

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA
For Monday, March 30th, 2020

- I. Call to Order** (5:00 p.m. in the Assembly Chambers)
- II. Roll** (James Becker, Chris Dimond, Steven Guignon, James Houck, Mark Ridgway, Annette Smith, Bob Wostmann, Budd Simpson, and Don Etheridge)
- III. Approval of Agenda**

MOTION: TO APPROVE THE AGENDA AS PRESENTED.
- IV. Approval of February 27th, 2020 Board minutes and March 13th Special Board minutes.**
- V. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time).
- VI. Consent Agenda – None**
- VII. Unfinished Business - None**
- VIII. New Business**

- 1. Financial Relief to Permit Holders & Moorage Reservation Policy
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TBD

- 2. Confirmation of completing FY20 & FY21 Construction Project and Studies
Presentation by the Port Engineer

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TBD

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IX. Items for Information/Discussion

1. Status of COVID Vessel Screening Task Force
Presentation by the Harbormaster

Committee Questions/Public Comment

X. Committee and Member Reports

1. Operations/Planning Committee Meeting- Wednesday, March 18th, 2020.
2. Member Reports
3. Assembly Lands Committee Liaison Report
4. Auke Bay Steering Committee Liaison Report
5. South Douglas/West Juneau Plan Liaison Report

XI. Port Engineer's Report

XII. Harbormaster's Report

XIII. Port Director's Report

XIV. Assembly Liaison Report

XV. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Wednesday, April 22nd at 5:00 pm
- b. Finance Sub-Committee Meeting Scheduling – Wednesday, April 29th at 3:00 pm
- c. Board Meeting – Thursday, April 30th at 5:00 pm

XVI. Adjournment

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES
For Thursday, February 27, 2020

I. Call to Order

Mr. Etheridge called the Regular Board Meeting to order at 5:01pm in the Assembly Chambers.

II. Roll Call

The following members were present: Chris Dimond, Steven Guignon, Mark Ridgway, Annette Smith, Bob Wostmann, Budd Simpson and Don Etheridge.

Absent: Jim Becker and James Houck both due to medical reasons.

Also present were the following: Carl Uchytel-Port Director, Erich Schaal- Port Engineer, Matt Creswell - Deputy Harbormaster, Alicia Hughes Skandijs, Assembly Liaison and Mary Wolf – Administrative Assistant 1.

III. Approval of Agenda –

Mr. Uchytel asked to move number two on the Consent Agenda to the first item as Sgt. Welch with the Alaska State Troopers is here to speak to the Board and that would free him up to return to work.

MOTION BY MR. SIMPSON: TO APPROVE THE AGENDA AS AMENDED AND ASK FOR UNANIMOUS CONSENT.

Motion passed with amendments and no objection.

IV. Approval of January 30, 2020 Board Minutes.

Mr. Wostmann asked for a correction of his comments on the vessel that was sunk in Auke Bay several years ago, to specifically reflect that it was a Ferro cement hull vessel.

MOTION BY MR. WOSTMANN: TO APPROVE THE MINUTES AS AMENDED AND ASK FOR UNANIMOUS CONSENT.

V. Public Participation on Non-Agenda Items –

Mr. Mark Halsted, Douglas, AK said he has spoken to the Board before regarding the lighting at Douglas and North Douglas launch ramps. He appreciates the fact that the Board and Mr. Schaal have followed up with his concerns. Mr. Halsted said he felt he was given some outrageous numbers by the Harbormaster regarding lights. He is looking for a practical solution and something that is ideal. The numbers he has been given do not seem realistic. Right now, there are no lights, so any light would be an improvement. Mr. Halsted said he is just asking for a very simple and inexpensive solution for both

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REGULAR BOARD MEETING MINUTES (CONTINUED)
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launch ramps. The numbers and drawings that Mr. Schaal gave him just do not seem to be beneficial for plans. Mr. Halsted is asking the Board and Staff to install something that would be an improvement and beneficial to everyone concerned.

Mr. Etheridge said he will follow up with Mr. Schaal on the plan and will address his concerns with him.

Patricia Collins, Douglas, AK said a little over a month ago, she had to travel out of state for a medical emergency and left her car in long-term parking at Harris Harbor where her boat is moored. Ms. Collins has lived in the harbors for the better part of thirty years. When she returned, she found that someone had taken a drill to each of the three locks on her Lexus SUV. They destroyed all of the locks and used a shim to try to gain access to her fuel tank. Ms. Collins said the damages came to over two thousand dollars. As a boat owner, she has taken steps to protect her boat with security cameras. She cannot install her own security system in the parking lots, she is now afraid for her personal safety, and the safety of her belongs. Ms. Collins is asking the Board to strongly consider installing cameras in the parking lot. She has relayed to the Harbormaster that she and several others would financially contribute to the cost of the cameras. She understand Docks & Harbors has a limited budget. She is also considering moving out of the harbor.

