

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES
For Thursday, September 26th, 2019

I. Call to Order

Mr. Etheridge called the Regular Board Meeting to order at 5:00 p.m. in CBJ Room 224.

II. Roll Call

The following members were present: James Becker, Christopher Dimond(via phone), Steven Guignon, Mark Ridgway, Annette Smith, Bob Wostmann, Budd Simpson, and Don Etheridge.

Absent: David McCasland

Also present were the following: Carl Uchtyl – Port Director, Dave Borg – Harbormaster, Matt Creswell – Deputy Harbormaster, and Erich Schaal –Port Engineer.

III. Approval of Agenda – The agenda was approved as presented

IV. Approval of August 29th, 2019 Board Minutes and September 11th, 2019 Special Board Minutes-

Hearing no objection the minutes of August 29th and September 11th were approved as presented.

**V. Public Participation on Non-Agenda Items –
Dennis Watson, Juneau, AK**

Mr. Watson said he attended a tourism meeting last night held by Mr. Uchtyl and he was very disappointed to see only one Assembly member at that meeting. As important as tourism is, it is important to attend and this was the best meeting from all the years he has been attending.

He said another topic he wanted to talk about is the security problem at Auke Bay. He said he has a gentleman that volunteers at the food bank and has had his vehicle broken into 10 times in the last 65 or 70 days. They siphon gas, and rifle through the vehicle. Someone took pictures of a person with a gas can and a siphon last week. He said it's really sad we have the same caliber of harbors as we have downtown in Statter Harbor and we can't get a little cooperation. The argument is Statter Harbor is paying over \$7 per foot and nothing has been posted on the bulletin board to keep a look out. It's treated like a non-event. He would like to see some kind of support from the Statter Harbor people.

Ms. Smith asked if the siphoning is happening during a weekend?

Mr. Watson said all week long. It is a steady problem and it appears to be the same people.

Mr. Becker asked Mr. Borg if he knew about this problem?

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Mr. Borg said this is the first he heard about it but he is sure the Deputy Harbormaster has heard about it.

Mr. Becker commented that Mr. Borg testified in the past that people report that they have been stolen from to the Harbor personnel but refuse to report it to JPD.

Mr. Watson said JPD has their hands full and typically gets around to it after about 10 days. He said he believes the camera data stays good for more than 10 days.

Mr. Ridgway said he suggested at the last Board meeting to add the security cameras to the Board retreat agenda because a lot of his friends has had items stolen also. The uptick in theft warrants a decideable action.

Mr. Watson said there is nothing letting the Statter Harbor users know there is a lot of theft and to watch for unusual activity.

Robert Mosher, Juneau, AK

Mr. Mosher said his boat is in Harris Harbor and the theft is out of hand. He has spoken to Harbor personnel, Dave and Carl, and something needs to be done. He suggests to remove the port a potty in the Harris Harbor parking lot, give the Harbor personnel more power to throw people out of the Harbor, and hire more people and or security at night. He understands this all costs money but it is getting out of hand. There are other people suggesting camera's and he was always against it but not anymore.

Ms. Smith said out of hand is a vague term.

Mr. Mosher said he has had his truck rifled through twice in the last month and the boat just down the finger from him in the Harbor was robbed. Another one had the outboard stolen from his boat. This is happening on a steady basis and he feels like the boat owners are preyed upon from within. The theft is changing the way he conducts business.

Kent Duran, Juneau, AK

Mr. Duran said he believes the theft problem is bigger than the Juneau Harbor Board. He said he was just coming to this meeting and there was a huge fight between a male and female by the bathrooms downstairs and it was about drugs. He said he has lived in Juneau for 35 plus years and an avid user of the launch ramps and has had no theft. He said he had someone steal his GPS, valued at \$1,200 off his boat in the middle of the night when his boat was parked next to his house.

Tom Willis, Juneau, AK

Mr. Willis said he believes people in the Harbor are willing to pay more for security and camera's are relatively inexpensive. A gate to the ramp is farely effective and is a one time purchase. He believes something needs to be done to limit access to the boats and watch the parking lots. A security firm could be hired to patrol the Harbors.

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David Dominguez, Juneau, AK

Mr. Dominguez said in the last four weeks he has had four incidents of theft himself and he filed four police reports. There were two siphon incidents, a LED lightbar which was taken off his truck and an expensive adjustable hitch sawed off the back of the truck which had two locks. There was a broken cutting wheel on the ground where it looked like they needed to change the cutting wheel half way through the job. They were there for a while and it was in front of the Harbormasters office. He said he was in the Sound for 20 plus years and never had an incident, Valdez, Cordova, Seward and Whittier. He said he did stop a police officer driving through the lot and the officer explained it is a problem but they are trying. He said the majority of the harbor patrons would be willing to pay more to have a camera system installed. He suggested to ask what patrons would be willing to pay extra for camera's. He said he has had several restless nights and even spent the night in his truck. He has a camera system on his boat and has another one on order for his truck. He has talked to others in the harbor and they all know the theft is happening. When other harbors have rebuilt their harbors security was included in their budget to install camera's. In Valdez, their camera's report to the Police Department. Only the Harbormaster has real time viewing and it does take the security out of the Harbor hands. He said he is happy to be here but believes something has to be done.

