

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

Zoom Meeting

I. Call to Order – Mr. Etheridge called the Regular Board meeting to order at 5:00 p.m. via Zoom.

II. Roll - The following members were present via zoom or in person: Lacey Derr, Mark Ridgway (left at 5:45pm), David Larkin, Annette Smith, Bob Wostmann, James Becker and Don Etheridge.

Absent – Chris Dimond, and James Houck

Also Present - Carl Uchtyl – Port Director, Matthew Creswell – Harbormaster, and Teena Larson – Administrative Officer.

III. Approval of Agenda

Mr. Uchtyl requested to remove item V. Special Order of Business which was to recognize the outgoing Board members but they are not present tonight.

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

Motion passed with no objection.

IV. Approval of May 27th, 2021 Board minutes & June 7th, 2021 Finance Sub-Committee minutes.

Hearing no objection, the May 27th, 2021 Board Minutes and the June 7th, 2021 Finance Sub-Committee minutes were approved as presented.

V. ~~Special Order of Business~~

VI. Public Participation on Non-Agenda Items

Mr. Robert Gentili, Douglas, AK

Mr. Gentili said ever since the Douglas parking lot has been filled, he has had 20% of overflow parking and the Harbor is trying to take those away. He requested to get this figured out and have it on the Board agenda. He wants to know if he will continue to have this parking.

Mr. Russell Peterson, Juneau, AK

Mr. Peterson said parking would be a good discussion for the Aurora Harbor area and the overflow parking at the Boat Yard. There are currently three people parking in the loading zone that have been there for hours because there is no place to park. If parking is included in the boat yard lease agreement, he does not believe the overflowing parking into the Aurora Harbor parking area is in their lease agreement. That starts another discussion on a new haul out maybe at the rock dump and a larger ship yard.

Mr. Matthew Leither, Juneau, AK

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Mr. Leither said living in Statter Harbor, it is hard to find a parking spot. He said he was told the 10-day move rule is not being enforced this year and he wants to know why with COVID not being an impediment?

VII. Consent Agenda –

- A. Public Requests for Consent Agenda Changes - None
- B. Board Members Requests for Consent Agenda Changes - None
- C. Items for Action

1. Fee Modification for Tour Sales Permits (05 CBJAC 10.040)

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

Motion passed with no objection.

VIII. Unfinished Business

1. Dockage Fee – Next Steps

Mr. Uchytel said on page 27 in the packet is a draft letter presented to the Operations Committee last week and there was a working group set up of Mr. Ridgway, Mr. Larkin, and Mr. Etheridge. The working group provided comments and Mr. Uchytel made all the recommended changes into this draft letter. If he is told tonight the letter is good he will deliver the document to the City Manger tomorrow.

Committee Questions - None

Public Comment - None

Committee Discussion/Action

MOTION By MR. RIDGWAY: 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 AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

IX. New Business - None

X. Items for Information/Discussion

- 1. CBJ RecycleWorks – Gill Net Recycling Challenges
Mr. Stuart Ashton, CBJ Recycle Works Operations Manager

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Mr. Ashton said we have been putting a 20 yard container at Aurora Harbor for old gillnets. We are finally able to access the markets but there are a couple challenges. Juneau and Southeast Alaska does not produce enough nets so we send out our old nets to another company and when they get a full load they send to get the nets recycled. The old net container will be removed from Aurora Harbor and be placed at the household hazardous waste facility. The nets have to be properly prepared for recycle by removing the lead line, floats, and anything other than just the net. There is no charge to drop off a net.

Committee Discussion

Mr. Becker said this is a good thing because for years nets have been thrown in the back yards. He said he has some to dispose of and when would this be ready?

Mr. Ashton said the container should be moved tomorrow and next week he should be able to start accepting nets. We are hoping to collect as many nets as possible, get a full container, and ship down south. There is interest from Haines and other small communities asking if Juneau would act as a Hub. They would make sure the nets are prepared properly and pay to ship them to us as well as pay their rate for shipping down south. Right now we are just looking at getting up to par to the standard the nets need to be. All the information to prep your net is at a website called “net your problem”.