Mary Larsen, Juneau, AK said she is also lives in Harris Harbor on a live aboard boat. She said she spoke to the Board last fall regarding security cameras. She said that she and Ms. Collins spoke to someone at the Marine Exchange about increasing the security at Harris harbor parking lot. At that time, the Marine Exchange thought that maybe the harbor department was doing something so they held off installing cameras at the Marine Exchange. After Ms. Collins' ordeal, she revisited the issue with Marine Exchange about the possibility of moving ahead and installing cameras with them. She does not want to duplicate any plans that Docks & Harbors has. She asked if Docks & Harbors has any plans and any timeline for installing cameras or taking some other security measures. It seemed like whomever broke into Ms. Collins car took a long time to do that, so there is a lot of activity in the parking lots. You have heard it many times before; I have read it in your minutes and talked with other people. She would like to know if she should go ahead and talk with Marine Exchange to get something in place. She emphasized that she does not want to duplicate efforts; she is willing to contribute to Docks & Harbors to get something done. She does not want to put this off any longer.

Mr. Ridgway asked whom they were coordinating with at the Marine Exchange. Were they installing cameras on their building and using their Wi-Fi?

Ms. Larsen said yes they hope to use the Marine Exchange building and their Wi-Fi. By installing cameras on the Marine Exchange building, they can cover a lot of the Harris Harbor parking lot. They are working on details.

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VI. Consent Agenda

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

MOTION BY MR. SIMPSON TO APPROVE THE CONSENT AGENDA AS PRESENTED.

Consent accepted.

1. Leasing Auke Bay Marine Station Fish House to Alaska State Troopers
Presentation by the Port Director

Mr. Uchtyl introduced Sgt. Robert Welch with the Alaska State Troopers Wildlife division. We met with Sgt. Welch a month ago regarding the Troopers utilizing the Fish House for their staff. Last week at the Ops committee meeting Mr. Uchtyl discussed the way forward in code we do not really have specific directions on how to facilitate a government to government type of lease. Mr. Uchtyl has asked CBJ Law to look into it. Mr. Uchtyl said no promises have been made to the Troopers they have only talked about the possibility. CBJ Law is working on the details of a lease arrangement but ultimately the lease will need to be approved by the State.

Sgt. Robert Welch with Alaska Wildlife Troopers said they currently have some changes to the building they lease. The lease is through the Department of Administration, which they sublease. Their warehouse shop is being torn down to build boat condominiums. They have been offered a boat condominium as a replacement; however, they do not feel the space would meet their needs. Sgt. Welch looked at the Fish House building with Mr. Creswell and only the Wildlife Division would be making the move. We are thinking the Fish House best suits our needs. We have some concerns and there are some state standards in where we lease, but we believe we can work with the city on those issues. Sgt. Welch said there are five officers-himself, three patrol officers, Matt Dobson, Region Commander, an administrative assistant, a full time safety tech and a seasonal public safety tech that would utilize the space. It would work very well for them other than the lack of garage shop space. The larger steel building on the premises does have a garage and that space would be of interest to them. Sgt. Welch feels that the space would meet their needs, we showed the space to the Colonel and he was favorable to pursuing the space. It is exploratory at this time and we are trying to formulate what the expenses would be per month. There is a process to follow and he is not sure about his current space in leaving that space. He feels he can work with the city in this favorable space.

Mr. Wostmann asked if the commercial whale watching boats would still have access to their designated float.

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Sgt. Welch does not feel that would be issue for them. He has not put that much thought into it. They would have to consider someone walking around the building. However, they are familiar with Gastineau Guiding and their personnel. The Troopers vessel is parked on the float extension, and they would be interested in moving their regular patrol vessel to that location as well. This would free up space near the Coast Guard Cutter. The State Troopers would work with the City to make sure other leasees have access to their space. They are aware that there is a larger plan the City has been working on in extending the float so those changes will happen anyways. Currently, the facility meets their needs and he thinks he can make it work with other leasees. The building is what they need exclusive access. When people are walking around it causes them pause.

Public Comment – none.

Board Discussion

MOTION BY MR. WOSTMANN: MOVE TO DIRECT STAFF TO PROCEED WITH A LEASE OPTION AT THE AUKE BAY MARINE STATION FOR USE BY THE ALASKA STATE TROOPERS WILDLIFE DIVISON AND ASK UNANIMOUS CONSENT.

2. North End of Aurora Harbor Coordination with Dredging Project Presentation by the Port Director

No discussion on this topic.

VII. Unfinished Business –

1. Resolution in Support of Reservation Management of Goldbelt Downtown Docks Presentation by the Port Director

Mr. Uchtyl said on page 23 of the agenda packet. This had to do with the meeting that he and staff had with Mr. McHugh Pierre, CEO of Goldbelt. Mr. Uchtyl pitched the idea that Docks & Harbors would like to have the opportunity to make reservations for the vessels that Goldbelt now manages at the Seadrome Dock and along the float at Merchants Wharf. Last week the Board gave Mr. Uchtyl the nod to move forward. Mr. Uchtyl reached out to CBJ Law and the best way forward is to have a non-code ordinance by the Assembly that allows us to do so. The Law Department asked me to put a resolution together. On page 23 is the resolution that eventually will get to the Assembly and they would draft a non-code ordinance. The hang up is how Law interprets our code in the first paragraph. “Whereas, under Title 85 of the City and Borough code, Docks & Harbors is responsible for the operation, development and marketing of municipally owned and operated ports 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.” CBJ Law

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interpretation is that we do not have the authority to develop anything other than municipally owned ports and harbors. That is the hang up to get the authority. Everything else from there is what Mr. Uchtyl is on working with Goldbelt. We do it very well, it would not be difficult for us to take this over. We will come out ahead by doing so. We have not worked out what the cost share will be. We believe it can be beneficial for us and reduce the overhead for Goldbelt and we believe we can provide better customer service for mariners coming in to the Port of Juneau.