Mary Larsen, Juneau, AK

Ms. Larsen said she lives in the Harbor and is across from the boat that was thoroughly robbed about a week ago. It was during the night about 20 feet away and it is very unsettling for her. She said she reads in the Docks & Harbors Tide Line and at the top of the ramps to report suspicious activity to the Harbormaster. She said some people do report and some don't, but she doesn't know how that information is used. Is it used to see if there is an upswing in theft? Is it to decide if crime is a problem and is something that should be addressed? She believes harbor patrons would be amenable to harbor rates increasing for cameras. Another thing to figure out is what will deter the crime, camera's, gates, or security guards. She has heard from other organizations in the City that camera's help in the reduction of theft. UAS had work trucks siphoned all the time and they installed cameras and it ended the problem. We need to decide if cameras will fix our problem or look into other options and figure out what the added security options will cost. Docks & Harbors can add the security cost into an increase in harbor rates and see if it is supported by the patrons. A lot of people seem to think this is a problem and are willing to put in effort to turn this around.

Nathan Wiley, Juneau, AK

Mr. Willey said he had \$1,000 in tools stole out of the back of his truck. He just spent \$150 on locks, lights, and cameras for his truck so he would be willing to pay extra for security.

Mr. Guinon asked if staff has an estimate on what security cameras would cost for the Harbors?

Mr. Uchytel said no. However, we received a security grant through FEMA for the cruise ship docks. The federal government will provide grant funding for Ports but not for small

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boat harbors. The FEMA grant provided 25 to 30 in cameras which was \$150,000. This was a 75/25 matching grant. The problem with the Harbors is, do you need to put a camera on every finger to be effective or just on the main float?

Mr. Etheridge said this will be an agenda item on one of our next Operations/Planning meeting. He said he has been robbed seven times on his boat. The last time they destroyed the entire inside of his boat when they robbed it. He understands the problem. He said he was on the Harris Harbor grid two weekends ago and saw the drug deals and people doing drugs in the parking lot. He called JPD and they are now doing extra patrols because he called. The citizen patrol is also patrolling the Harbor. The difference between two weeks ago and this last week with the extra patrols has made a tremendous difference.

Mr. Ridgway thanked everyone for coming and letting the Board know about the theft problem. He said he wants a discussion on reasonable expectations for security and what people are willing to pay.

VI. Consent Agenda-

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

- 1. ADOT Harbor Facility Grant Acceptance – Harris harbor Zinc Anode
Mr. Uchytel said

RECOMMENDATION: TO RECOMMEND THAT THE ASSEMBLY APPROVE ACCEPTING A \$125K ADOT HARBOR FACILITY GRANT FOR HARRIS HARBOR PILE ANODES.

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

Motion passed with no objection.

VII. Unfinished Business – PUBLIC HEARING

- 1. New Regulations: Unattended Vessels at Boat Launch Prohibited

Mr. Uchytel said the new proposed regulation is on page 17 in the packet which was crafted by the Board and approved by CBJ Law. This request came from some members of the Amalg Harbor residents that observed seine skiffs being unattended at the Amalg Harbor launch ramp. With this request, staff commenced the process to create a new regulation. The regulation has followed the process for advertisement on page 18. The ad was placed in the Juneau Empire. He said he only received one comment on this regulation and that is on page 19.

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Board Discussion –

Mr. Wostmann said referring to the comment, he does not believe the language needs to be amended because once a float plane is in the water it is considered a vessel.

Public Comment –

Kent Duran, Juneau, AK

Mr. Duran said he heard about this proposal on the radio and he isn't sure how this will work. He has been using launch ramps for 35 years and loves the improvements Docks & Harbors has completed. He knows some people know launch ramp etiquette and some don't. He suggested to change the regulation wording to not make it so restrictive but give authority to the Harbormaster to invoke certain rules on a as needed basis.

Mr. Becker said the regulation in his point of view is straight forward. You launch your boat, tie it up, and go park your truck. Coming back you tie your boat up at the dock, go get your truck, back down the launch ramp and retrieve your boat.

Mr. Duran said the regulation is very clear. It says no person operating or in charge of a vessel may leave the vessel unattended.

Mr. Wostmann asked if Mr. Duran read section (b) of the regulation.

Mr. Duran said he did not.

