges](#)
- (2) [CBJ 01.60 Article II – Procedure for Adopting Regulations](#)
- (3) [April 2021 – The Tide Line](#)
- (4) [May 2021 – The Tide Line](#)
- (5) [June 2021 – The Tide Line](#)
- (6) [Action Line 4-28-21 - Action Line - KINY \(kinyradio.com\)](#)
- (7) [Action Line 3-24-21 - Action Line - KINY \(kinyradio.com\)](#)
- (8) [Action Line 2-24-21 - Action Line - KINY \(kinyradio.com\)](#)
- (9) <https://www.kinyradio.com/news/news-of-the-north/docks-and-harbors-proposed-rate-hike-to-go-to-public-hearing/>
- (10) <https://www.facebook.com/juneauharbor/>
- (11) [Finance Sub-Committee Agenda January 13, 2021](#)
- (12) [Finance Sub-Committee Agenda March 3, 2021](#)
- (13) Power Point Presentation – to March 3rd Sub-Committee
- (14) [Finance Sub-Committee Agenda March 11, 2021](#)
- (14) Port Director Letter to the Board dated March 17th – Subj: User Fees for Service
- (15) [Operations-Planning Committee Agenda March 17, 2021](#)
- (16) Power Point Presentation – to March 17th Ops-Planning
- (17) [Board Agenda March 25, 2021](#)
- (18) Juneau EMPIRE classified proof
- (19) [Posted Regulation Changes – Docks Charges](#)
- (20) [Board Agenda May 3rd, 2021](#)
- (21) [Special Docks & Harbors Board Meeting – Public Hearing](#)
- (22) [Board Agenda May 27th, 2021](#)



Port of Juneau

City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: *Carl J. Uchytel*
Port Director

To: Docks & Harbors Board

Via: Docks & Harbors Operations-Planning Committee

Date: March 17th, 2021

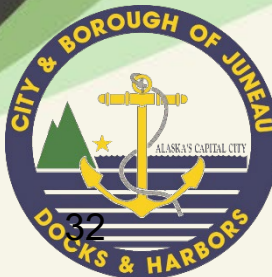
Re: USER FEES FOR SERVICES

1. The Docks & Harbors Enterprises provides services and facilities directly commensurate with available fees in carrying out this charge from the Assembly. The operational annual budget receives zero subsidies from local sales tax or property tax. To meet the community demand for more services and better infrastructure, the Docks & Harbor Enterprise must wisely leverage all available funding opportunities. This includes appropriate and sensible use of tide land lease revenue, fisheries and head taxes, permits charges and all user fees which are collected to maintain a positive cash flow. Generally speaking, the Harbor Enterprise has been running \$300K-\$500K ahead of expenditure the over the past five years. With waning fiscal support from the State and rare opportunities for CBJ grants, it is imperative that any new fiscal commitment be countered balanced with fees to support that new endeavor.
2. At the February Board meeting, the Board voted to allow an automatic CPI adjustment to reduce moorage rates. Docks & Harbors staff interprets this action as the Board would prefer not to raise rates broadly across the harbor patrons to meet new fiscal requirements.
3. The Port Director was asked to propose funding ideas which could increase revenues, outside of increases to moorage rates. Regulations which could be amended include:
 - 05 CBJAC 15.035 - Reservation charge policy - \$143K collected per year (\$2.50/linear ft/day)
 - 05 CBJAC 20.050 - Residence surcharge - \$115K collected per year (\$69/live-aboard/month)
 - 05 CBJAC 40.010(g) - Vessel salvage and disposal - \$16K collected per year (\$0.25/linear ft/month)
4. The residence surcharge of \$69/month is low when the following is taken as consideration:
 - Residential homes are charged \$140 per month for sewer & water;
 - All four harbors have water & sewer connections primarily for live aboard users;
 - Residential home are charged ~\$45 per month for trash & recycling;
 - Harbors have trash provided and Aurora/Statter Harbor have oil recycling at no cost to users;
 - Harbor winter resources are heavily used for snow removal at each harbor;
 - Harbors have heated shower/restroom facilities at Harris/Statter Harbors;
 - Harbors have recently invested in security cameras at approach docks.
5. The vessel salvage and disposal fee is inadequate to address the Harbors Enterprise costs relating to removal of vessels without a responsible party which exceeds \$50K per year.
6. I recommend doubling the reservation charge policy and the residence surcharge. I recommend quadrupling the vessel salvage and disposal charge.

#

05 CBJAC 15.035 - Reservation charge policy.

- (a) Purpose. This reservation charge policy applies to vessels for reserved moorage at the Intermediate Vessel Float, the Port Field Office Float (PFO), the Inside of the Cruise Ship Terminal (ICT), and Statter Harbor Breakwater from May 1 to September 30.
- (b) Basis for computing charges. Charges will be assessed as set out in 05 CBJAC 15.030.
- Last changed 2006

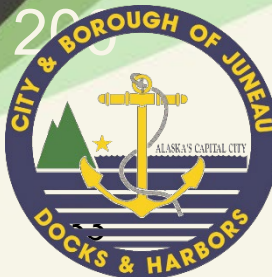


05 CBJAC 15.030 - Dockage charges.

(a) Definition. The charge assessed to vessels for berthing at the Steamship Wharf, the Cruise Ship Terminal, the Intermediate Vessel Float (IVF), the Port Field Office Float (PFO), and the Inside of the Cruise Ship Terminal (ICT).

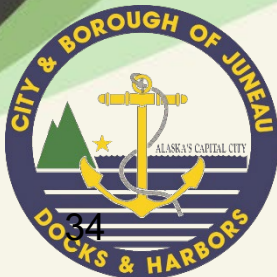
(e) From May 1 to September 30, dockage for all vessels, except those vessels paying dockage fees set out in 05 CBJAC 15.030(f) and (h), will be assessed for each 24-hour period or portion thereof as follows:

- (1) \$1.50 per foot for vessels less than 65 feet in length overall;
- (2) \$2.50 per foot for vessels with a length overall from 65 feet up to 200 feet; and
- (3) \$3.00 per foot for vessels greater than or equal to 200 feet overall.

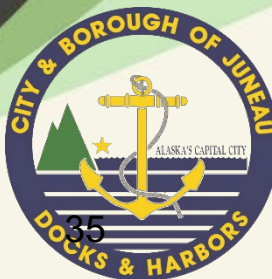
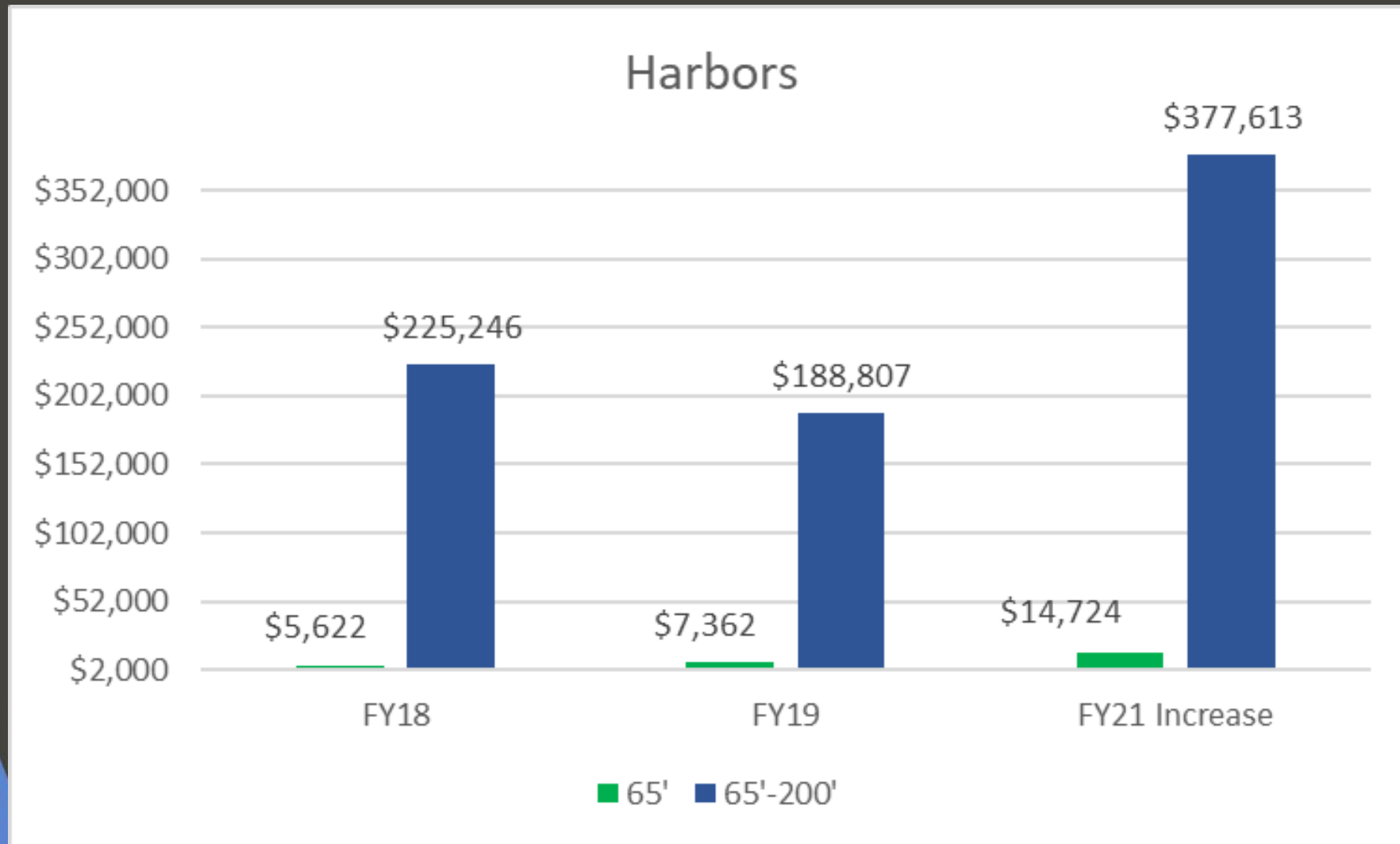