Mr. Ridgway asked Mr. Uchtyl if our customer service is better than what Goldbelt provides.

Mr. Uchtyl said yes, we do provide better customer service than Goldbelt.

Mr. Ridgway said is it only for the Seadrome Dock.

Mr. Uchtyl said we observe from our facility above the Seadrome Dock that it is under-utilized. When our facilities are full, we refer guests to Goldbelt for reservations. We believe many of those calls go unanswered because we are not seeing those vessels docked at the Seadrome. It continues to remain empty except for the contract vessels like UnCruise and Allen Marine.

Mr. Ridgway is concerned in getting involved in the private sector.

Mr. Uchtyl said they only pay us now through their tideland lease. We have never dipped our toe in moorage reservations. Mr. Uchtyl and Mr. Pierre would like to do a trial basis this year to see if it is a win win for both parties. We are only talking about reservations, nothing else. The IVF and the Seadrome Dock serve the same high-end clientele. Docks & Harbors would manage Goldbelt's reservations the same way we manage our reservations. If we move forward, we would discuss Goldbelts contractual obligations to UnCruise and Allen Marine and work around those schedules.

Mr. Borg said we have a very good rapport with our high-end yacht clientele. Rarely do they end up staying late. If they do, it is very carefully coordinated and having reservation options at the Seadrome would add flexibility to our entire downtown and Statter Harbor operations.

Mr. Uchtyl said Docks & Harbors is uniquely poised because we have other relief valves like the inside of the Cruise Ship Terminal and the PFO lightering float. We have more flexibility than Goldbelt for these what if types of situations. Our downtown reservations revenue has increased over the last three years.

Mr. Guignon asked Mr. Uchtyl if we are missing revenue because Goldbelt is not answering their phone.

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Mr. Uchytel said we think we can manage their facility better than they are. We see excess capacity when they should not have any. If we do not do this, we are not losing any revenue. Our offices are staffed full time, unlike Goldbelt at their Seadrome office; we can offer better customer service. Mr. Uchytel said we would eventually craft a contract that outlines Docks & Harbors payment. It could be a straight percentage of their gross revenue or it could be a percentage split of collections. The details will be decided when a contract is drafted.

Mr. Borg said reservation revenue has increased substantially since we implemented new procedures and great customer service. Mr. Borg says that adding the Seadrome reservations to our office is a good thing.

Mr. Dimond said he supports of Docks & Harbors taking the reservations. He is concerned and wants to be assured that Docks & Harbors would be free of liability.

Mr. Uchytel said he understands the concerns and we are putting together a contractual arrangement. We do not know what their tariffs are. Contract details have yet to be worked out. Details on how we are going to organize the reservations is still pending.

Ms. Hughes Skandijs asked how the CBJ Law Department is involved in the process to draft a contract.

Mr. Uchytel said the Law Department has already said they would help with the contract. On page 23 in the last paragraph - Therefore, the City & Borough of Juneau Assembly authorizes Docks & Harbors, for the 2020 season, to perform downtown reservations to include moorage services for the privately owned Seadrome Dock and adjoining Merchant's Wharf float, as negotiated between the Goldbelt Chief Executive Officer and the CBJ Port Director. Mr. Uchytel wants to be above board, transparent, and consistent with CBJ Ordinance. Mr. Uchytel hopes that everyone trusts him and the CEO of Goldbelt to draft the contract and come in front of the Board for approval.

Committee Questions – none

Public Comment – none.

Committee Discussion/Action

MOTION BY MR. WOSTMANN: TO MOVE TO APPROVE A RESOLUTION ALLOWING DOCKS & HARBORS TO MANAGE DOWNTOWN MOORAGE RESERVATIONS FOR GOLDBELT, INC. FOR THE 2020 SEASON AND DIRECT STAFF TO PROCEED WITH THOSE NEGOTIATIONS AND ASK UNANIMOUS CONSENT.

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Mr. Ridgway objected and asked for a poll. Mr. Ridgway said he is not certain of the legal liability of the Board. He is not clear on the deal and he thinks there should be another check before moving forward.

Mary Wolf called the roll.
Mr. Dimond asked to have the motion repeated.
Mr. Etheridge reread the motion.

Mr. Dimond	Yes
Mr. Guignon	Yes
Mr. Ridgway	No
Ms. Smith	Yes
Mr. Wostmann	Yes
Mr. Simpson	Yes
Mr. Etheridge	Yes

Motion passed 6-1 with Mr. Ridgway – no.