Public Comment - None

2. Auke Bay Loading Facility – Guide Pile Removal Option

Mr. Uchytel said on page 38 in the packet is a public notice explaining Docks & Harbors intentions regarding the guide pile removal. On page 39 in the packet is a drawing of phase I of the Auke Bay Loading Facility project. When this facility was being built, no one was contemplating this being a barge facility but it was looked at as a landing craft facility. Mr. Uchytel said he talked to Mr. Dick Somerville who is the engineer of record about the removal of the guide piles and conceptually he thought this facility could be used as a barge landing but the guide piles were anticipated to be used for two landing crafts using the same ramp and having a place to secure the eastern berth. On page 40 is an aerial view of the Auke Bay Loading Facility. Mr. Uchytel also provided an aerial view from parcel viewer which showed how close the guide piles are to Alaska Glacier Seafood (AGS).

Committee Discussion

Mr. Ridgway asked if the property lines are accurate?

Mr. Uchytel said yes.

Mr. Ridgway asked for Mr. Uchytel to show how close the larger barges discussed at the Operations meeting would be to AGS.

Mr. Uchytel showed where 52’ is and commented Mr. Trucano’s barge is 55’. He said with the removal of the piles there will be enough room for a 55’ barge or larger.

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Mr. Wostmann asked if the piles provided protection for AGS? When the piles are removed will there be increased liability to AGS?

Mr. Uchytel said the guide piles are not structural but used to temporarily secure a landing craft and also provide a degree of safety. There would be an increased level of risk.

Mr. Wostmann asked if AGS has expressed an opinion of concern with the removal of the guide piles?

Mr. Uchytel said he has exchanged emails with them but AGS is just looking for more information at this time. Staff is in the process of conducting due diligence to do no harm.

Ms. Smith asked if other users have been notified and if any comments have been received from people who use this facility to haul out boats?

Mr. Uchytel said the intentions of the memo in the packet is to start the process to let the public know what Docks & Harbors plans to do.

Mr. Wostmann asked if there is currently a length of time that a landing craft or other user be allowed to stay there and load? Is there any idea how long it takes to load a rock barge?

Mr. Creswell said he is unsure how long it would take to load a rock barge. Currently we only have a fee for an hourly charge for ramp time.

Mr. Becker asked Mr. Dave Hanna how much rock is at Stabblar Quarry and he said we could never harvest all of it. This could go for a long time if this gets opened up.

Mr. Ridgway commented if we ask staff to pursue this, his concern is liability if a barge hits the corner of AGS dock.

Mr. Uchytel said the Operations Committee discussed the possibility for more revenue, but Mr. Somerville cautioned as you bring larger vehicles in to load, there will be more wear on the asphalt pavement. There was discussion to levy a tariff on the amount of rock that comes through our facility. These are things to consider as we move forward.

Mr. Etheridge commented that this facility was not designed for barges but for landing crafts and that was to get them out of Statter Harbor. We do need to move forward on this but very cautiously. There needs to be an increased rate for the rock loads.

Mr. Ridgway suggested that if the RFI would be that the contractor could keep the guide piles after removal to find out what the guide piles are worth.

Mr. Uchytel said staff did look into the price of the guide piles and we have a marine contractor that indicated they would do this work if they could keep the piles. The idea was so we did not have to spend any money out of our operations budget. This would be a legal work around to have the piles removed.

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Mr. Wostmann recommended before removal of the piles, determine the impact on other users, determine what amount of wear we would need to recapitalize, whether the fee structure would be acceptable to potential users, and if removal of the piles creates an unreasonable risk to our neighboring property. There is a list of items that needs careful consideration and resolution before pulling the piles.

Mr. Larkin recommended to hear Alaska Glacier Seafoods perspective if they have concerns with pulling the piles and barges moving around their facility.

