

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA
For Thursday, October 25th, 2018

- I. Call to Order** (5:00 p.m. in the CBJ Assembly Chambers)
- II. Roll** (Weston Eiler, Bob Janes, Mark Ridgway, David McCasland, Dan Blanchard, James Becker, Bob Wostmann, Budd Simpson and Don Etheridge)

III. Approval of Agenda

MOTION: TO APPROVE THE AGENDA AS PRESENTED.

IV. Approval of September 27th, 2018 Board minutes.

- V. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time).

VI. Consent Agenda –

- A. Public Requests for Consent Agenda Changes
- B. Board Members Requests for Consent Agenda Changes
- C. Items for Action

- 1. CCTHITA Cultural Immersion Center
Presentation by Emily Edenshaw

RECOMMENDATION: TO SUPPORT CENTRAL COUNCIL TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA PLAN TO RAZE THE THE FORMER ORE HOUSE BUILDING THROUGH A CONTROL BURN EXECUTED BY CAPITAL CITY FIRE AND RESCUE.

- 2. Board Calendar Planning 2019
Presentation by the Port Director

RECOMMENDATION: TO ADOPT PRESENTED CALENDAR YEAR 2019 SCHEDULE AND DIRECT STAFF TO SCHEDULE ALL MEETINGS IN ASSEMBLY CHAMBERS, SUBJECT TO AVAILABILITY.

MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VII. Unfinished Business

- 1. Archipelago LLC Coordination & Update
Presentation by Allen Grinalds & Robert Kuhar

Board Questions

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Public Comment

Board Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING

VIII. Items for Information/Discussion

1. ~~LUMBERMAN Update~~
~~Presentation by Aaron Timian and Chris Carpeneti~~

~~Board Discussion/Public Comment~~

2. Cultural Immersion Center – Architectural Planning Documents
Presentation by Emily Edenshaw

Board Discussion/Public Comment

3. Amalga Harbor Fish Cleaning Station
Presentation by the Port Director

Board Discussion/Public Comment

IX. Committee and Member Reports

1. Operations/Planning Committee Meeting- Wednesday, October 17th, 2018
2. Member Reports
3. Assembly Lands Committee Liaison Report
4. Auke Bay Steering Committee Liaison Report

X. Port Engineer's Report

XI. Harbormaster's Report

XII. Port Director's Report

XIII. Assembly Liaison Report

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XIV. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Wednesday, November 14th, 2018 at 5:00pm
- b. Board Meeting – Thursday, November 29th, 2018 at 5:00pm

XV. Adjournment

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I. Call to Order

Mr. Etheridge called the Regular Board Meeting to order at 5:00 pm in the CBJ Assembly Chambers.

II. Roll Call

The following members were present: Weston Eiler, Bob Janes, David McCasland, Dan Blanchard, James Becker, Budd Simpson, Bob Wostmann, and Don Etheridge.

Absent: Mark Ridgway

Also present were the following: Carl Uchtyl – Port Director, Gary Gillette – Port Engineer, Dave Borg – Harbormaster, Matt Creswell – Deputy Harbormaster, Robert Palmer – City Attorney, and Teresa Bowen – Assistant City Attorney.

III. Approval of Agenda

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

Motion passed with no objection.

IV. Approval of August 30th, 2018 Regular Board Minutes and September 10th, 2018 Special Board minutes.

Hearing no objection, the August 30th, 2018 Regular Board Minutes were approved as presented.

Hearing no objection, the September 10th, 2018 Special Board minutes were approved as presented.

V. Special Order of Business

Mr. Uchtyl read Mr. William Hodge's employee of the quarter award.