Reservation Fees received

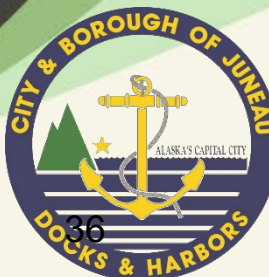
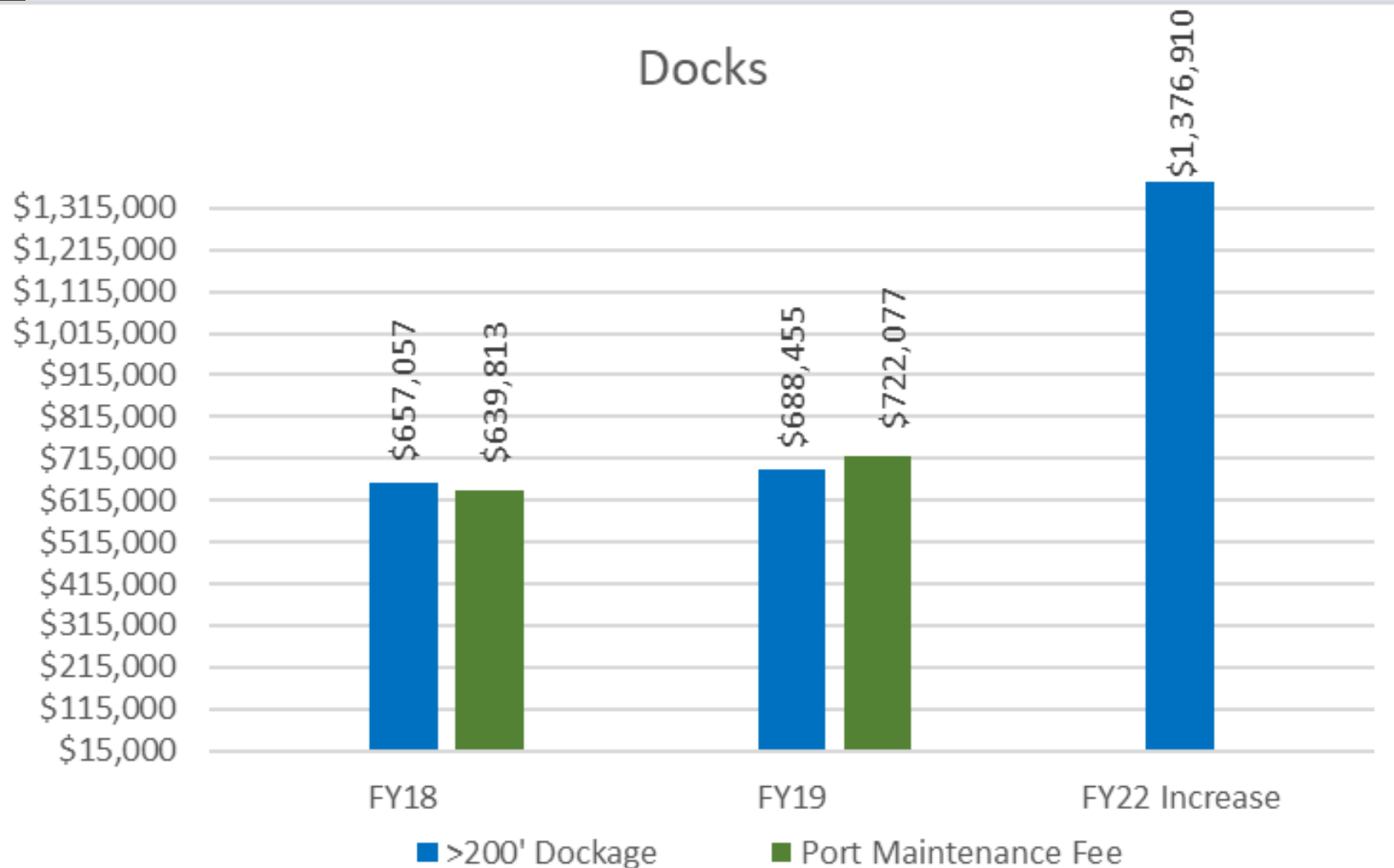
- FY19 Reservation IVF \$72,669
- FY20 Reservation IVF \$87,517
- FY19 Reservation Statter Breakwater \$92,906
- FY20 Reservation Statter Breakwater \$74,411
- Doubling the Dockage charge could provide ~\$165K/year to the Harbors Enterprise



Nearly all the fees collected from Vessels between 65 and 200 feet

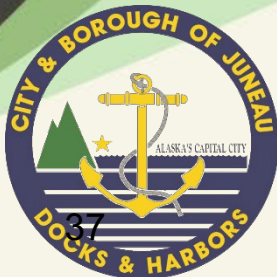


Cruise Ship Impact at AS/CT Docks



Cost to Cruise Lines to moor at Juneau Owned City Docks (AS & CT)

- Average Dock fees (FY19 & FY20) = \$672,756
- Average Port Maintenance Fee (FY19 & FY20) = \$680,945
- 520,000 passengers arrived CY18 & CY19 paying \$13/each
- Head tax collected per passenger (AS/CT) = \$6,760,000
- Total cost to Industry to moor at AS/CT = \$8,113,701/year
- With proposed \$3/foot increase of Dock Fee
- Industry cost to moor at AS/CT = \$8,786,457
 - Real Operating cost increase of 8.3%





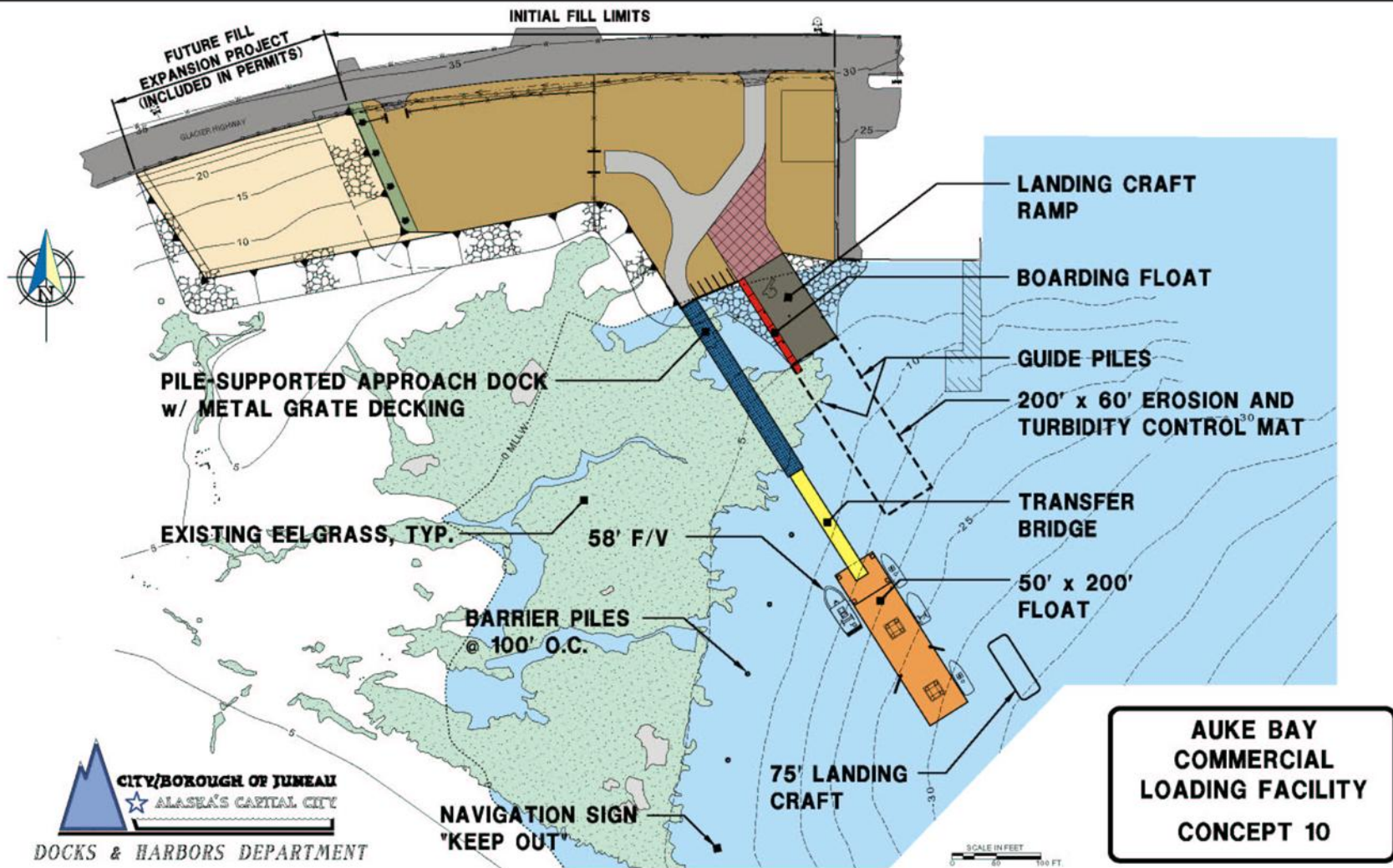
Port of Juneau

City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Port Director
To: Docks & Harbors Board
Date: June xth, 2021
Re: POTENTIAL REMOVAL OF GUIDE PILING AT AUKE BAY LOADING FACILITY

1. Docks & Harbors staff have received requests from segments of the Juneau building community and transport companies regarding expanding the barge capacity at the Auke Bay Loading Facility. This memo is also intended to invite comments from others who may have recommendations or insight regarding the pros or cons to expanding barge capacity.
2. Local general contractors are indicating an increasing need to transport rock and other product to areas such as Gustavas, Spuhn/Shelter/Colt/Shelter Islands and Excursion Inlet. It has been suggested that the landing craft fleet that routinely frequents this facility is insufficient to meet contractor needs to move large quantities of rock and product. The close proximity of the ABLF to Stabler's Point Quarry makes a compelling argument to make the ramp as utilitarian as possible.
3. When the ABLF was completed in 2011 it included a loading ramp which was intended for commercial shippers. This ramp is separated by a boarding float which provides lateral distances of 52 feet. The lateral extent is limited by five "guide piles" which were installed as non-structural mooring devices essentially to mark (and guide) vessels onto the ramp. To the east of the piles is property owned by Alaska Glacier Seafoods. If the five guide piles were removed the effective lateral distance could increase to excess of 70 feet.
4. Docks & Harbors has consulted with the engineer of record (PND Engineers) who have indicated no construction or engineering concerns with guide pile removal to facilitate larger vessels/barges using the ramp.
5. Because of the extraordinary, unbudgeted and potential burdensome permitting costs to remove the piling, Docks & Harbors staff recommends a process in which the piling is declared "surplus" and would be publicly noticed. Staff is optimistic that a local marine contractor will offer to bid on the opportunity to remove and keep the five, 50 feet galvanized piles as compensation for removal.

#



CITY/BOROUGH OF JUNEAU
 ★ **ALASKA'S CAPITAL CITY**
DOCKS & HARBORS DEPARTMENT

The Auke Bay Loading Facility - Auke Bay, Alaska

Freight Staging Area

Concrete Loading Ramp - 52' Wide

Ramp Boarding Float

Pile-Supported Approach
Dock w/ Metal Grate Decking

Transfer Bridge with
HS-20 Load Rating

Security Gate

Net Mending Work Barge

Gear Storage Area

180' x 50' Drive Down Float w/
Cranes, Electrical and Water Service

**Note: All users must contact the Statter Harbor Office at 789-0819
for pre-approval to use the facility**

Memorandum

Date: January 12, 2016
To: Bryan Hawkins, Port Director, City of Homer
From: Northern Economics, Inc.
Re: Homer Harbor Rate Structure

This memo evaluates alternative rate structures for the Homer Harbor. Homer's current moorage rate structure is a flat fee charged per linear foot of vessel length or stall length, whichever is greater. The City of Homer is interested in investigating graduated rate structures in which the rate charged per foot would vary by vessel size. The purpose of this study is to provide an objective analysis of alternative rate structures and options for Homer Harbor.

Recommendations

Based on the findings of this rate structure analysis, Northern Economics makes the following recommendations to be considered by the Port and Harbor Commission.

Recommended alternatives

Northern Economics recommends two rate structure alternatives to be moved forward for further discussion and evaluation by the Port and Harbor Commission. The first recommended alternative, Alternative A, is a progressive graduated rate structure with tiers set at a constant interval of 5 feet and a rate increase between tiers starting at 1.0 percent and decreasing to 0.1 percent with larger vessel sizes. The second recommended alternative, Alternative B, is a progressive continuous rate structure in which the annual moorage rate is calculated using the following equation:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.19 + \frac{\$0.05}{\text{foot}} \times \text{vessel length (feet)}}{\text{foot}}$$

The recommended alternatives were selected from a list of five rate structure options that exemplify the most common trends found throughout the rate structures sampled for this study.