Mr. Wostmann said it the prohibition in section (a) does not apply to temporary durations when the operator or person in charge of a vessel leaves the boat launch to dispatch a vehicle and trailer necessary in recovery of a vessel. This part of the regulation was specific for someone alone needing to park his vehicle after launching or go get his vehicle to retrieve his boat. This will give the Harbormaster the legal authority to write a ticket when the operator is clearly not around.

Mr. Duran said there was a time when someone was pulling his boat and his trailer broke. He needed to leave his boat and go to town to get parts and return. The rule being proposed is on unattended vessels and there could be several times when people need to leave their vessel to make a repair on their boat trailer.

Mr. Guinon asked Mr. Duran if it would make more sense to have section (b) come first.

Mr. Duran said that may help, but it is amazing what signs will do. What is the sign that will be put up for this regulation?

Paul Swanson, Juneau, AK

Mr. Swanson said he completely disagrees with the previous person because he did not read the regulation completely. He said he is in favor of this regulation.

Board Discussion/Action –

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Mr. Ridgway asked Mr. Borg if in section (a) of the regulation it empowers him to issue a ticket if someone is attending the vessel but inhibiting the efficient use of the ramp?

Mr. Borg said it will give staff more tools than we have currently.

Mr. Ridgway asked Mr. Borg if he knows of another regulation that if someone was blocking the use of our property for efficient use he would do something about it?

Mr. Borg said he would attempt to.

Ms. Becker suggested to add “active” loading and unloading only.

Mr. Wostmann asked Mr. Borg how he would deal with the scenario where a vessel is broken down and it is not possible to get the vessel back on the trailer?

Mr. Borg said he uses the reasonable person clause. He gave an example of someone telling him “My trailer is broken down and I need to run get some parts”. He would tell them to move to the end of the launch ramp so others can still get in and out. He is not going to give a \$75 ticket if the person has a reasonable situation.

MOTION By MR. RIDGWAY: TO RECOMMEND THE ASSEMBLY ADOPT NEW REGULATION LANGUAGE TO PROHIBIT UNATTENDED VESSELS AT LAUNCH RAMP FACILITIES AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

VIII. New Business - None

IX. Items for Information/Discussion

1. General Tourism Discussion

Mr. Uchtyl said staff holds pre and post season meeting for the different permit holders and Statter Harbor users and each year there are fewer complaints. Things are going good and are being well managed for the user groups. He said we are projecting final numbers to be 1.288M cruise ship passengers this year. That increase blended with our other operations and the summer still went very smooth.

Mr. Uchtyl showed slides from a presentation provided to the Assembly Committee of the Whole meeting on Monday covering the commercial fishing and tourism aspects of the presentation and went over the highlights. He said the whole presentation can be found online.

Board Discussion/Public Comment

Mr. Guinon asked where to find this online?

Mr. Uchtyl said under the Assembly Committee of the Whole agenda. He said he will send out a link to the Board members.

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Mr. Uchytel showed a picture of the mental health trust property which was purchased by Norwegian Cruise Lines (NCL). He said, if they are going to build a cruise ship dock they will need support from the City.

Mr. Ridgway asked if this was common for cruise ship companies to buy parcels of land to build their own facilities?

Mr. Uchytel said the driving need for the berth expansions is due to passengers wanting to leave on a Saturday or Sunday from Vancouver or Seattle, Southeast Alaska does not have the same dock capacity as Vancouver and Seattle. To be able to accommodate as many ships that can leave Vancouver at one time we need more dock space. Typically historical preference has been given to Holland America cruise lines because Norwegian Cruise Lines is a fairly new company to Southeast Alaska. Currently they go to the AJ Dock and have to hot berth. The reason NCL is willing to pay \$20M for the Mental Trust Property and invest in a private dock in Ward Cove is to establish a better location in Juneau for their passengers traveling preference.

Mr. Uchytel said another thing talked about at the Committee of the Whole meeting was the Mayor wants to put together a tourism task force because the Assembly members have been receiving more complaints about tourism then they ever have. Kirby Day with TBMP say's tourism complaints are down at his office. There are people still complaining that their quality of life is diminished. Mr. Uchytel said it probably started last year with the air quality issues. The air quality was much better this year but seeing the 15% growth frightens some residents. The questions asked by the Mayor was if the long range waterfront plan should be refreshed and if there should be a cap put on the amount of cruise ship passengers.

Mr. Dimond left the meeting at 6:30 pm

Mr. Dimond returned to the meeting at 6:32 pm

Mr. Becker asked how much money is brought into the community from the tourism industry through sales tax?

Mr. Uchytel said the study conducted in 2017 was that all tourists in Juneau spend approximately \$163 per person which is upwards to \$200M and if sales tax is paid on all that amount it works out to be 21 or 22 percent of all City sales tax. There are also indirect benefits from the tourism workers that he does not have numbers for but it is significant.