VIII. New Business – none.

IX. Items for Information/Discussion

1. Assembly Finance Committee Preparation for April 1st
Presentation by the Port Director

Mr. Uchtyl said that he emailed the proposed budget to the Board last week. He did not know how much detail the Board wanted tonight. This Budget will be presented to the Assembly Finance Committee or the Committee of the Whole. This is our budget and amended budget. Mr. Uchtyl asked Mr. Etheridge how he wants him to walk through the presentation. Mr. Etheridge said just the highlights. Mr. Uchtyl said the Board is approving the Docks Budget and the Harbors Budget. Things to note is for the funding source you will see that the amended budget for 2020 is such where we are moving monies that we are going to collect for the vendor booths from the Docks Enterprise to the Harbor Enterprise. Our increase in the fund balance for docks is still in the black by \$116K because we are moving those monies into the harbor enterprise. The other adjustment is in personnel numbers or three-fourths of an FTE (full time equivalent) in docks downtown due to increase in cruise ship traffic and requirements by the Coast Guard. Fifty-five percent of all our expenditures are for personnel costs. We have asked the City Manager for money from Marine Passenger Fees for the July 1, 2021 Fiscal Year including operating costs and \$1M for a guardrail for downtown. The Harbors budget should it be approved you will note our charges for services. Mr. Uchtyl said because we moved money from the Docks Enterprise you will see that we have a little more money in the Harbors revenue for this year and future years. You will notice we are building up the Fund Balance again. Those are conservative in keeping the status quo year to year and

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adjusting what we see as possibilities. You will note that the State shared revenues for harbors is \$275K which is one of the lowest amounts in Raw Fish Tax. You will note that we are reducing the number of FTE's for the Harbors Enterprise. Personnel services for the harbor enterprise is forty-three percent. This shows the interdepartmental fees, landscaping fees we pay to Parks and Recreation for maintaining downtown flowers and vegetative cover at Statter Harbor. Fleet maintenance is included but it is still up for debate. The City would like all the vehicles to be under one vehicle pool with everyone paying in to it. These numbers that were given to us. Mr. Uchytel has asked for a meeting with the Public Works Director and Fleet Supervisor. It may not be in our best interest to consolidate our vehicles with the rest of the City. Conceptually it makes sense when you think about who drives city vehicles, but there is a certain amount of sharing that incentivizes. Docks & Harbors has really worked hard to recapitalize our truck fleet and they are in good condition now. They are paid for and we maintain them properly. It may not be in our best interest to have our vehicles in the shared pool. We want the Assembly to know two-thirds of our revenues are coming from moorage fees from the cruise ships docks and harbor moorage. Rentals and sales make up tideland leases and permits including loading zones, raw fish tax, marine passenger fees and interest. It is very interesting to see where our revenues come from.

Committee Discussion/Public Comment – none.

2. Request for Proposal (RFP) – Cruise Ship Dock Electrification Study
Presentation by the Port Director

Mr. Uchytel said he briefed the Board last week on the Scope of Services. If anyone wants to see the entire document, he can share it. He called attention to page 31 – the Scope of Services which a Board member asked that he add two additional bullets. (1) Evaluate or approximate the cost impact to cruise lines when using shore-side provided electrification over self-generated power while moored in Juneau. What is the cost saving to the cruise lines? (2) Evaluate or approximate air quality improvement anticipated in the Juneau downtown vicinity, if the cruise ship docks were provided with shore power opportunities. Mr. Uchytel said he thinks both of those questions are going to be very difficult for the consultants to come up with. He reminded the Board that the RFP is to select a consultant. We will then enter into a contract after we select the consultant and we will have answers that are more specific. We do not know what a cruise line pays for their fuel and so it is going to be difficult to get an answer of their cost in burning fuel alongside. We can ask the cruise lines to participate. There are also questions about cost analysis of what new cruise ship infrastructure will do to Juneau ratepayers. That can be very difficult. Perhaps some members of the Board have received phone calls from members of the public who have seen the RFP draft. The argument is that Docks & Harbors should not be asking those questions, that they should just be marching forward and bringing the infrastructure to power the cruise ships. It is an important question to ask as we move to electrify the cruise ship docks what are the downstream consequences to all the ratepayers. We need to have our eyes wide open. Even if we build it is there

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sufficient power in Juneau to power more than one cruise ship at a time? If we do build this, are we an interruptible customer like the Princess Dock? Will we ever have enough power to power our docks? Does historic preference of the Franklin dock always trump our docks? Those are the questions that Mr. Uchytel is trying to tease out and hopes to get answers for. They are not easy but we will do the best we can moving forward with the broad concept in trying to reduce our carbon footprint in Juneau.

Committee Discussion/Public Comment

Ms. Hughes-Skandijs said that she has personally received a couple of questions from people who have seen the early draft. She asked if Docks & Harbors has had discussions regarding any of the items on the RFP on electrification or just at the last meeting. Has the draft been distributed to anyone or any businesses?

Mr. Etheridge said they have discussed it among themselves at the OPS/Planning Commission Meeting, but there has not been any public comments or public participation as of yet. Mr. Etheridge has received one call from the public.