Two different approaches to applying the recommended alternatives have also been identified. The first approach is a rate structure that starts at a minimum vessel length of 6 feet and progresses consistently out to 200 feet, the maximum vessel length serviced by the harbor, similar to the current flat rate structure. The second approach is to place a cap on the rate structure for vessels that are too large to fit into a stall and instead must side tie to a transit raft. This second approach would result in a progressive rate for vessels up to 86 feet in length and a flat rate for larger vessels that are required to use a transient raft instead of a stall. The second approach is aimed at adjusting the rate structure for the different level of service provided to vessels that use a stall compared to vessels using the transient raft.

User group differentiation

Some of the harbors sampled in the rate structure review charge different rates based on the user type, typically differentiating between recreational and commercial users. The harbors that implemented different user-based rate structures typically catered strongly to a single user group, most commonly commercial fishing, unlike Homer's harbor which accommodates a variety of user groups. Reduced rates for commercial users are often subsidized by other local government departments through transfers and are used as a tool to increase sales tax revenues and job creation within the community or a specific industry. Northern Economics does not recommend that Homer adopt a user-based rate structure at this time since the harbor serves a diverse group of users and does not receive any financial benefits from the city for sales tax revenues its users generate.

Continue to offer discounts for longer reserved moorage

Homer Harbor currently offers discounts for yearly, semi-annual, and monthly billing cycles for reserved moorage. These discounts help to reduce administrative costs associated with billing and collecting reserved moorage fees and assist in managing cash flows within the harbor. Northern Economics recommends maintaining this practice under the selected rate structure.

Transition over multiple years

Northern Economics recommends transitioning to the selected rate structure over multiple years to mitigate steep increases in moorage rates that could potentially shock the market and negatively impact demand. Continued annual increases based on the change in the Anchorage Consumer Price Index (CPI), as well as the 3.2 percent annual increase established by Resolution 15-072, should also be factored into the transition plan. Due to the progressive nature of the recommended alternative rate structures, vessels with longer lengths may require a longer transition period than smaller vessels. Table 1 illustrates an example of a transition plan for the two recommended alternatives. This example uses the average annual increase in CPI between 2010 and 2014, 2.3 percent, as a proxy for future annual CPI-based rate adjustments. The columns for years 1 through 7 show the annual percentage increase in moorage rates during the example transition plans. The shaded cells indicate years in which an additional rate increase is added to the annual CPI and Resolution 15-072 rate adjustment to bring the current flat rate structure in line with the recommended alternatives.

Table 1. Example Transition Plan: Percent Increase in Moorage Rate by Year

Alternative	Vessel Length (ft)	% Change From Flat	Res. 15-072 Increase	Average Increase in CPI (%)	Moorage Rate Increase (%) by Year						
					1	2	3	4	5	6	7
Alternative A	18	1.0	3.2	2.3	6.5	5.5	5.5	5.5	5.5	5.5	5.5
	32	3.9	3.2	2.3	7.5	7.5	5.5	5.5	5.5	5.5	5.5
	54	7.5	3.2	2.3	8.0	8.0	8.0	5.5	5.5	5.5	5.5
	86	13.1	3.2	2.3	8.1	8.1	8.1	8.1	8.1	5.5	5.5
	112	16.4	3.2	2.3	8.2	8.2	8.2	8.2	8.2	8.2	5.5
Alternative B	18	1.4	3.2	2.3	6.9	5.5	5.5	5.5	5.5	5.5	5.5
	32	3.0	3.2	2.3	7.0	7.0	5.5	5.5	5.5	5.5	5.5
	54	5.5	3.2	2.3	7.3	7.3	7.3	5.5	5.5	5.5	5.5
	86	9.2	3.2	2.3	7.8	7.8	7.8	7.8	5.5	5.5	5.5
	112	12.2	3.2	2.3	7.9	7.9	7.9	7.9	7.9	5.5	5.5
Current Structure	18	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5
	32	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5
	54	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5
	86	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5
	112	-	3.2	2.3	5.5	5.5	5.5	5.5	5.5	5.5	5.5

Table 2 shows the annual moorage fees that would result from the transition plan illustrated in Table 1. The transition plan takes place over six years for Alternative A and five years for Alternative B with a maximum annual increase in annual moorage rates of 8.2 percent when the annual CPI-based adjustments and Resolution 15-072 annual increases are factored in.

Table 2. Example Transition Plan- Annual Moorage by Year

Alternative	Vessel Length (ft)	Annual Moorage Fee (\$) by Year							
		Current	1	2	3	4	5	6	7
Alternative A	18	782.82	833.70	879.56	927.93	978.97	1,032.81	1,089.62	1,149.55
	32	1,391.68	1,495.40	1,606.85	1,695.23	1,788.47	1,886.83	1,990.61	2,100.09
	54	2,348.46	2,536.63	2,739.87	2,959.41	3,122.17	3,293.89	3,475.06	3,666.18
	86	3,740.14	4,043.95	4,372.44	4,727.61	5,111.63	5,526.85	5,830.83	6,151.52
	112	4,870.88	5,271.95	5,706.05	6,175.89	6,684.42	7,234.82	7,830.54	8,261.22
Alternative B	18	782.82	836.68	882.69	931.24	982.46	1,036.49	1,093.50	1,153.64
	32	1,391.68	1,489.02	1,593.17	1,680.80	1,773.24	1,870.77	1,973.66	2,082.21
	54	2,348.46	2,520.83	2,705.84	2,904.44	3,064.18	3,232.71	3,410.51	3,598.09
	86	3,740.14	4,031.85	4,346.31	4,685.29	5,050.72	5,328.50	5,621.57	5,930.76
	112	4,870.88	5,257.50	5,674.80	6,125.23	6,611.41	7,136.18	7,528.67	7,942.75
Current Structure	18	782.82	825.88	871.30	919.22	969.78	1,023.11	1,079.39	1,138.75
	32	1,391.68	1,468.22	1,548.97	1,634.17	1,724.05	1,818.87	1,918.91	2,024.45
	54	2,348.46	2,477.63	2,613.89	2,757.66	2,909.33	3,069.34	3,238.16	3,416.26
	86	3,740.14	3,945.85	4,162.87	4,391.83	4,633.38	4,888.21	5,157.07	5,440.70
	112	4,870.88	5,138.78	5,421.41	5,719.59	6,034.17	6,366.05	6,716.18	7,085.57

Once a transition plan is developed, Northern Economics recommends publishing planned rate increases a few year in advance to allow vessel owners to plan ahead and make necessary adjustments to absorb the moorage rate increases.

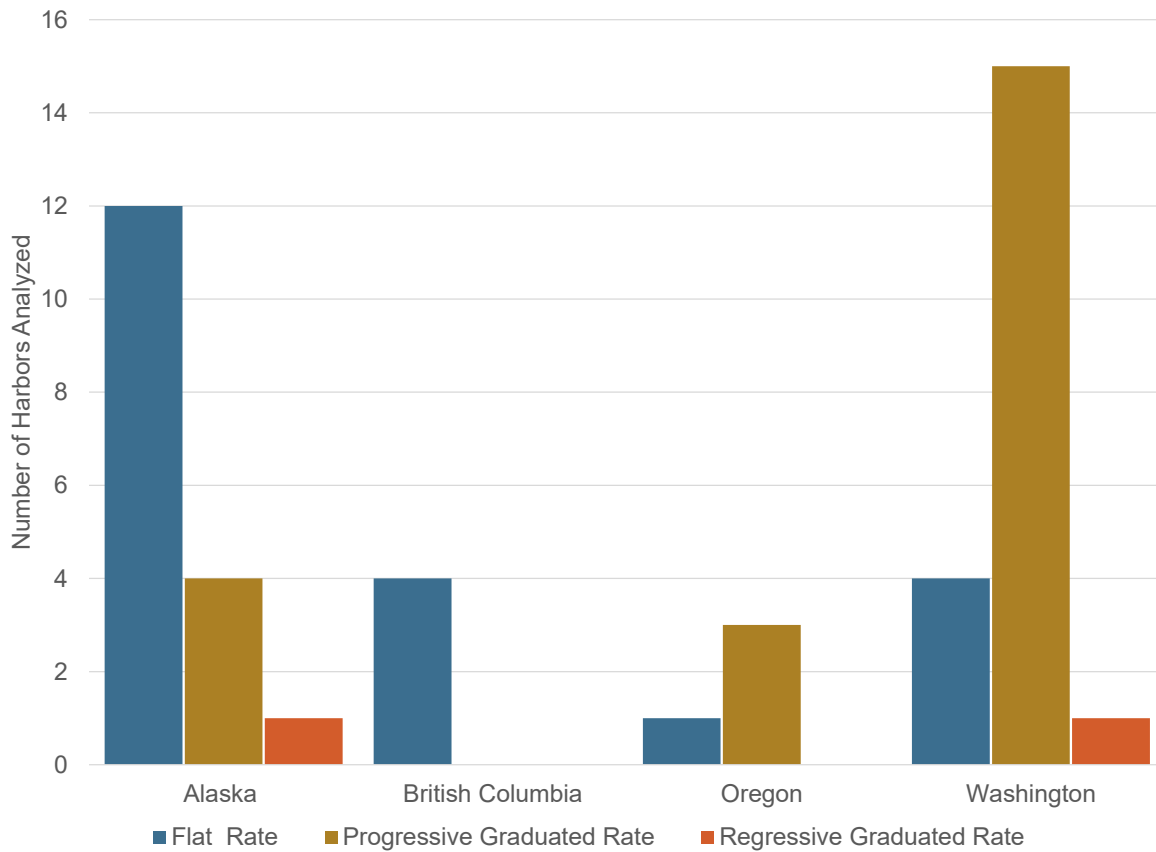
Rate Structure Review

Northern Economics analyzed the permanent moorage rate structures of 45 harbors across Alaska, British Columbia, Washington, and Oregon. Three distinct rate structures were identified within these harbors:

- **Flat Rate:** moorage rate per foot is constant, regardless of vessel or slip size.
- **Progressive Graduated Rates:** moorage rate per foot increases with the vessel or slip size.
- **Regressive Graduated Rates:** moorage rate per foot decreases with the vessel or slip size.

Of the 45 rate structures analyzed, 22 had flat rates and 23 had graduated rates. Of those with graduated rates, 21 were progressive and 2 were regressive. Figure 1 illustrates the distribution of the harbors analyzed by location and rate structure type. While flat rate structures are most common among Alaska harbors, both progressive and regressive rate structures are also being used in the state. Graduated rate structures are prevalent in Oregon and Washington.

Figure 1. Frequency of Rate Structure Types by Location



Source: websites and rate sheets collected from harbors

Table 3 lists the harbors analyzed in this study with the details about their graduated rate structures. These data were used as the basis for the five rate structure options and resulting recommended alternatives presented in this report.