2. BUILD Grant – Letter of Support from Federal Delegation

Mr. Uchytel said on pages 20 and 21 in the packet is a letter of support for the BUILD grant for the Juneau Fisheries project. Staff has applied for three BUILD grants, the Juneau Fisheries Terminal, the Marine Services Boat Yard, and the elevated seawalk between the Auke Bay Marine Station and Statter Harbor. He said staff believes the

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Juneau Fisheries project pencils out the best as most competitive of the three applications submitted.

Board Discussion/Public Comment

Mr. Ridgway asked if the Industry this project benefit the most would write letters of support?

Mr. Uchytel said yes and we do get some letters of support but not as much response as he would like.

X. Committee and Member Reports

1. Operations/Planning Committee Meeting Wednesday August 21st, 2019-

Mr. Etheridge reported the committee discussed;

- Zinc Anodes for Harris Harbor
- The Clean Vessel grant funding
- The Archipelago project second phase
- The unintended vessel regulation
- Strategic retreat planning and decided on the November 12th date with anything not being able to be finalized on that date can carry over to the Operations/Planning meeting held on November 13th.
- The petition to relocate the Statter Harbor no-wake buoys out a couple of miles.

2. Member Reports-

Mr. Becker reported Mr. Duvernay is changing his plan to move the quonset hut from the business he sold and is going to sell it. He will continue to work with the University to combine his two lots he subleases from Docks & Harbors so he will be able to build a new building. He said Mr. Duvernay is also interested in taking over the Nordic Tug sublease area and move his business from the valley to downtown. Mr. Becker said Mr. Duvernay indicated the travel lift at the Auke Bay Loading Facility has issues but can be fixed in town but he would like to get a bigger lift.

3. Assembly Lands Committee Liaison Report - None

4. Auke Bay Steering Committee Liaison Report - None

Mr. Dimond left the meeting at 6:45 pm.

XI. Port Engineer's Report

Mr. Schaal said his report is in the packet. He highlighted specific projects:

- The Downtown Waterfront Improvement project is going well. The contractor is pouring the first concrete pour right now. This time was chosen because they start the pour on an outgoing tide so they have as much time as they need to get the concrete in before it is submerged again. The pile driving is continuing. The private side of the Archipelago is gearing up with their design teams and making a lot of progress.

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- Staff had the pre-construction meeting for Statter Harbor Phase III, the contractor Pacific Pile & Marine is looking to mobilize their waterside equipment early November but the local dirt work contractors are going to start before then. There will be some storm drain installation and rock from Stablers Quarry stockpiled for the drilling and blasting process. Staff is also in the process of filling our Protected Species Observer team to meet the requirements in our National Marine Fisheries Service (NMFS) Permit.

XII. Harbormaster's Report

Mr. Borg reported:

- Harris bathroom is operational, they still have a leak but people can use them.
- The post season meetings went well and we can now look at what we did well and what we need to look at to do better next season.
- The end of season barbecue was today for the seasonal staff and it also went well. We have lost a lot of seasonal employees for next season.
- The North Douglas Launch ramp float will be pulled out on Saturday due to the tides.

XIV. Port Director's Report

Mr. Uchytel reported:

- The AAHPA conference is next week which runs from Monday to noon on Friday.
- There was an incident yesterday at Douglas Harbor where a drunken live-aboard man with a gun was taken into custody after shots were fired. There is a police investigation going on currently.

Mr. Becker asked if this individual will be evicted now?

Mr. Borg said staff is not able to evict him because it is not addressed in regulation. There is no rule that says if you do (x), (y) will happen. Mr. Borg said he does have his code of conduct he sent out years ago telling liveaboards expectations for living in the Harbor which works 95% of the time. His only tool is to trespass an individual. He said he did call a local security company today and to get added to their security rounds for the downtown harbors through our parking lots is \$8,500 per month.

XV. Assembly Liaison Report –

Ms. Becker said from Mr. Uchytel's earlier presentation on tourism, she is not in favor of opening the long range waterfront plan and the City Attorney said it would not be allowed to put a cap on tourism and tell people they can't come to Juneau. The Assembly received a complaint about the wake from the whale watching boats in Auke bay that are breaking docks and they are getting too close to the whales and harassing them. There seems to be no oversight with the whale watching boats.

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Ms. Smith said she is a captain on one of the whale watching boats and there is a lot of oversight by NOAA. There have been hefty fines given out to some companies that have violated the federal regulations regarding marine mammals.

Ms. Becker said this is her last meeting as Assembly Liaison for Docks & Harbors.

XVI. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Wednesday October 23rd, 2019 at 5:00 pm
- b. Board Meeting – Thursday, October 31st, 2019 at 5:00 pm
- c. Board Retreat – Tuesday, November 12th, 2019 at 5:00 pm at the Port Field Office.

XVII. Adjournment- The meeting was adjourned at 7:05pm.