Mr. Uchytel said he provided a draft to Steve Benecke, AEL&P, Duff Mitchell and a LNG group. The RFP draft was sent out to people whom he thought would be interested in the project. Mr. Uchytel said he has not reached out to those whom he expects will bid on the project like Haight & Associates, Cochran Electrical in Seattle or PND. He spoke with Mr. Mitchell and had a meeting with AEL&P. They both had similar concerns. Mr. Uchytel said he is trying to walk a fine line and do due diligence as a public servant. He is trying to ask all the right questions as Docks & Harbors moves along in the process of this multi-million dollar investment. Once Docks & Harbors starts the process to select a consultant it is not a public process. It is a public process to award the project but the selection is based on staff and board members who want to participate in that selection process.

X. Committee and Member Reports

1. Operations/Planning Committee Meeting Wednesday, February 19, 2020.

Mr. Ridgway said the meeting was held at the Yacht Club. The members and public toured the north end of Aurora Harbor. Capt. Steven White with the USCG and Mr. Tom Mattice, CBJ Emergency Programs Manager discussed in very general terms the preparedness of their organizations regarding coronavirus and the cruise ship industry.

2. Member Reports - None

3. Assembly Lands Committee Liaison Report – None.

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES (CONTINUED)
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4. Auke Bay Steering Committee Liaison Report – Mr. Wostmann said he had a very productive meeting with Mr. Schaal, Mr. Uchtyl and CBJ Planning Department. We discussed Statter and Douglas Harbors.

XI. Port Engineer's Report

Mr. Schaal said his report is in the packet on pages 51-54. He had a meeting with Mr. Wostmann regarding the Auke Bay rezoning plan, which Mr. Wostmann already mentioned. There are three ongoing projects. Phase III Statter Harbor, which he showed a short video of the blast that just happened. Phase 1-Deck Over of the Downtown Waterfront Improvements is moving right along and the last project is the Cruise Ship Security Checkpoints.

XII. Harbormaster's Report

Mr. Borg said the United States Navy Divers has been doing cold weather dive training. They have issued a trespass notice to a vessel without a permit for anchoring. Mr. Borg said it has been an honor and a pleasure to serve the Board the last six years. His last day at Juneau Docks & Harbors is March 20, 2020.

XIII. Port Director's Report –

Mr. Uchtyl met with the Community Development Department. He would really like to have a representative from the Harbor Board on its South Douglas/West Juneau Area Plan. March 3rd is their next meeting. Mr. Dimond asked Mr. Uchtyl if he could send him the information on the meeting and the plan. At the next Committee of the Whole Assembly meeting Mr. Watt, City Manager will be talking about the museum project and parking places at the Archipelago Project. The BUILD Grants Applications are due May 18, 2020. On March 5th, Goldbelt will be using a helicopter to bring down two 3500-pound wheels from up top of Mt. Roberts Tram.

XIV. Assembly Liaison Report – none.

XV. Board Administrative Matters

- a. Special Board Meeting to Approve Bid Award – Friday, March 13 at noon.
- b. Ops/Planning Committee Meeting – Wednesday, March 18 at 5:00pm.
- c. Board Meeting – Thursday, March 26 at 5:00pm.
- d. Finance Sub-Committee Meeting – April 29 at 3:00pm.

XVI. Adjournment - The meeting was adjourned at 6:35pm.

Respectfully Submitted by Mary Wolf, Admin Assist 1.

CBJ DOCKS AND HARBORS BOARD
SPECIAL MEETING MINUTES
For Friday, March 13, 2020

I. Call to Order

Mr. Etheridge called the meeting to order at 12:00 p.m. in CBJ City Hall Room 224.

II. Roll Call

The following members were present: James Becker, Steven Guignon, James Houck (by phone), Mark Ridgway (by phone), Bob Wostmann, Budd Simpson and Don Etheridge.

Absent: Chris Dimond and Annette Smith

Also Present were the following: Carl Uchtyl – Port Director, Matthew Creswell, Deputy Harbormaster and Mary Wolf, Administrative Assistant 1.

III. Approval of Agenda

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

Motion passed with no objection

IV. Public Participation on Non-Agenda Items (not to exceed five minutes per person, or twenty minutes total time). - None

V. New Business

1. Bid Award for Project DH20-032 – Douglas Harbor Anode Installation
Presentation by the Port Director

Mr. Uchtyl said the bid opening was yesterday with three bidders. One of the bids from the Seattle area was deemed non-responsive due to not providing a surety bond. That bid was also the highest bidder. There were two other favorable bids from Alaska Commercial Divers and Global Diving and Salvage. Global Diving and Salvage had the low bid of \$148,108 and this will go to the Assembly for approval on Monday. This is a favorable bid and we do have a grant with Alaska DOT which is a 50/50 match. This means about \$75,000 of Harbors funds will be used for this project.

Board Questions - None

Public Comment – None

Board Discussion/Action

Mr. Wostmann asked if the \$75,000 was in the budget?

Mr. Uchtyl said yes. Staff was anticipating the bid to come in \$100,000 more.

MOTION by MR. SIMPSON: TO RECOMMEND THE CBJ ASSEMBLY APPROVE A BID AWARD TO GLOBAL DIVING AND SALVAGE FOR \$148,108 TO INSTALL ZINC ANODES IN DOUGLAS HARBOR PROJECT DH20-032 AND ASK FOR UNANIMOUS CONSENT.