VI. Public Participation on Non-Agenda Items - None

VII. Consent Agenda - None

VIII. Unfinished Business –None

IX. New Business –

1. Resolution in Support of the Alaska Salmon Hatchery Program

Mr. Becker said Steve Reifentstahl who is the Executive Director of Northern Southeast Regional Aquaculture Association (NSRAA) the hatchery program in Sitka will be calling in to talk about the resolution. He is part of a group of hatchery operators in Alaska that are fighting some of the proposals going before the Board of Fish & Game this fall. They will be having a work session in a couple of weeks and this resolution is to have communities in

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Southeast that have significant income from fisheries production in their area to support the hatchery program that exists. We do not deny anything, and if somebody has an objection to the program, we are willing to address any of the concerns because that is the policy of NSRAA.

Board Questions –

Mr. Janes asked if the hatchery programs have scientific objection to their environmental issues?

Mr. Becker said in his experience scientific arguments cover all ranges of the board. People have studies that they quote and then other people have the opposite opinion. Scientific should be taken in a broad stroke.

Mr. Janes clarified the hatchery environmental meaning in his question. He said it references genetic or food supply affect on wild salmon.

Mr. Reifentstahl (via telephone) said there are a number of studies and most of the studies are being conducted down south, so this is a complicated question. There are negative studies with Chinook and Steelhead on the Columbia River and hatchery programs. Some of that shows there are genetic effects on inagression of hatchery stock into wild stock systems. Generally they are very small populations. Here in Alaska, we do things very differently but there still are concerns about that very question. There is currently a \$20M study that the State of Alaska is doing on Chum Salmon programs in Southeast Alaska and Pink Salmon programs in Prince William Sound and they are about half way through that research. We are trying to answer the question, "Is there an affect on productivity from hatchery strays particularly Pink and Chum Salmon into the wild". That question for Alaska will not be answered for another couple years and that type of research has not been completed down south. That is the best that can be told about inagression. In regards to ocean productivity and caring capacity there is little evidence that there is an ocean caring capacity problem in terms of the hatchery releases and declining chinook stock. The hatchery program scope is massive in the Pacific Ocean. Japan releases two billion chum salmon fry, Russia releases over a billion fry, and Alaska releases about 1.7 billion fry. There are also smaller releases, but I mentioned the large releases that are mostly chum and pink salmon. To put these numbers in context, it is felt that wild pink and chum salmon fry around the Pacific rim are about 20 billion. There is evidence that there could be some affect on salmon size but not salmon survival. There is a lot of research and a huge topic that is studied by the international community that is called the North Pacific Anadromous Fisheries Commission which consists of Russia, Japan, Korea, Canada, and the United States. There are local scientists in Auke Bay that is either in this organization currently or were in it for many years. In regards to the salmon feed, what they eat is very different by species and the stage of their life cycle. Near shore, the chinook or chum salmon fry feed primarily on zooplankton, and even the size of these fish are very different. Chinook come out of the streams after a year and a half or two and a half years of rearing in fresh water whereas pink salmon fry and chum fry come out at a much smaller size. The magnitude of the difference is 20 fold between a pink salmon fry and a chinook or coho fry coming out of a stream. They are targeting different food items and the larger fish are faster swimmers. Primarily they are looking at zooplankton and there has been a lot of work done with that and the research shows that if you look at zooplankton biomass in

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the ocean and then what all salmon fry require for their growth rates, they are taking about three percent of the biomass of zooplankton at any one time and that is for all the salmon mentioned here. If squid was added in, it would take another four percent of the zooplankton. This is looking broadly at zooplankton across the ocean, so seven percent is not very much. Research has shown that there can be localized areas where you can lower the zooplankton standing by quite a bit but zooplankton is so productive that it usually bounces back within the next day. National Marine Fisheries Service has done a study in Icy Strait. The study test conducted showed it was less than half of one percent of the standing biomass zooplankton would be taken by that biomass fry test.

Mr. Wostmann said he has a issue with the specific clause in the resolution that says “whereas there are no stocks of concern”, his understanding is there are some areas of concern but no actual conclusion with scientific proof and there are reasons the current studies are being conducted. There are areas where there is up to fifty percent replacement of the wild stock with hatchery stocks in creeks which is considered to be excessive. He believes that to be a very small number but it is undetermined if this is incidental or will continue. Mr. Wostmann asked Mr. Reifentstahl if it is a fair statement that there is some concern as opposed to what is in the current proposed resolution?