Public Comment - None

3. Professional Consulting Services for Comprehensive Fee Review

Mr. Uchytel said this was discussed at the Operations Committee. The example in the packet on page 41 is a rate study for the Port of Homer conducted by Northern Economics. If it is the will of the Board to move forward with a rate study, staff would draft an RFP to go out with the prescribed requirements and have a professional consultant provide rate study expertise. It would be competitively offered and all proposals would be reviewed by a committee, the committee would make a selection, after a selection, there would be a contract negotiated. We are not selecting Northern Economics, we asked them for information. The discussion at the Operations Committee was leaning toward moving forward with the plan of action and this was an opportunity for the full Board to discuss and provide guidance to staff.

Committee Discussion

Mr. Ridgway said he strongly recommends moving forward with this rate study that will help us get on a stronger footing for establishing fair, reasonable, dependable, and predictable rate increases for decades to come.

Mr. Wostmann said he is in support of moving forward with a rate study which would greatly support the decision of the Board.

Ms. Smith said when she looks at the cost of this study, and that we have law abiding fee paying Harbor patrons crying for some form of security, she cannot support a cookie cutter study with our limited funds.

Mr. Becker said the Board will need to do homework on what we want to achieve in this study. We need a dependable rate to sell to the public.

Ms. Alicia Hughes-Skandijs asked if the Committee discussed what kind of study the Board is looking at?

Mr. Etheridge said we would be looking at the cost allocation based study.

Ms. Derr said we are looking at ways to implement fees that we can confidently say we did our homework but we also have wish lists from our patrons, infrastructure to fix, and other areas we need to enhance. We are looking toward the future and unfortunately our rates have not had the support to continue looking toward the future. With this sort of study, we can identify the areas that we want to focus on the most and maybe put some savings in the bank. She supports moving forward with a rate study.

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Public Comment

Mr. Russell Peterson, Juneau, AK

Mr. Peterson said he is offended by this. This guy was allowed to come in and give a 30 minute presentation unrestricted in front of the Board without any other vendors present for over a \$100,000 dollar contract. He got the floor and there was no other vendors there to present. Some of the first things that was said “if we tell him exactly what we want”. He was an acquaintance of Carl’s and he has known him for eleven years and he was the only vendor allowed unrestricted access to the entire Harbor Board. With the Assembly not giving the Board what they wanted with the fee increase, then keep it in perspective, the entire Board voted on a nickel discount on moorage rates. He asked how broke are we? Then the Board wants to turn around and double the fees for a user group that makes up 30% of the Harbor population and most of those people are living on 26’ boats. That is not a luxury but the size of a car, and people are living there. If we are broke, why was everyone given a nickel discount? Why is the Board going to put the entire burden on the live-aboard group when we know the entire trash bill for the entire Harbor is \$222,000? But now you want to spend \$100,000 on a study by a guy who has already said “just give me the numbers you want” plus having to pay for the Engineers time and now we are up to \$150,000. The entire live-aboard fees for next year is \$130,000. Everyone got a nickel discount and then one user group was singled out who pays for all of the trash and water for all of our harbors. He said because we didn’t get what we wanted with the Assembly now it is like a hot potato that no one wants to touch and so we need to hire a hit man. This is the same guy that caused the live-aboard fees in Sitka to go from \$50 per month to \$200 per month. That guy that had 30 minutes of unrestricted access to the Harbor Board. I hope someone has ran this by Robert Palmer because before he attended this meeting, he asked his legal people the legality of presenting that sort of a sales pitch unrestricted without any other vendor present. How is anyone else suppose to fairly compete with that. He said he objects. The fees should be spread across for everyone. There are other ways to go about this by winning support from the public. Locking gates did not work at Fisherman’s Bend, they only lasted one season. The locking gates on our dumpsters only lasted one season also and then we had to pay to have them removed. We need to focus on the stuff we really need.

Mr. Uchytel said Docks & Harbors staff is willing to move forward at a reasonable pace and bring things back to the Board if that is the will of the Board.