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SPECIAL MEETING MINUTES (Continued)
For Friday, March 13, 2020

V. Staff & Member Reports

Mr. Uchtyl said this was added in case any members wanted to discuss anything. He said he wanted to talk about the draft letter regarding a resolution the Board passed in February allowing Docks & Harbors to manage the reservation system for the Goldbelt dock downtown. The timing is such that he wants to get this in front of the Assembly. He met with CBJ Law and he was told that he needed to come up with more specifics before it could go before the Human Resources Committee on Monday. He said he met with McHugh Pierre, Goldbelt CEO and he recommended a 30/70 percent revenue sharing. This was added to the resolution.

Board Discussion

Mr. Simpson said in Title 85 it talks about responsibilities but it does not say it is exclusive or prohibitive of anything else. He said he believes CBJ Law is looking at this in a too narrow of an analysis. If the Assembly passes this we will be good to go but this seems to be harder than it needs to be.

Mr. Uchtyl said CBJ Law's position is if it is not in Title 85 Docks & Harbors is not able to do it.

Board Question

Mr. Becker asked if this Board has any say in allowing or not allowing cruise ships to come to Juneau.

Mr. Uchtyl said just today Canada said they will not allow ships greater than 500 passengers to use any of their facilities until July. That will shut down Alaska receiving cruise ships until July of this year because of the Jones Act. Congress could waive the Jones Act for that purpose for this year but absent any change, Alaska will not receive cruise ships until July.

Mr. Becker asked if Mr. Uchtyl had an opinion of this.

Mr. Uchtyl said not really. He said the Docks role is to provide and manage shore side infrastructure for ships to tie up but staff is not included in scheduling of the ships.

Mr. Wostmann said his understanding is that authority rests with the Captain of the Port - Coast Guard Officer or the City can assume or take on certain responsibilities if it declares a civil emergency and then it has to have a justifiable reason to do so. The decision to allow or not allow ships does not rest with the Docks & Harbors Board.

Mr. Ridgway said with Canada just making their statement today, is there anything Docks & Harbors can do to help the Cruise Industry?

Mr. Uchtyl said he cannot think of anything. The Canadian declaration has sent shock waves through the tourism industry. Even if the cruise ships do start up July 1st, there is a lot of damage. We are a small part of the cruise industry and he cannot think of anything that will help.

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SPECIAL MEETING MINUTES (Continued)
For Friday, March 13, 2020

Mr. Ridgway asked if at the next Operation Committee the members can be briefed on the impacts of the summer hires and the ripple effect this is going to have on our operations.

Mr. Uchytel said he will add this to the next Operations Committee.

Mr. Houck said his business is a small fish in the tourism industry. There are a lot of fees at the startup of each season and he has decided to take a wait and see type attitude meaning he will assess what is happening on June 1st and then on June 15th and then see from there. He said with Canada suspending ships over 500 passenger has probably set in motion the end to the 2020 cruise season.

Mr. Wostmann said he recommended to also bring to the next Operations Committee how to handle the smaller ships and charter yachts that come to Juneau and prepare for a possible scenario.

Mr. Simpson said like the Westerdam wanting moorage space while they are offline, maybe the three other docks in Juneau can provide the same moorage opportunity for other cruise ships.

Staff Reports

Mr. Uchytel reported;

- Staff was planning on having two gatherings for Harbormaster Dave Borg's departure and we have cancelled both due to COVID-19.
- On Monday at 5:30 will be the Human Resources Committee and that will roll into the Assembly Meeting. At the Assembly meeting there will be the bid award and also a non-code ordinance to allow the City Manager to directly negotiate with the Franklin Dock Enterprise for a tideland lease.
- The Lumberman went through the impound process and it was offered for sale and there were no takers. The vessel is full of trash. Staff was going to go with a term contractor to clean it up but now with no cruise ships we will use this opportunity to have seasonal staff do the work to clean it up. He is still working with EPA to scuttle and the process is to remove the trash, have Global Diving to clean the fuel tanks, fuel lines, and remove hydraulic lines. Next we would ask Coast Guard if the vessel would be clean enough to scuttle. We have located a location in the Gulf of Alaska 1300 feet deep that staff feels would be a good spot to scuttle. The scuttle permit comes from the EPA but it is approved through the Coast Guard. The Coast Guard is the local judge in this case on how clean is clean enough.

Mr. Becker asked if the 1300 feet deep location is in the 12 miles requirement?

Mr. Uchytel said yes.

Mr. Becker asked what the bottom is at that location?

Mr. Uchytel said it is a mud bottom.

CBJ DOCKS AND HARBORS BOARD
SPECIAL MEETING MINUTES (Continued)
For Friday, March 13, 2020

Mr. Creswell said with COVID-19 updates constantly changing, the steps staff have taken to protect staff and customers are as follows;

- Basic good hygiene. An employee in each space is responsible for multiple daily disinfecting of our areas.
- For the front facing staff we have put up signs asking customers to stand back from the counters 5' and staff stands back 5' creating a 10' separation and we are also installing plexi-glass for the air to air contact in Aurora and Statter Harbor offices. Staff is wearing gloves when taking money and paperwork from customers. As we learn more we are flexible and make changes where needed. There are a lot of unknowns and concerns with staff. Management is remaining unified with a calm collected factual voice.