Table 3. Graduated Rate Structures by Port

Port ^a	State	Graduation	Tier Size (ft)	Rate Change per Tier (%)	Transient Structure
Astoria	OR	Progressive	9	3-10	Graduated
Bainbridge	WA	Progressive	8	6-9	Graduated
Ballard Mill	WA	Progressive	2-8	6-9	Only offer Monthly
Bandon	OR	Progressive	various	\$0.01 ^b	Graduated
Bellingham	WA	Progressive	3-11	2-17	Graduated
Blaine	WA	Progressive	3-14	1-16	Flat Rate
Bremerton	WA	Progressive	4	2-9	Flat Rate
Dana Point	OR	Progressive	5	2-22	Flat Rate
Elliot Bay	WA	Progressive	2-10	2-9	Flat Rate
Everett	WA	Progressive	2-5	5-22	Permanent + Flat Fee
Fishermen's Terminal	WA	Progressive	10	1-9	Graduated
Friday Harbor	WA	Progressive	2-10	1-2	Graduated
Haines	AK	Progressive	40	\$6 ^c	Flat Rate
Kennewick	WA	Regressive	5-20	1-25	Flat Rate
Kodiak	AK	Progressive	20	7-20	1/60 of Annual
Olympia	WA	Progressive	8	4-13	Flat Rate
Petersburg	AK	Progressive	8-12	11-15	Flat Rate
Port Angeles	WA	Progressive	10	6-9	Graduated
Port Townsend	WA	Progressive	2-5	1-8	Flat Rate
Shilshole Bay	WA	Progressive	2-10	1-16	Graduated
Tacoma	WA	Progressive	2	various	Only offer Monthly
Thorne Bay	AK	Regressive	5-13	1-2	Graduated
Unalaska	AK	Progressive	10	7-23	Graduated

Notes:

^a Harbors with flat rate structures are not included in the table. These harbors included Brentwood Bay (BC), Chenega Bay, Comox (BC), Cordova, Dillingham, Grays Harbor (WA), Juneau, Kalama (WA), Ketchikan, Kingston (WA), Nanaimo (BC), Nome, Poulsbo (WA), Seward, Sitka, Skagway, Toledo (OR), Valdez, Whittier, and Wrangell.

^b Rate structure uses a \$0.01 increase between tiers instead of a consistent percent change between tiers

^c Rate structure uses a \$6 increase between tiers instead of a consistent percent change between tiers

Source: Websites and rate sheets collected from harbors.

Separate rate structures for transient and permanent moorage were common throughout the rate structures sampled, but the structure of transient moorage and premium over the permanent rate varied significantly between ports. In all cases, daily transient moorage rates were higher than the permanent moorage rates. Some harbors apply a separate graduated rate structure for transient moorage, but there were also a number of harbors that use a flat rate structure for transient moorage.

Rate Structure Options for Homer

Within graduated rate structures there are two main variables that can be manipulated to produce a customized rate structure. The first is the size and number of tiers within the graduated scale. These tiers can be set to a single uniform size or vary based on vessel size, slip size, or demand. Often tiers are matched with fleet or infrastructure characteristics, such as slip sizes, popular recreational vessels, or species-specific commercial fishing vessel lengths. The second variable is the extent of change

between tiers. The degree of change between tiers may be constant or vary across tiers. Often the rate change is proportional to the size of the tiers.

Based on the rate structure review, Northern Economics developed five rate structure options that illustrate the most common attributes found in the graduated rate structures sampled. These structure options illustrate how a graduated rate structure could be applied to Homer.

Option 1: A progressive graduated rate structure in which the tiers correspond to the slip sizes available in Homer Harbor. The rate increase for each tier ranges from 2 to 5 percent and increases at a decreasing rate.

Option 2: A progressive graduated rate structure with smaller tiers set at a constant interval of 5 feet. The rate increase for each tier ranges from 1.0 to 0.1 percent and increases at a decreasing rate.

Option 3: A progressive graduated rate structure with fewer tiers set at a constant interval of 20 feet. The rate increase for each tier ranges from 4 to 10 percent and increases at an increasing rate

Option 4: A regressive graduated rate structure with tiers set at a constant interval of 10 feet. The rate decrease for each tier ranges from 1 to 4 percent and decreases at an increasing rate.

Option 5: A progressive continuous rate structure in which the annual moorage rate is calculated using the following equation:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.19 + \frac{\$0.05}{\text{foot}} \times \text{vessel length (feet)}}{\text{foot}}$$

To narrow down the five options presented above, Northern Economics considered the pros and cons of each rate structure and how well each option could be adapted to fit Homer Harbor. Table 4 summarizes the pros and cons identified for each rate structure option.

Table 4. Rate Structure Options Pros and Cons

Rate Structure	Pros	Cons
Option #1	Tiers are directly tied to the infrastructure used (slip size)	Larger tiers and bigger rate jumps between tiers
Option #2	Smaller tiers and rate increases, facilitating a smoother transition between tiers	Incentivizes vessel owner to try to fit into the lowest tier possible
Option #3	Simple rate structure with few tiers	Large tiers and big rate jumps between tiers
Option #4	Reduces rates for larger vessels	Does not reflect the cost of accommodating larger vs. smaller vessels
Option #5	Logical and justifiable rates charged per foot of vessel length	Very detailed rate sheets needed for successful implementation

Tier Size

One of the main differentiating factors between the five rate structure options presented above is tier size. Option 3 has the largest tiers (20 feet), followed by Option 1 (corresponding with slip size, ranging from 2 to 25 feet) and Option 4 (10 foot). Option 2 has the smallest tier size (5 feet). Option 5 employs a continuous rate that effectively has a tier size of 1 foot.

Transitioning from a flat rate structure to a graduated rate structure that uses fewer but larger tiers may be seen as a drastic change and cause some dissention among customers whose vessels are close to the transition points between tiers. Larger rate increases between tiers may also been seen as biased towards smaller vessel sizes or a specific user group. For these reasons, Northern Economics recommends implementing a rate structure that uses smaller tier sizes.

Regressive vs Progressive

The majority of the graduated rate structures sampled are progressive, meaning that they employ an increasing rate change between tiers. Progressive rates reflect the logic that larger vessels requiring larger turning basins and exert more force on harbor infrastructure, resulting in decreased utilization of the harbor basin and more wear and tear on facilities than smaller vessels. Larger vessel owners are thus charged a higher rate per foot to account for the increased costs associated with infrastructure designed to accommodate their vessels.

Regressive graduated structures were the least common structure found within the sample. Regressive structures are often used at harbors that want to attract larger vessels to fill available capacity or attract commercial vessels that bring in additional revenue to local governments through other taxes or fees. Homer Harbor currently has a waiting list, attracts a diverse range of harbor users and vessels sizes, and does not receive a financial benefit from the City of Homer's tax revenues. For these reasons Northern Economics does not recommend a regressive rate structure for Homer Harbor.

Recommended Alternative Rate Structures for Homer

Based on the criteria discussed above, Northern Economics recommends Options 2 and 5 as potential alternative rate structures for Homer Harbor. Moving forward, Option 2, a progressive rate structure with smaller tiers and rate increases, will be referred to as Alternative A and Option 5, the continuous progressive rate structure, will be referred to as Alternative B.

Northern Economics developed rate tables for each alternative, shown in Table 5 and Table 6, using the 2016 flat rate of \$43.49 per foot as the starting point for each structure.

Table 5 contains the rate structure for Alternative A, a progressive graduated structure using consistent 5-foot tiers. The rate changes between tiers increases incrementally at a decreasing rate between 1.0 percent and 0.1 percent. Under Alternative A, annual moorage for a 30 foot vessel would be \$1,343.24, which is 53 percent more than the annual moorage for a 20 foot vessel. Compared to the 2016 flat rate structure, the annual moorage under alternative A for a 30 foot vessel would increase by just over 3 percent.

Table 5. Rate Table, Alternative A

Vessel Size	% Increase in Tier	Annual Rate (\$/foot)
0-15	-	43.49
16-20	1.00	43.92
21-25	0.98	44.35
26-30	0.95	44.77
31-35	0.93	45.19
36-40	0.90	45.60
41-45	0.88	45.99
46-50	0.85	46.39
51-55	0.83	46.77
56-60	0.80	47.14
61-65	0.78	47.51
66-70	0.75	47.86
71-75	0.73	48.21
76-80	0.70	48.55
81-85	0.68	48.88
86-90	0.65	49.19
91-95	0.63	49.50
96-100	0.60	49.80
101-105	0.58	50.08
106-110	0.55	50.36
111-115	0.53	50.62
116-120	0.50	50.88
121-125	0.48	51.12
126-130	0.45	51.35
131-135	0.42	51.57
136-140	0.40	51.77
141-145	0.37	51.97
146-150	0.35	52.15
151-155	0.32	52.32
156-160	0.30	52.48
161-165	0.27	52.62
166-170	0.25	52.75
171-175	0.22	52.87
176-180	0.20	52.98
181-185	0.17	53.07
186-190	0.15	53.15
191-195	0.12	53.22
196-200	0.10	53.27

Alternative B is a progressive continuous rate structure in which the annual moorage rate per foot increases consistently by \$0.05 per foot. The rate is calculated according to the formula:

$$\text{Permanent Moorage Rate} \left(\frac{\$}{\text{foot}} \right) = \frac{\$43.19 + \frac{\$0.05}{\text{foot}} \times \text{vessel length (feet)}}{\text{foot}}$$

Table 6 displays the calculated annual moorage rates under Alternative B. The rate increase per foot for this alternative was developed to mirror the rates presented in Alternative A.

Table 6. Rate Table, Alternative B

Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)	Vessel Length (ft)	Annual Rate (\$/ft)
6	43.49	40	45.19	74	46.89	108	48.59	142	50.29	176	51.99
7	43.54	41	45.24	75	46.94	109	48.64	143	50.34	177	52.04
8	43.59	42	45.29	76	46.99	110	48.69	144	50.39	178	52.09
9	43.64	43	45.34	77	47.04	111	48.74	145	50.44	179	52.14
10	43.69	44	45.39	78	47.09	112	48.79	146	50.49	180	52.19
11	43.74	45	45.44	79	47.14	113	48.84	147	50.54	181	52.24
12	43.79	46	45.49	80	47.19	114	48.89	148	50.59	182	52.29
13	43.84	47	45.54	81	47.24	115	48.94	149	50.64	183	52.34
14	43.89	48	45.59	82	47.29	116	48.99	150	50.69	184	52.39
15	43.94	49	45.64	83	47.34	117	49.04	151	50.74	185	52.44
16	43.99	50	45.69	84	47.39	118	49.09	152	50.79	186	52.49
17	44.04	51	45.74	85	47.44	119	49.14	153	50.84	187	52.54
18	44.09	52	45.79	86	47.49	120	49.19	154	50.89	188	52.59
19	44.14	53	45.84	87	47.54	121	49.24	155	50.94	189	52.64
20	44.19	54	45.89	88	47.59	122	49.29	156	50.99	190	52.69
21	44.24	55	45.94	89	47.64	123	49.34	157	51.04	191	52.74
22	44.29	56	45.99	90	47.69	124	49.39	158	51.09	192	52.79
23	44.34	57	46.04	91	47.74	125	49.44	159	51.14	193	52.84
24	44.39	58	46.09	92	47.79	126	49.49	160	51.19	194	52.89
25	44.44	59	46.14	93	47.84	127	49.54	161	51.24	195	52.94
26	44.49	60	46.19	94	47.89	128	49.59	162	51.29	196	52.99
27	44.54	61	46.24	95	47.94	129	49.64	163	51.34	197	53.04
28	44.59	62	46.29	96	47.99	130	49.69	164	51.39	198	53.09
29	44.64	63	46.34	97	48.04	131	49.74	165	51.44	199	53.14
30	44.69	64	46.39	98	48.09	132	49.79	166	51.49	200	53.19
31	44.74	65	46.44	99	48.14	133	49.84	167	51.54		
32	44.79	66	46.49	100	48.19	134	49.89	168	51.59		
33	44.84	67	46.54	101	48.24	135	49.94	169	51.64		
34	44.89	68	46.59	102	48.29	136	49.99	170	51.69		
35	44.94	69	46.64	103	48.34	137	50.04	171	51.74		
36	44.99	70	46.69	104	48.39	138	50.09	172	51.79		
37	45.04	71	46.74	105	48.44	139	50.14	173	51.84		
38	45.09	72	46.79	106	48.49	140	50.19	174	51.89		
39	45.14	73	46.84	107	48.54	141	50.24	175	51.94		

Effect of Rate Structures on Moorage Fees Paid by Vessel Owners

To demonstrate the impact of the alternative rate structures on vessel owners, Table 7 shows the annual moorage payment (not including sales tax and the administrative fee) for vessels ranging from 18 to 80 feet in length under the alternative rate structures and the 2016 flat rate of \$43.49 per foot. The table also shows the percent change in moorage payments relative to the 2016 flat rate.