Mr. Etheridge recommended to move forward and come back to the Board with a motion.

Mr. Uchytel said with the cruise ships coming next month and turn over in administrative staff, he asks for a little leniency on how fast we move this forward. He understands this is important and he will bring it back to the Board.

4. CBJ Fireworks Ordinance – Communication to the Assembly

Mr. Uchytel said this was taken to the Operations Committee because of the potential action of the Assembly on how fireworks would be legalized on Docks & Harbors property. It was primarily those properties outside the fire service area, North Douglas, Amalga Harbor, and Echo Cove. The Assembly could take this item up again this fall to modify the existing ordinance and the City Manager suggested the Assembly should hear

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from the Enterprise Boards if we have any comments on how fireworks should be regulated on Docks & Harbors properties. As it stands now, the ordinance passed prohibits the use of fireworks on any Docks & Harbors property and only allowed on private property.

Ms. Alicia Hughes-Skandijs said she believes the Assembly will be looking at July 3rd and 4th for data points on how the current ordinance plays out. She encourages input from the Board if there are suggestions.

Committee Discussion -

Ms. Smith asked Mr. Uchytel if Docks & Harbors has any issues with fireworks on our properties outside the fire service area in the past?

Mr. Uchytel said staff does not see this as a major issue but we will be watching this July 4th to report any issues. Anyone who sets off fireworks on our property will be in violation.

Public Comment – None

XI. Committee and Member Reports

1. Operations/Planning Committee Meeting- Thursday, June 16th, 2021

Mr. Uchytel reported at last week's meeting the Committee discussed;

- Dockage fees next steps.
- Tour sales permit holders request for fee modification that allows a permit holder to operate a tour booth downtown this year. One company has indicated they are ready to start selling tours immediately.
- Auke Bay Loading Facility piling modification request. There were several people that came and spoke about removing the guide piles so larger barges can access the facility.
- Consulting services for fee review.
- The Port Engineer provided a presentation on Aurora Harbor phase III efforts and staff is confident we will receive \$2M. With our match of \$2M will give us a \$4M project for the north end of Aurora. Moving forward he wanted the Operations Committee to think about what that will look like. Do we move forward with a \$4M project or wait and see if we will get a 1% sales tax initiative in 2022.
- The Harbormaster spoke on security efforts with a seasonal employee assigned to patrol all the Harbors from 3:30pm to midnight daily Tuesday through Saturday working with Chair Etheridge.

Ms. Smith asked if there has been a reduction in numbers because of the patrol?

Mr. Creswell said it is still early but he will touch on this more in his Harbormaster report.

3. Assembly Lands Committee Liaison Report – Ms. Derr said she was not able to attend because of our Finance Sub-Committee meeting happened at the same time.

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4. Auke Bay Neighborhood Association Liaison Report – Mr. Wostmann said there was a meeting held to discuss the zoning changes and he was not able to attend but he did review all the documents for the meeting and there is nothing that will affect the shoreside properties. He is continuing to watch the zoning topic.

5. South Douglas/West Juneau Liaison Report – Ms. Smith said there has been no meetings.

XII. Port Engineer's Report –

Mr. Schaal said his report is in the back of the packet.

He provided updates to projects;

- Statter Harbor phase III(B) is complete. The Deputy Harbormaster is filling the new floats up with vessels. This project was supposed to be substantially completed on May 5th but it ended up being completed on June 2nd due to plumbing for the pump out systems and parts that needed to be replaced on the water system. The substantial completion was delayed and because of that, staff extended the contract administration time which is a direct cost to Docks & Harbors. Staff is currently assessing liquidated damages to the prime contractor because of the extended costs. There may be feedback as we go through this process and it is not something we usually have to do but this is directly due to timing issues and staff believes it is outside of Docks & Harbors responsibility.
- The Harris Pump Out project will have some major progress in the next few days. There is a contractor mobilizing to install a new pipe. The Deputy Port Engineer and staff are doing a lot of in-house work to keep costs down. Most of the funding for this was by a Clean Vessel Act grant that we received through the State. Staff is looking forward to closing this project out and providing a pump out for the Harris Harbor patrons.