VI. Adjournment – The meeting adjourned at 12:23 pm.

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](#).)

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.
- (c) *Reservation requests.* Reservations are required to dock at these facilities, with the exception of designated active loading zones. Requests for moorage reservations can be submitted at any time by email. Requests for reservations more than 365 days into the future will only be processed between May 1 and September 30. All requests and reservations must have arrival and departure times. Requested positions on the dock are not guaranteed. Docks and Harbors staff will review all requests and position vessels to optimize use of the IVF, PFO, and ICT Docks.
- (d) *Reservation confirmation and changes.* Payment is required for the first day of moorage for each visit at the time of reservation confirmation and is non-refundable. **Cancelling a reservation will result in forfeiture of the reservation fee.** Reservation dates can be adjusted until May 1 in the year of requested moorage at no additional charge if space is available. Starting May 1, reservation payments cannot be transferred to other dates; any change in dates will require forfeiture of the original reservation payment, and payment of an additional non-refundable reservation fee for the amended first day(s) of moorage. Failure to arrive within 24 hours after a reservation begins will result in cancellation of the remainder of the reservation and forfeiture of the reservation fee. Reservation payments are not transferrable between Downtown and Statter Harbor. The director may impose moorage terms and conditions that are reasonable and necessary to effectuate the purposes of CBJ Code of Ordinances Title 85 and CBJ Administrative Code Title 5.
- (e) *Other fees.*
 - (1) Any associated tenders/dinghies will also be charged moorage when stored in the water on the dock or alongside the vessel (space permitting) as set out in 05 CBJAC 15.030.
 - (2) Rafting is only authorized by Docks and Harbors staff and charges will be assessed as set out in 05 CBJAC 15.030.
 - (3) Power is available on a first come first serve basis and is not guaranteed. Charges will be assessed as set out in 05 CBJAC 30.010(e).
- (f) *Loading zones.* Designated active loading zones are intended primarily for vessels which are lightering, fishing vessels staging to offload at Taku Dock, and vessels engaged in passenger-for-hire activity. Vessels wishing to dock in a loading zone for longer than four hours must obtain approval from the Harbormaster and will be charged accordingly.

([Eff. 5-23-2017](#))

05 CBJAC 15.070 - Tour broker and vending permit fees.

- (a) *Definition.* The charge assessed for obtaining a tour broker or tour vendor permit as set out in CBJ Administrative Code Title 05, Chapter 10.
- (b) *Basis for charge.* Permits are issued to qualifying entities by means of a public bid in accordance with CBJ Administrative Code Title 05, Chapter 10. The public bid usually occurs each January.

(Eff. 5-1-2005)

05 CBJAC 15.080 - Loading permit fees.

- (a) *Definition.* The charge assessed for obtaining a loading permit as set out in CBJ Administrative Code Title 05, Chapter 10.
- (b) *Basis for charge.* Permits are issued to qualifying entities pursuant to the regulations set out in CBJ Administrative Code Title 05, Chapter 10. Three classes of permits are issued, "A" permits, "B" permits, and limited loading permits. The "A" and/or "B" permits have two fee components. The first component is assessed to each company obtaining one or more "A" and/or "B" permits. The second component is assessed to each company based on the total number of passenger seats, excluding the vehicle driver's, that are permitted. All fees are assessed on a per calendar year basis.
- (c) *Loading permit fees assessment:*

Permit Type	Fee
"A" or "B" Permit	2017: \$300 per company plus \$7 per passenger seat 2018: \$350 per company plus \$8 per passenger seat 2019: \$400 per company plus \$9 per passenger seat Starting 2025: Adjust this fee every 5 years based on the CPI adjustment
Limited Loading Permit	\$15 per vehicle for each permit day; or \$250 per year, whichever is less.

(Eff. 5-1-2005; [Amended 5-15-2017](#), eff. 5-23-2017.)

PORT ENGINEER'S PROJECT STATUS REPORT

Erich Schaal, P.E., Port Engineer

Auke Bay Loading Facility - Phase II				
TIGER Grant Reporting - Annual	On-Going	Sept. 2019	Staff	Report for Boom Truck till 2033; SeaLift till 2044
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	In Progress	October 1, 2019	PPM	2nd Blast 3/30 or 3/31
Substantial Completion	Hold	April 27, 2020		
Final Completion	Hold	May 29, 2020		Still on schedule
Phase III B - Retaining Wall, Float Installation				
Army Corps of Engineers Permit	In Progress		PND	
Incidental Harassment Authorization	In Progress		PND	
Eagle Permit	In Progress		Staff	
Design - Bid Documents	Complete		PND	
CBJ Building Permit	In Progress		Staff	
Construction Bid	Hold		TBB	Bids Due 4/21
Pre-Bid Conference	Hold			
D&H Board Approval of Bid	Hold			
Assembly Approval of Bid	Hold			
Construction	Hold	Fall 2020	TBD	
Substantial Completion	Hold	Spring 2021		
Final Completion	Hold	Spring 2021		
Phase III C - Uplands, Restrooms				
Eagle Permit	In Progress		Staff	
Design - Bid Documents	In Progress		PND	
CBJ Building Permit	Hold		Staff	
Construction Bid	Hold		TBB	
Construction	Hold	Fall 2021	TBD	
Pre-Bid Conference	Hold			
D&H Board Approval of Bid	Hold			