Table 7. Annual Moorage Revenue and Change by Alternative and Vessel Length

Rate Structure	Vessel Length (ft.)						
	18	24	32	42	54	68	80
Annual Moorage Payment (\$)							
Alternative A	790.65	1,064.48	1,446.04	1,931.76	2,525.47	3,254.74	3,883.86
Alternative B	793.62	1,065.36	1,433.28	1,902.18	2,478.06	3,168.12	3,775.20
2016 Flat Rate	782.82	1,043.76	1,391.68	1,826.58	2,348.46	2,957.32	3,479.20
Change From 2016 Flat Rate (%)							
Alternative A	1.0	2.0	3.9	5.8	7.5	10.1	11.6
Alternative B	1.4	2.1	3.0	4.1	5.5	7.1	8.5

Figure 2 compares the 2016 annual flat rate per foot with the two recommended alternative rate structures.

Figure 2. Comparison of Alternative Rate Structures by Vessel Length

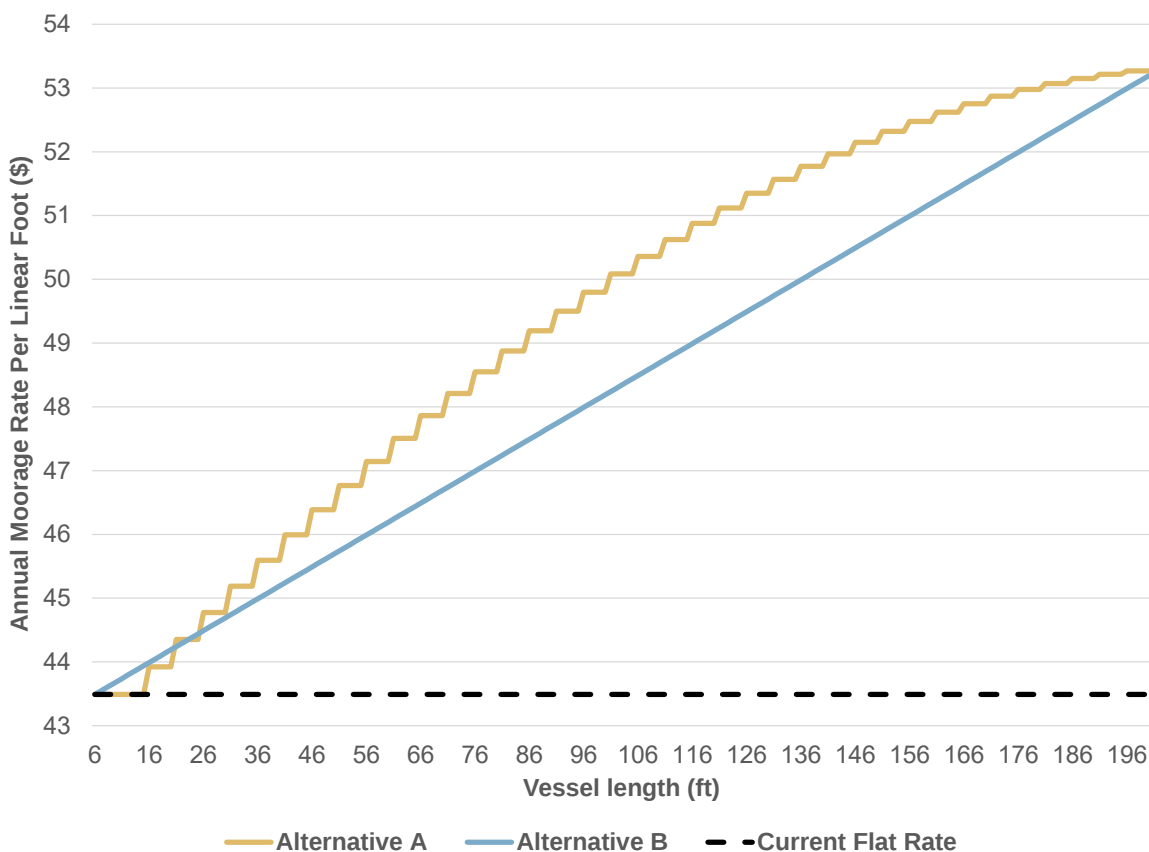
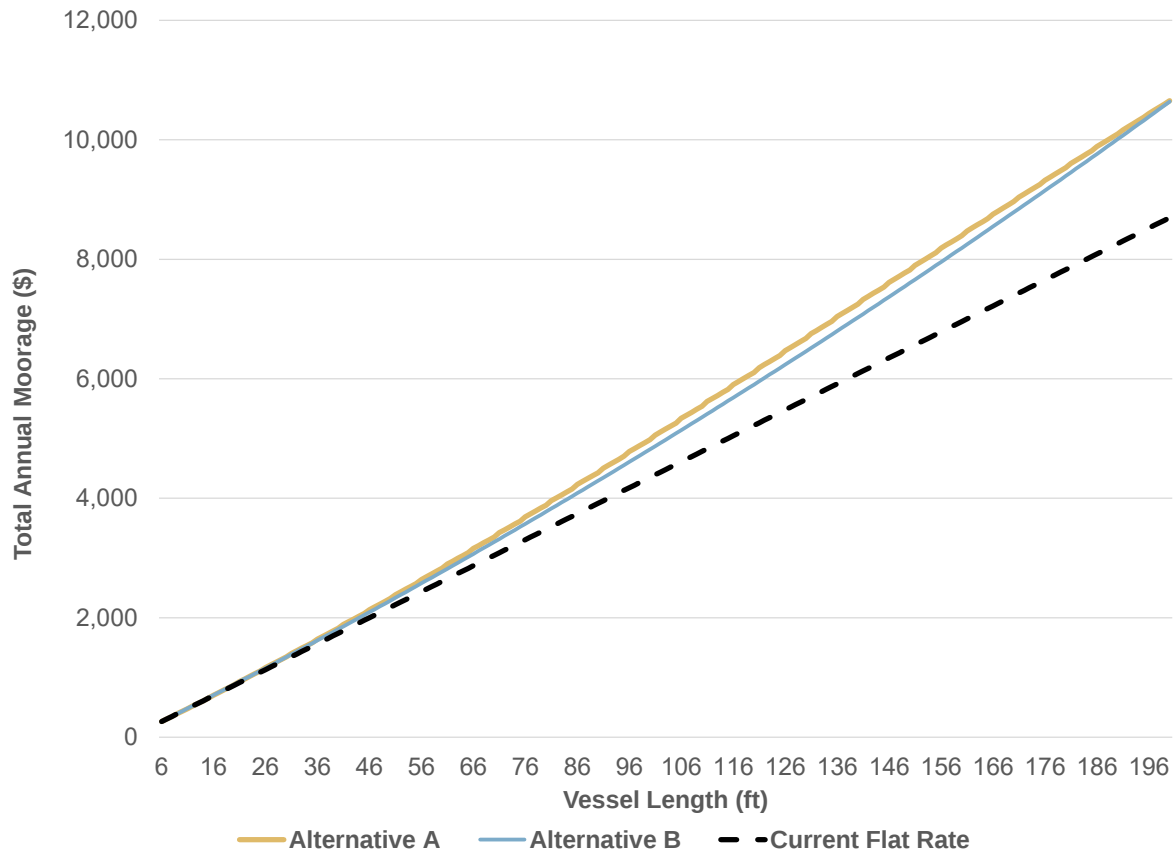


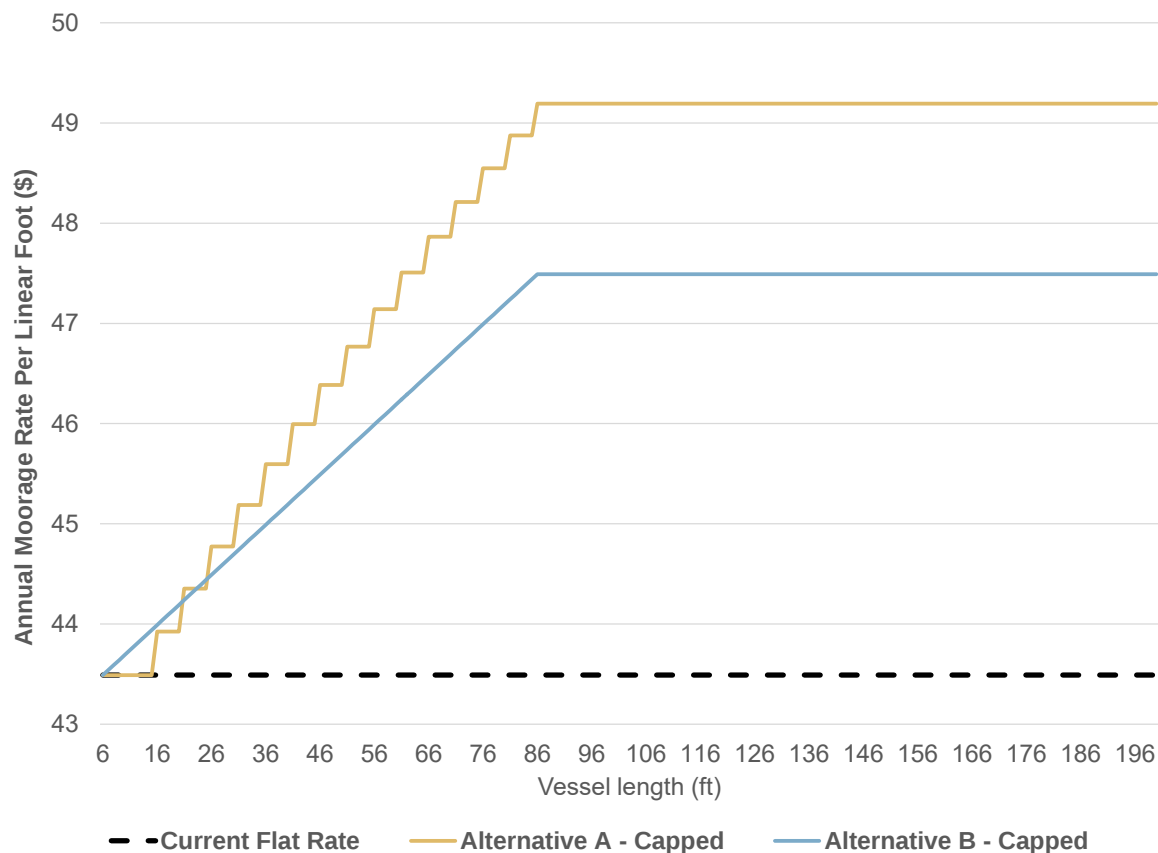
Figure 3 shows the total annual moorage by vessel length for the two recommended alternatives as well as the 2016 flat rate structure. Sales tax and administration fees are not included in the rates.