Mr. Reifentstahl said broadly people have concerns. He believes the “whereas” clause in the proposed resolution has to do with chinook stock and where hatcheries are located. There is no evidence to show there is a relationship between a decline in chinook stock and the hatchery program. Specific to the question, he said he would agree that there are concerns and that is the point of the study he talked about earlier.

Mr. Eiler asked if the need for this resolution reflects a change in the administration or the Department of Fish & Game policy for hatchery, or is this in response to citizen proposals coming before the Board?

Mr. Reifentstahl said the Kenai River Sportman Association on the Kenai River is a very powerful organization lobbying group and they have put in proposals to cut hatchery production. In his opinion, this is to specifically undermine commercial fishing. This resolution is important because they are going after the hatchery programs that are important to the coastal communities.

Mr. Becker asked Mr. Reifentstahl to list all the protection available for the hatchery programs.

Mr. Reifentstahl said the Alaska Hatchery program was enacted in the early to mid 1970’s enabled by the Legislature but set up by Fish & Game. This was set up with the clear knowledge of how hatchery programs work in the specific northwest. Many lessons were learned from this so the Department set up genetics policies that exist in no other state other than Alaska. Now there are other states looking at Alaska’s genetics policies so there were protections set up that other states didn’t have. This was done because we wanted to set up a program that maintained and protected the integrity of wild stock. There are pathology policies, transport policies, and strict regulatory structure run by Fish & Game. What that includes is anytime you want to set up a hatchery you need to go through Fish & Game’s two year process.

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Public Comment-None
Board Discussion/Action

Mr. Wostmann said he has a concern with the clause “whereas there are no stock of concern...”. There is some concern based on the answers to the questions tonight. He would like to propose changing the language in this clause to, “a small number of stocks of concern” because there is a concern.

MOTION BY MR. WOSTMANN: CHANGE THE LANGUAGE IN THE RESOLUTION TO: “WHEREAS THERE ARE ONLY A SMALL NUMBER OF STOCK OF CONCERN WHERE MOST HATCHERY PRODUCTION OCCURS, INDICATING THAT ADEQUATE ESCAPEMENTS TO WILD STOCK SYSTEMS APPEAR TO BE MET IN THESE AREAS OVER TIME,”

Mr. Wostmann said the proposed motion softens the resolution language in recognition that there is concern out there that is being addressed. It also ties in with the sections in the bottom of the resolution that continues to support scientific methods.

Mr. Becker said the terminology “stock of concern” is a department terminology. This means if there is a stock of concern that goes on for three years in a row, and a specific system doesn’t meet escapement goals, it triggers the program “stock of concern” where they curtail harvest and monitor the system more closely. He said he believes the “whereas” clause says where there is no stock of concern where most hatchery production occurs. The location of all the hatcheries is very specific so there is no real impact on wild stocks. This is monitored very closely in the Taku/DIPAC area. The Taku fish are also harvested extensively in the Lower Lynn Canal because of the Amalga Harbor release. They do monitor those harvests weekly to see what other stocks are available. The motion does soften the intent of the “whereas” clause but it triggers a discussion that there are some concerns and what they are, but that should happen at the Assembly level. He asks to drop the motion.

Mr. Janes recommended to just change the “whereas” clause to “no issues in Southeast Alaska or Juneau area”, because the Assembly supports the Juneau area.

Mr. Becker said that is fair to say about the Juneau area and this resolution is for Juneau.

Mr. Wostmann said he removes his motion and agrees with Mr. Janes modification.

MOTION By MR. JANES: TO RECOMMEND TO THE CBJ ASSEMBLY APPROVE A RESOLUTION OF SUPPORT FOR THE ALASKA HATCHERY PROGRAM AS IT RELATES TO SOUTHEAST ALASKA HATCHERIES.