Ms. Smith asked if there is an update with the Statter Harbor new float pump? She noticed there has been an issue with the sewer lines floating.

Mr. Schaal said what you are noticing are the soft hoses from the floating pump down to the pipe that lays across the bottom. When this was installed, a bubble was formed in the hose and we have chains that keep it in place. We have divers that will come and pull on the hose to remove the bubble. It is an unfortunate circumstance but we know what we need to do to fix this and it will be fixed very soon.

- The Engineer staff is working on submitting three grant applications due mid-July.

XIII. Harbormaster's Report-

Mr. Creswell reported;

- The 569th Dive Detachment has contacted Docks & Harbors that they will be coming to Juneau much like the 573rd did a few years ago. They will be working here in Juneau along with the Coast Guard dive team in support of the Buoy Tender Roundup. They will be in town for a month and they are looking for dive projects to assist us with to provide training for their divers. He said he submitted a list of seven or eight items today and they will be here early to mid-July.

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- The security swing shift is going exceptionally well. The security personnel gives a brief every morning and keeps a detailed log as well. Things are handled immediately and there is more enforcement in the lots. Great success so far. We are seeing low numbers of calls to JPD.
- General Harbor activity has increased; the new floats at Statter Harbor are open and we are putting boats on the floats, and management is changing daily.
- We are accepting applications for up to six seasonal part time limited Harbor Technician positions to support cruise ship operations. We are also accepting applications for two full time administrative assistant I positions. They all close July 1st.
- The newly hired Administrative Assistant III, Drew Baird, starts tomorrow at Aurora Harbor.
- Tomorrow morning with the low tide staff will be out doing ramp scraping and low tide inspections.

Mr. Etheridge asked about the handicapped parking space he requested to be closer to the Statter Harbor launch ramp and the request for parking from the Spuhn Island people.

Mr. Creswell said an ADA parking space was added in the vicinity of the Statter Harbor launch ramp. As you are coming up the ramp, it is to the right in the gravel lot beside the hot box for the water service. Regarding the Spuhn Island parking request, we do not have space for extra parking.

Mr. Etheridge said he has been working with the security person and it has been noticed and making a major difference in crime. We are headed in the right direction with the security staff and we need to continue.

XIV. Port Director's Report –

Mr. Uchtyl reported;

- Mary Wolf, Docks & Harbors Administrative Assistant, has accepted a job with Parks & Rec managing the Field House and her last day is July 4th.
- Mr. Grant and Mr. Leither has been appointed by the Assembly to take Mr. Dimond and Mr. Houck's positions on the Board. Per our By-laws, the July Board meeting is our annual meeting for coordination and elections. Do we want to have an operations meeting before the Board is organized?
- The Maritime Festival went well last Saturday. The Archipelago uplands were used and it was probably the largest festival that he participated in.
- July 4th Docks & Harbors is prepared to open the lots as well as the floats for the July 4th activities.
- The first large cruise ship arrives July 23rd at the AS Dock. We are in the process of executing the Port agreement which is the CDC requirement between the Industry. Every cruise ship company has to have a Port agreement with every port they stop at.
- The Biden Administration announced a \$1.2T Bi-partisan Infrastructure Frame Work. Under that program there is \$16B for Ports and Waterways. It is unclear to him if it is for the next five or eight years. This is more than we have ever seen.

XV. Assembly Liaison Report-

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Ms. Alicia Hughes-Skandijs reported;

- The most recent action from the Assembly for Docks & Harbors was the appointments to the Board made last night.
- She went back and read the minutes from the meetings she was out of town. At the meeting where the regulation was sent back, she was not present because she was out of town. In one of the meetings, when the question was asked if the Assembly Liaison explained the history of Docks & Harbors public engagement process, she said the minutes did not reflect that she was out of town and not at the meeting.

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 – The meeting adjourned at 6:34pm.