Figure 3. Comparison of Annual Moorage under Recommended Alternatives by Vessel Length



Homer Harbor has 883 stalls ranging from 18 feet to 75 feet and can accommodate vessels up to 86 feet in length. Vessels longer than 86 feet use the harbor by side tying to transit rafts. Due to the lower level of service offered to vessels at the transit rafts, one modification could be to add a cap on the annual rate for vessels over 86 feet in length. Figure 4 shows the two recommended alternatives with the rate cap.

Figure 4. Annual Moorage Rate under Recommended Alternatives with Cap



Differentiation by User Type

In addition to length-based rate structures, some harbors charge different rates based on the user type. Four harbors within the sample have class-based divisions, all of which are divided into recreational vessels and commercial vessels. Fishermen's Terminal in Seattle and Blaine Harbor in Bellingham each apply separate graduated rate structures for commercial and recreational vessels. In both cases, the monthly moorage rate per foot is significantly less, between 13 and 39 percent at Fishermen's Terminal and between 28 and 35 percent at Blaine Harbor for commercial vessels. The tiers used in the graduated rate structure for commercial vessels are also much larger than those used for recreational vessels. Commercial-specific rate structures are also set to accommodate larger vessels, with the first tiers ending at 80 feet under both rate structures.

The Port of Nanaimo and Comox Valley Harbor in British Columbia also charge separate moorage rates for commercial and recreational vessels. Both of these harbors use separate flat rate structures for each user type. Moorage for commercial vessels is 32 to 35 percent less than the moorage for recreational vessels at both of these harbors.

Table 8. Commercial Moorage Discounts by Harbor

Harbor	Rate Structure	Discount for Commercial Relative to Recreational (%)
Blaine	Graduated-Progressive	28-35
Comox	Flat Rate	34
Fishermen's Terminal	Graduated-Progressive	13-39
Nanaimo	Flat Rate	32-35

Source: Websites and rate sheets collected from harbors.

Both Fishermen's Terminal and Blaine Harbor require proof of active commercial fishing in order to qualify for the commercial rates. Fish tickets, landing permits, or fishing permits from the current or previous season are acceptable as proof of active commercial fishing. Both harbors emphasize that the vessel must be actively participating in commercial fishing activities and require that these documents be submitted every two years for long term tenants.

Blaine Harbor implemented a reduced rate structure for commercial vessels in 2011 in an effort to promote the local fishing and maritime trade community. Commercial users are subsidized through the Economic Development Fund. Blaine Harbor's goal in offering reduced commercial moorage is to attract vessels from other harbors, increase taxes paid to Whatcom County, and promote job creation within the community. After a review of its active commercial fishing rate structure in 2014, Blaine's Port Commission approved a two percent increase in commercial rates starting in 2017 in an attempt to reduce the amount of subsidy provided by the Economic Development Fund.

Fishermen's Terminal has a long history of supporting the commercial fishing industry, and for its first 88 years in operation this facility was exclusively for commercial fishing vessels. Fishermen's Terminal is part of the larger Port of Seattle system, which includes Sea-Tac Airport, cargo terminals, cruise ship terminals, Bell Harbor Marina, and Shilshole Bay Marina. The facilities within this port system are focused on specific user groups and Fishermen's Terminal, as the name suggests, caters primarily to commercial fishermen. The reduced rate structure for active commercial vessels, like Blaine Harbor, was implemented to encourage commercial fishing activities within the community. Fishermen's Terminal does not operate as an enterprise and is not expected to break even, but instead is used as an economic driver that results in increased revenues through other tax structures in King County. While this program is not directly subsidized, the Port of Seattle receives a portion of the revenues collected through King County property taxes and the Port Authority then distributes a portion of the transferred revenues to Fishermen's Terminal.

In the case of both Blaine Harbor and Fishermen's Terminal, user-specific rate structures are used as an economic stimulant with the goal of generating additional revenues through other local tax structures. Subsidies or transfers from local governments allow for the ports implementing these rate structures to be compensated for the increased economic activity they are encouraging.



Port of Juneau

City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Port Director
To: Docks & Harbors Board
Date: June 18th, 2021
Re: ASSEMBLY ORDINANCE ON FIREWORKS & FUTURE ACTION

1. At the June 16th Docks & Harbors Operations-Planning Committee meeting, the Port Director presented an information item on the recently enacted CBJ Fireworks ordinance (2021-03). The topic was placed on the agenda in anticipation of an action by the Assembly which would have legalized all saleable fireworks, year-round at the North Douglas Launch Ramp, Amalga Harbor & Echo Cove (i.e. all CBJ properties outside the Fire Service Area).
2. Although, the Assembly failed to pass that resolution at their June 14th meeting, the City Manager indicated the Assembly will take up this issue again this fall. It was recommended that empowered Boards, potentially impacted with expanded legalized use of fireworks, communicate concerns/recommendations to the Assembly.
3. The current fireworks ordinance does not allow any fireworks to be exploded on any City & Borough of Juneau lands.

#

Presented by: COW
Presented: 05/12/2021
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2021-03

An Ordinance Regulating Fireworks and Providing for a Penalty.

BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough of Juneau Municipal Code.

Section 2. Amendment of Title. Title 36, Health and Sanitation, is amended by adding a new chapter to read:

36.80 FIREWORKS CONTROL CODE

36.80.010 Fireworks control.

- (a) This chapter shall be known as the Fireworks Control Code.
- (b) The intent of this chapter is to comprehensively regulate the use, possession, and sale of fireworks despite any contradictory provision of Title 19. Title 19 shall govern the storage of fireworks. Pursuant to Title 19, the fire chief may still prohibit or restrict the use of all fireworks at any time due to increased fire danger or any other reasons which may create a significant increased risk to public health and safety.
[State law reference, A.S. 18.72.060]

36.80.020 Fireworks prohibition and exceptions.

- (a) General Prohibition. Except as specifically provided below, the use of a firework is prohibited within the City and Borough of Juneau.
- (b) Exceptions.
 - (1) Concussive Fireworks. A person may use concussive fireworks for personal use when all three conditions are met: (i) on private property with the permission of the property owner or on designated public property, (ii) outside the fire service area, and (iii) only on New Year's and Fourth of July as defined by this chapter.

(2) Holiday Fireworks. A person may use holiday fireworks on private property with the permission of the property owner or on designated public property (i) inside the fire service area only on New Year's and Fourth of July as defined by this chapter; or (ii) outside the fire service area year-round from 10:00 AM to 10:00 PM.

(3) Allowable Fireworks. A person may use allowable fireworks on private property with the permission of the property owner or on designated public property (i) on New Year's and Fourth of July as defined by this chapter, or (ii) year-round from 10:00 AM to 10:00 PM.

(4) Year-round Outside the Road Service Area. A person may use concussive, holiday, and allowable fireworks for personal use on private property with the permission of the property owner or on designated public property outside the road service area.

(5) Public Display. A person or entity holding a valid firework display permit issued by the City and Borough of Juneau and the State may provide a public display of fireworks consistent with the permit.

(6) Official Use. Employees, contractors, and permittees of the City and Borough of Juneau, State, or any federal agency may use fireworks in the interest of public safety or wildlife control, including at the solid waste facility and the Juneau International Airport.

(c) Violations. A violation of this section is an infraction.

36.80.030 City and Borough of Juneau fireworks display permit.

(a) The fire chief, or designee, may issue a pyrotechnic permit for public fireworks displays, provided the following conditions are satisfied:

(1) Dates, times, and location of the proposed display(s); and

(2) That all required state licenses or permits have been procured (e.g. State of Alaska Fireworks Display Permit); and

(3) That a policy or certified true copy of a policy of public liability insurance and products liability insurance coverage provided by the applicant or his or her employer has been filed with the City and Borough of Juneau Risk Manager, which provides for both accident and occurrence coverage in the amount of at least one million dollars for bodily injury and death and at least five hundred thousand dollars for property damage; and

(4) That the fireworks display is to be conducted by a State of Alaska licensed pyrotechnic operator; and

(5) That the CBJ fireworks display permit expires no longer than thirty days from the date of issuance.

(b) Upon receipt of an application for a CBJ fireworks display permit, the fire chief shall review the application for completeness and send the application out for agency review, including to the Juneau Police Department, CBJ Risk Manager, CBJ Manager's Office, and to the State fire marshal. The agency review should occur within two weeks. Upon the fire chief's determination that the application is complete, in consideration of the agency comments, the fire chief may approve the application, approve the application with conditions, or deny the application. If the fire chief imposes conditions or denies the application, the fire chief must articulate what public health, safety, or welfare reasons support the denial or imposition of conditions.

36.80.040 Sale of fireworks.

(a) Prohibition. The sale of fireworks, display of fireworks for sale, offer to sell, or possess with intent to sell fireworks is prohibited

(1) within the fire service area;

(2) outside of the fire service area unless authorized by a retail firework permit from the City and Borough of Juneau. A government vendor, including a federally recognized tribal government, is exempt from the permit requirement.

(b) Violation. A violation of this section is a Class B misdemeanor.

36.80.045 City and Borough of Juneau retail firework permit.

(a) A person may sell or offer for sale fireworks when all of the conditions are satisfied:

(1) The retail store is located outside the fire service area;

(2) The vendor has received a retail firework permit from the State of Alaska;

(3) The fire chief approves and issues a CBJ retail firework permit;

(4) Only saleable fireworks are sold or offered for sale;

(5) The Juneau area fire danger is low or moderate; and

(6) The vendor confirms each buyer is 18 year of age or older. A vendor is prohibited from giving fireworks to a person under 18 year of age.

(b) Fire Chief Review. Upon receipt of an application for a CBJ retail fireworks permit, the fire chief shall review the application for completeness. The application must include the same information submitted to the State of Alaska for an A.S. 18.72.020 permit. The fire chief's review should occur within two weeks. The fire chief may approve the application, approve the application with conditions, or deny the application. If the fire chief imposes conditions or denies the application, the fire chief must articulate what public health, safety, or welfare reasons support the denial or

imposition of conditions. An applicant aggrieved by a decision of the fire chief may appeal to the manager whose decision shall constitute final agency action.

(c) Duration. A CBJ retail firework permit shall expire 12 months from the date the fire chief issues it. The fire chief may temporarily revoke a CBJ retail firework permit upon notice to the applicant that fire danger conditions are high, very high, or extreme. The fire chief may also revoke a CBJ retail firework permit upon violation of a condition of the permit, violation of this chapter, violation of A.S. 18.72, or violation of Title 19.
[State law reference A.S. 18.72.010—020]

36.80.050 Possession of fireworks.

(a) Possession of Saleable Fireworks. Except as pursuant to a valid permit, or similar authorization, by the City and Borough of Juneau, State, or federal agency, a person must not possess more than 75 gross pounds of saleable fireworks. The gross weight of fireworks includes the combined weight of each individual firework. All fireworks must be stored and transported consistent with Title 19, State, and federal law.

(b) Possession of Dangerous Fireworks. Except as pursuant to a valid permit, or similar authorization, issued by the City and Borough of Juneau, State, or federal agency, a person must not possess dangerous fireworks.

(c) Commercial Transportation. Consistent with federal and state law, a contract or common carrier may transport saleable fireworks in excess of the amount listed in subsection (a).

(d) Violation. A violation of this section is an infraction.
[Federal law reference 18 U.S.C. 836]

36.80.060 Miscellaneous fireworks provisions.

(a) It is unlawful for any person under the influence of any alcoholic beverage, intoxicating liquor, marijuana, controlled substance as defined in AS 28.33.190, or illegal drug to use a firework. In addition to other indicators, a person is under the influence of alcohol if a chemical test determines that at the time the test is administered, there is 0.08 percent or more, by weight, of alcohol in the person's blood or 80 milligrams or more of alcohol per 100 milliliters of blood, or when there is 0.08 grams or more of alcohol per 210 liters of the person's breath.