PORT ENGINEER'S PROJECT STATUS REPORT

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Assembly Approval of Bid	Hold			
Substantial Completion	Hold	Spring 2022		
Final Completion	Hold	Spring 2022		
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		
Phase I Construction	In Progress	July 15, 2019	Trucano Const.	Pile driving continues, decking started
Early Entry by Archipelago Property LLC	Hold	June 1, 2020		Allow APLLC start of their building foundations
Substantial Completion	Hold	Sep 25, 2020		
Final Completion	Hold	October 23, 2020		
Phase II - Visitor Waiting Area and Restrooms				
Design - Bid Documents	In Progress	Jan 1, 2020	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				
Breakwater Repairs	Hold	May 2020	ACOE	Delayed by COVID-19 Impacts
Dredging Activity	Hold	Fall 2020	ACOE	October 2020 - Jan 2021
Auke Bay Marine Station				
Annual Report	March		Staff	In Progress
Subdivision	In Progress		Staff	In review by Community Development Dept.
Shared Costs with UAS	In Progress		Staff	Awaiting UA response to Amendment #1
ADOT Grant Application - Harris Anodes				
Anode Design	Hold		PND	Awaiting Grant Award
Anode Bid	Hold		Staff/PND	Awaiting Grant Award

PORT ENGINEER'S PROJECT STATUS REPORT

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Douglas Harbor Anodes				
Anode Design	Complete		PND	
Anode Bid	Complete	3/10/2020	Staff/PND	Global Diving and Salvage
D&H Board Approval	Complete	3/13/2020		
Assembly Approval	Complete	3/16/2020		
Contract	In Progress			Awaiting signed contract
Construction	Hold			
Substantial Completion	Hold	June 5, 2020		
Final Completion	Hold	June 12, 2020		
Statter Breakwater Safety Improvements				
Phase II	Hold			Awaiting funding
Sewage Pump-Out Improvements				
Statter Winterization	Hold		Staff	Part of SHI III(B)
Harris Winterization	In Progress		Staff	Working with Term Contractor
D&H Managed Lands - Surveys				
ASLS 2013-15 - Uplands at Tee Harbor	Hold	2020	TBD	
ATS 1682 -DIPAC-Channel Construction	In Progress	2020	TBD	PDC Engineers Selected
ATS 1693-DIPAC Wayside Park	In Progress	2020	TBD	PDC Engineers Selected
ATS 1694-Tee Harbor Submerged Lands	Hold	2020	TBD	
ATS 1691 - Adjacent to ABMS	In Progress		PDC	Awaiting ADNR Review
ATS 1692 - N Douglas Boat Ramp	In Progress		PDC	
ATS 1707 - Cruise Berths	Complete		DOWL	Recorded
ATS 1690-Indian Cove	In Progress		PDC	
Wayside Park Float				
Dredging as Float Grounds Out	Hold			Awaiting Funding
N. Douglas Boat Launch Expansion Study				
Conceptual Design	Complete		PND	Awaiting Board direction
Aurora Harbor Re-Build - Phase III				
Phase IIIA - Demolition				
Design and Bid Documents	Hold		PND	Awaiting board direction
Phase IIIB - Dredging				
Army Corps of Engineers	Hold	Fall 2019/2020	ACOE	Awaiting final dates for work
Phase IIIC - Float Installation				
ADOT Grant Application	Hold		Staff/PND	Awaiting Legislative Action in 2020
Small Cruise Ship Infrastructure Study				

PORT ENGINEER'S PROJECT STATUS REPORT

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Fee Negotiations	Complete		PND	
Data Collection/Market Study	Complete		PND	Market Analysis Complete
Planning/Conceptual Layout	In Progress		PND	PND working on initial planning concepts
Cruise Ship Security Checkstations				
Federal Security Grant	Complete		Staff	Not Selected
Complete Bid Package	Complete		PND	
CBJ Building Permit	Complete		Staff	
Construction Bid	Complete		SEEM	Southeast Earthmovers
Pre-Bid Conference	Complete			
Board Approval	Complete			
Assembly Approval	Complete			
Construction	In Progress		Staff	Siding and windows soon
Substantial Completion	Hold	28-Feb-2020		
Final Completion	Hold	March 31, 2020		Still on schedule
Dockside Safety Guardrail				
Design	Hold			Awaiting funding - Passenger Fees FY21
Bid Opening	Hold			
Board Approval	Hold			
Assembly Approval	Hold			
Construction	Hold			
Harbor Security Upgrades				
Continued Project Development with Board	In Progress			
Statter Breakwater Deferred Maintenance				
Continued Project Development with Board	In Progress			
Large Berth Shore Power Design				
RFP Creation	In Progress			RFP issued