(b) It is unlawful for any person to use or attempt to use a firework in any manner that could reasonably cause harm to life or property.

(c) Violation. A violation of this section is an infraction.

36.80.070 Definitions.

For the purposes of this chapter, the following definitions apply:

Allowable firework means a saleable firework and limited to the following:

- (A) Reserved;
- (B) Reserved;
- (C) Reserved;
- (D) Cylindrical fountains, total pyrotechnic composition not to exceed 75 grams each in weight, and the inside tube diameter not to exceed $\frac{3}{4}$ inch;
- (E) Cone fountains, total pyrotechnic composition not to exceed 50 grams each in weight;
- (F) Wheels, total pyrotechnic composition not to exceed 60 grams for each driver unit or 240 grams for each complete wheel, and the inside tube diameter of driver units not to exceed $\frac{1}{2}$ inch;
- (G) Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed 100 grams each in weight;
- (H) Dipped sticks, the pyrotechnic composition of which contains chlorate or perchlorate, that do not exceed five grams, and sparklers, the composition of which does not exceed 100 grams each and that contains no magnesium or magnesium and a chlorate or perchlorate;
- (I) Reserved;
- (J) Reserved;
- (K) Novelties consisting of two or more devices enumerated in this paragraph when approved by the Bureau of Explosives.

Concussive firework means a saleable firework (i) that has an inside tube diameter greater than $\frac{3}{4}$ inch or (ii) that is a mine and shell of which the mortar is an integral part.

Dangerous firework means all fireworks that are not defined as a saleable firework.

Designated public property means publicly owned property or publically controlled property (i.e. lease, right-of-way) in which the government, governing board, agency, department, or person with authority specifically identifies as eligible for use of fireworks.

Display means the result of igniting, detonating, or explosion of a firework.

Fire service area means the area as defined by CBJC 01.30.100.

Firework means a saleable (concussive, holiday, or allowable) firework or a dangerous firework.

Holiday firework means a saleable firework and limited to the following:

- (A) Roman candles, not exceeding 10 balls spaced uniformly in the tube, total pyrotechnic composition not to exceed 20 grams each in weight, any inside tube diameter not to exceed $\frac{3}{8}$ inch;
- (B) Skyrockets with sticks, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch, with the rocket sticks being securely fastened to the tubes;
- (C) Helicopter type rockets, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch;
- (D) Reserved;
- (E) Reserved;
- (F) Reserved;
- (G) Reserved;
- (H) Reserved;
- (I) Reserved;
- (J) Firecrackers with soft casings, the external dimensions of which do not exceed one and one-half inches in length or one-quarter inch in diameter, total pyrotechnic composition not to exceed two grains each in weight;
- (K) Reserved.

New Year's and Fourth of July are defined as follows:

New Year's	
December 31	10:00 am – midnight (14 hours)
January 1	Midnight – 1:00 am (1 hour), and 10:00 am – 11:59 pm (14 hours)
Fourth of July	
July 3	10:00 am – midnight (14 hours)
July 4	Midnight – 1:00 am (1 hour), and 10:00 am – 11:59 pm (14 hours)

Public display means to use, ignite, detonate or explode fireworks on public property or intended for a public audience.

Roaded service area means the area defined by CBJC 1.30.320.

Saleable firework means a 1.4 G firework, as defined by the National Fire Protection Association, and, more specifically, shall include and be limited to the following:

- (A) Roman candles, not exceeding 10 balls spaced uniformly in the tube, total pyrotechnic composition not to exceed 20 grams each in weight, any inside tube diameter not to exceed $\frac{3}{8}$ inch;
- (B) Skyrockets with sticks, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch, with the rocket sticks being securely fastened to the tubes;
- (C) Helicopter type rockets, total pyrotechnic composition not to exceed 20 grams each in weight, and the inside tube diameter not to exceed $\frac{1}{2}$ inch;
- (D) Cylindrical fountains, total pyrotechnic composition not to exceed 75 grams each in weight, and the inside tube diameter not to exceed $\frac{3}{4}$ inch;
- (E) Cone fountains, total pyrotechnic composition not to exceed 50 grams each in weight;
- (F) Wheels, total pyrotechnic composition not to exceed 60 grams for each driver unit or 240 grams for each complete wheel, and the inside tube diameter of driver units not to exceed $\frac{1}{2}$ inch;

(G) Illuminating torches and colored fire in any form, total pyrotechnic composition not to exceed 100 grams each in weight;

(H) Dipped sticks, the pyrotechnic composition of which contains chlorate or perchlorate, that do not exceed five grams, and sparklers, the composition of which does not exceed 100 grams each and that contains no magnesium or magnesium and a chlorate or perchlorate;

(I) Mines and shells of which the mortar is an integral part, total pyrotechnic composition not to exceed 40 grams each in weight;

(J) Firecrackers with soft casings, the external dimensions of which do not exceed one and one-half inches in length or one-quarter inch in diameter, total pyrotechnic composition not to exceed two grains each in weight;

(K) Novelties consisting of two or more devices enumerated in this paragraph when approved by the Bureau of Explosives.

State licensed pyrotechnic operator means an individual who has been licensed by the Alaska Department of Public Safety, Fire and Life Safety Division.

Use of a firework or use firework means to ignite, discharge, or attempt to ignite a firework.
[State law reference, A.S. 18.72.100]

Section 3. Amendment of Section. Section 03.30.053, Health and Sanitation fine schedule, is amended by adding the following:

CBJC	Offense	No. of Offense	Fine
36.80.020(a)	Use of firework	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.050(a) and (b)	Possession of fireworks	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.060(a)	Use of fireworks under influence	1 st	\$250
		2 nd and subseq.	\$500 and MCA
36.80.060(b)	Negligent use of fireworks	1 st	\$250
		2 nd and subseq.	\$500 and MCA

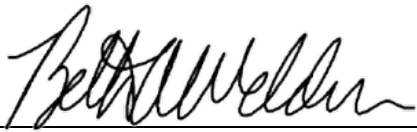
Section 4. Amendment of Section. CBJC 67.01.090, Prohibited uses, is amended by adding the following:

...

(m) Fireworks. Except for an area specifically designated for use of fireworks by the Assembly, use of a firework is prohibited within the limits of any area designated in section 67.01.030. Firework and use of firework have the same meanings as in CBJC 36.80.070. The Assembly, by resolution, may designate any area designated in section 67.01.030 for use of fireworks during specific times.

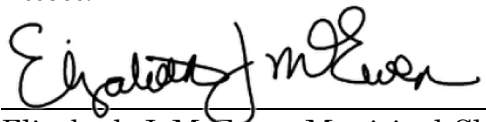
Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 24th day of May, 2021.



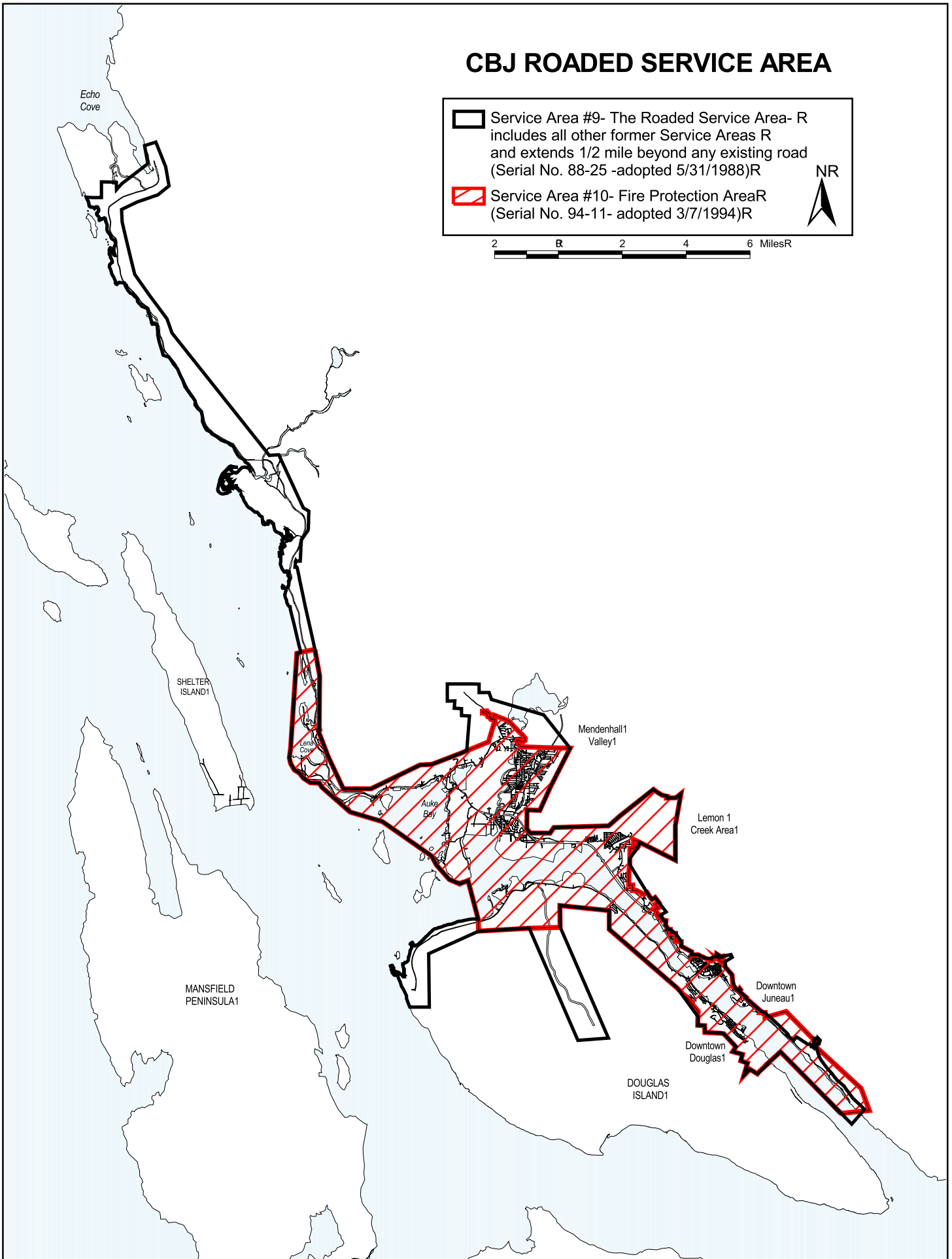
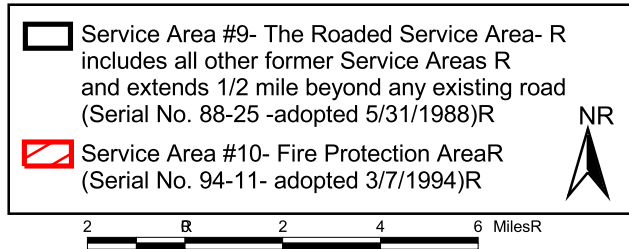
Beth A. Weldon, Mayor

Attest:



Elizabeth J. McEwen, Municipal Clerk

CBJ ROADED SERVICE AREA



The following reflects the changes made at the Assembly COW on April 12, 2021 to Ord. 2021-03. FSA means Fire Service Area.

Saleable Class of Firework	CBJC 36.80.070 Category	CBJC 36.80.020 Restrictions	Existing Fireworks Policy
Mines and shells (mortars) and tubes > 3/4")	Concussive Firework	• Inside FSA: prohibited • Outside FSA: Allowed only Jan. 1 and July 4	• Inside FSA: allowed Jan 1 and July 4 • Past Cohen Drive: allowed year-round, 10am to 10pm
Roman candle	Holiday Firework	• Inside FSA: Allowed Jan. 1 and July 4 • Outside FSA: Allowed year-round 10am to 10 pm	• Inside FSA: allowed Jan 1 and July 4 • Past Cohen Drive: allowed year-round, 10am to 10pm
Skyrockets with sticks	Holiday Firework		
Helicopter rockets	Holiday Firework		
Firecrackers with soft casing	Holiday Firework		
Cylindrical fountain	Allowable Firework	• Allowed year round, 10 am to 10 pm • Expanded hours around Jan. 1 and July 4	• Allowed Year-round, anytime anywhere
Cone fountain	Allowable Firework		
Wheels	Allowable Firework		
Illuminating torches	Allowable Firework		
Dipped sticks	Allowable Firework		
Novelties	Allowable Firework		

FIREWORKS

use guidelines

IN THE CITY & BOROUGH OF JUNEAU

TYPE OF FIREWORK		WHEN TO USE	WHERE TO USE
CONCUSSIVE FIREWORKS	Mines and shells (mortars) and tubes larger than 3/4"	Dec. 31 10am-midnight Jan. 1 Midnight-1am & 10am-11:59pm July 3 10am-midnight July 4 Midnight-1am & 10am-11:59pm	On private property located outside the Fire Service Area*
HOLIDAY FIREWORKS	Roman candles, Skyrockets with sticks, Helicopter rockets, Firecrackers with soft casings	Year-round from 10am-10pm	On private property located outside the Fire Service Area*
		Dec. 31 10am-midnight Jan. 1 Midnight-1am & 10am-11:59pm July 3 10am-midnight July 4 Midnight-1am & 10am-11:59pm	On private property
ALLOWABLE FIREWORKS	Cylindrical fountain, Cone fountain, Wheels, Illuminating torches, Dipped sticks, Novelties	Year-round from 10am-10pm Dec. 31 10am-midnight Jan. 1 Midnight-1am & 10am-11:59pm July 3 10am-midnight July 4 Midnight-1am & 10am-11:59pm	On private property



***Fire Service Area** extends from the end of Thane Road to Cohen Drive; out to the North Douglas boat launch and up to the houses on Fish Creek Road; out to the end of Sandy Beach on Douglas; all of Lemon Creek; and all of the Mendenhall Valley.



VIOLATION OF THESE RULES ARE SUBJECT TO A \$250 FINE.

PORT ENGINEER'S PROJECT STATUS REPORT

Erich Schaal, P.E., Port Engineer

Project	Status	Schedule	Contractor	Notes
Statter Master Plan Phase III				
Phase III A - Dredging, Blasting, Soil Compaction				
Army Corps of Engineers Permit	Complete		PND	
Incidental Harassment Authorization	Complete		PND	
Eagle Permit	Complete		PND	
CBJ Building Permit	Complete		Staff	
Construction Bid	Complete	July 16, 2019	PPM	
D&H Board Approval of Bid	Complete	July 17, 2019		
Assembly Approval of Bid	Complete	July 22 2019		
Construction	Complete	October 1, 2019	PPM	
Substantial Completion	Complete	May 29, 2020		
Dredge Basin Clean Up	Complete	September 26th & 27th		Dredging Complete
Final Completion	Complete	September 30th		
Project Close Out	Complete			Project closed out
Phase III B - Retaining Wall, Float Installation				
Army Corps of Engineers Permit	Complete		PND	
Incidental Harassment Authorization	Complete		PND	
Eagle Permit	Complete		Staff	
Design - Bid Documents	Complete		PND	
CBJ Building Permit	Complete		Staff	
Bid/Contract	Complete		TCC	Trucano Construction
D&H Board Approval of Bid	Complete			
Assembly Approval of Bid	Complete	4/27/2020		
Construction	Complete		TCC	
Substantial Completion	Complete	June 2, 2021		
Final Completion	Complete	June 6, 2021		
Project Close Out	In Progress			Project close out in progress
Phase III C - Uplands, Restrooms				
Eagle Permit	In Progress		Staff	
Design - Bid Documents	Hold		PND	
CBJ Building Permit	Hold		Staff	
Construction Bid	Hold		TBB	
Construction	Hold	TBD	TBD	

PORT ENGINEER'S PROJECT STATUS REPORT

Erich Schaal, P.E., Port Engineer

Pre-Bid Conference	Hold			
D&H Board Approval of Bid	Hold			
Assembly Approval of Bid	Hold			
Substantial Completion	Hold	TBD		
Final Completion	Hold	TBD		
Downtown Waterfront Improvements				
Phase I - Deck Over				
Geotech Report	Complete		PND	
Materials Procurement	Complete	June 15, 2019	Island Const.	
Army Corps of Engineers Permit	Complete		PND	
Incidental Harassment Authorization	Complete		PND	Seals only, new reduced zone size
Bid Opening	Complete	July 2, 2019	Staff	
D&H Board Approval	Complete	July 3, 2019		
Assembly Approval	Complete	July 8, 2019		
Early Entry by Archipelago Property LLC	Canceled	June 1, 2020		Archipelago Project On Hold
Substantial Completion	Complete	December 12, 2020		Substantial Completion Walk Through Complete
Final Completion	Complete	April 15, 2021		
Phase II - Visitor Waiting Area and Restrooms				
Design - Bid Documents	Hold	TBD	PND	Working to 65% Plans with cost est
CBJ Building Permit	Hold		Staff	
Construction Bid	Hold		TBD	
D&H Board Approval	Hold			
Assembly Approval	Hold			
Phase II Construction	Hold			
Substantial Completion	Hold			
Final Completion	Hold			
Aurora - Harris Harbors Dredging - ACOE				
Breakwater Repairs	Complete	May 2020	ACOE	Western Marine Construction
Dredging Activity	Complete	April & May 2021	ACOE	Aurora dredging underway, complete May 15th
Public Outreach	Complete		Western	Project info on D&H website
Small Cruise Ship Infrastructure Study				
Fee Negotiations	Complete		PND	
Data Collection/Market Study	Complete		PND	
Planning/Conceptual Layout	Complete		PND	
Presentation to Board	Complete		PND	
Receive Comments from Board	Complete		Staff	

PORT ENGINEER'S PROJECT STATUS REPORT

Erich Schaal, P.E., Port Engineer

Public Outreach	Complete		PND	
Final Report	Complete	Jan 2021	PND	
Final Presentation to Assembly	Complete	Feb 2021	PND	Follow up memo to Assembly in process
Large Berth Shore Power Design				
RFP Creation	Complete	May 19, 2020		RFP issued
Consultant Selection	Complete			Haight & Assoc Selected
Fee Negotiations	Complete			
Project Kick Off Meeting	Complete			
Stake Holder Interviews	Complete		H&A	Haight conducting interviews with stake holders
Draft Report	In Progress		H&A	
Presentation to Assembly	Hold		H&A	
Final Report	Hold	July 2021	H&A	After RAISE Grant Application
RAISE Grant 2021 Applications				
Cruise Berth Electrification	In Progress	Due July 12, 2021	H&A	
Small Cruise Ship Infrastructure Study	In Progress	Due July 12, 2021	PND	
Fishermans Terminal Planning Grant	In Progress	Due July 12, 2021	Staff	
PDIP Fisheries Terminal Grant	In Progress	Due July 20, 2021	Staff	
Statter Breakwater Chain Repair No. 2				
RFP Creation	Complete			Plan set done, working on scope
Contractor Selected	Complete			
Construction	Complete			Kenter links ordered
Project Kick Off Meeting	Complete			
Construction Complete	Complete			Completed as part of SHI III(B)
Marine Park Deckover				
95% Design Review	Complete			
100% Design and Specs	In Progress			
Bid Project	Hold			Waiting on MPF
Taku Seawalk Redecking				
65% Design Review	Complete			
95% Design	Complete			
100% Design and Specs	Complete			
Bid Project	Hold			Waiting on funds transfer

PORT ENGINEER'S PROJECT STATUS REPORT

Erich Schaal, P.E., Port Engineer

Aurora Harbor Re-Build - Phase III				
Phase IIIA - Demolition				
D&H Staff and Trucano	Complete		D&H	Demo is complete
Phase IIIB - Dredging				
Army Corps of Engineers	Complete	Winter/Spring 2020/2021	ACOE	Dredging complete
Phase IIIC - Float Installation				
ADOT Grant Application	Complete		Staff/PND	Waiting for grant funding
Design	Hold			
Auke Bay Marine Station				
Annual Report	March		Staff	2020 Report Submitted
Subdivision	In Progress		Staff	In review by Community Development Dept.
Shared Costs with UAS	In Progress		Staff	Awaiting UA response to Amendment #1
Harris Harbor Anodes				
Anode Design	Complete		Staff	Design in Progress
Anode Bid	Complete		Staff	Global Diving Apparent Low Bidder
Contract Award	Complete		Staff	
Grant Acceptance	Complete		Staff	Working through Assembly process
Pre-Construction Meeting	In Progress	June 28th, 2021	Staff	
Construction	Hold	Sept 10, 2021		
Douglas Harbor Anodes				
Anode Design	Complete		PND	
Construction	Complete			Jun-2020
Substantial Completion	Complete	June 5, 2020		Complete
Final Completion	Complete	July 30, 2020		Complete
Sewage Pump-Out Improvements				
Statter Pump Upgrade	Complete		Staff	Part of SHI III(B)
Harris Pump Replacement	In Progress	June 25, 2021	Staff	Working with Term Contractor
Douglas Launch Ramp Light Project				
Design	Complete		Staff	
RFP	Hold		Staff	Awaiting funding
Building Permit	Hold		Staff	
Construction	Hold		Staff	

PORT ENGINEER'S PROJECT STATUS REPORT

Erich Schaal, P.E., Port Engineer

D&H Managed Lands - Surveys				
ASLS 2013-15 - Uplands at Tee Harbor	Hold	2021	TBD	
ATS 1682 -DIPAC-Channel Construction	In Progress	2020	PDC	Field work complete, drafting plat
ATS 1693-DIPAC Wayside Park	In Progress	2020	PDC	Field work complete, drafting plat
ATS 1694-Tee Harbor Submerged Lands	Hold	2021	TBD	
ATS 1692 - N Douglas Boat Ramp	In Progress		PDC	Plat being recorded
ATS 1690-Indian Cove	In Progress		PDC	Working on ADNR review comments #1
S. Franklin Dock Tidelands	In Progress		Staff	Awaiting DNR survey instructions
Wayside Park Float				
Dredging as Float Grounds Out	Hold			Awaiting Funding
N. Douglas Boat Launch Expansion Study				
Conceptual Design	Complete		PND	Awaiting Board direction
Dockside Safety Guardrail				
Design	Hold			Awaiting funding - Passenger Fees FY22
Bid Opening	Hold			
Board Approval	Hold			
Assembly Approval	Hold			
Construction	Hold			
Harbor Security Upgrades				
Continued Project Development with Board	In Progress			New cameras in Aurora, Douglas and Harris Harbors
Statter Breakwater Deferred Maintenance				
Continued Project Development with Board	Hold			
Statter Breakwater Safety Improvements				
Phase II	Hold			Awaiting funding
Auke Bay Loading Facility - Phase II				
TIGER Grant Reporting - Annual	On-Going	Sept. 2020	Staff	Report for Boom Truck till 2033; SeaLift till 2044