Mr. Simpson suggested the “whereas” clause in the resolution talking about stock of concern wording needs to be changed. He recommended; “Whereas there are no stocks of concern where local hatchery production occurs in Southeast, or leave the Southeast out.

Mr. Janes accepted Mr. Simpson’s Amendment not including Southeast.

Mr. Becker accepted the change to the resolution.

Motion passed with no objection.

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MOTION By MR. WOSTMANN: TO RECOMMEND TO THE CBJ ASSEMBLY THAT THEY ACCEPT THE AMENDED RESOLUTION.

Motion passed with no objection.

X. Items for Information/Discussion

1. Board Training/Alaska Open Meetings Act

Mr. Palmer and Ms. Bowen showed a power point presentation which they talked about the following topics;

Governing Legislation,

CBJ Charter – Mr. Palmer said this provides the governing basis for Juneau and it is equivalent to our local constitution so we can't deviate from this charter. The provision most applicable to D & H Board is 3.16 and it has four topics.

- It gives the Assembly authority to grant to the D & H Board power or limit power.
- It requires all Board meetings to be public.
- It establishes a quorum.
- It allows a reduction in the number of votes to pass something if there are two members that have a conflict of interest. This is a unique provision.

Open Meeting Act – Ms Bowen said this falls under the first two Alaska Statutes, our Charter, and our code.

- All meeting must be public which allows transparency in Government. It also allows for the public to have a voice in their Government.
- Executive session is the only exception. In Alaska Statutes Title 44, there is a list of things that can be taken into executive session to discuss;
 - o Certain financial negotiations - if the immediate knowledge is known and can have an adverse impact on an individual or CBJ.
 - o Litigation - if Docks & Harbors is being sued, and the City Attorney needs to talk to the Board, this can be taken into executive session because it directly impacts the Docks & Harbors Board.
 - o Discuss an employee that has done something - however, that employee can show up and say they want to have the issue discussed in public.
 - o Deliberance on an appeal or a grievance.

Ms Bowen said a meeting is;

- When a decision or policy making Board, which is what the Docks & Harbors Board is allowed to do, get together to discuss topics. Docks & Harbors, being an empowered Board, can make decisions that affect Government operations.
- When more than three members or majority are present and consider a topic that the Board is empowered to act upon.

Ms Bowen said the Open Meeting act best practices are;

- Ensure the deliberations of the Board are done in public. People don't want to feel like something was already decided upon before public comment is heard.
- When sending out meeting notices or asking if a Board member will be attending the meeting make sure the Board members never reply all because you have now

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created a meeting. Each member should just reply to the individual sending the message and not all members in the email.

- Reasonable notice of a meeting is 24 hours minimum and more notice on complex issues.

Public Records Act – Mr. Palmer said there are two big rules. Every person has the right to view a public record and there is a really strong presumption of disclosure. This is anything that staff touches, or the Board members touch in terms of documents, texts, or emails, on your personal computer, phone, or work computer, that relates to Docks & Harbors business. This ends up being a really broad net. He recommends to keep your work at work or routed through the CBJ email account. Text messages relating to a Docks & Harbors topic even on a personal phone will have to be disclosed. He also recommended to not have substantive conversations on Board topics via text message.

Ms. Bowen said social media is becoming a big thing. If all Board members are tagged on Facebook and they start to comment, this is a violation of an open meetings act. Best practice would be to not engage and just let them know the next meeting time and place so the topic can be discussed at the meeting.

Conflict of Interest – Mr. Palmer said this sets up the concept of impartiality and transparency. We want Board members and staff to make decisions that are unbiased. You may have specific views and that is okay. The four bigger outliers on conflict of interest which means a member can't vote, deliberate, or participate on something if they have a financial or personal conflict of interest are;

- A member is not allowed to accept any gifts. In general we are able to accept a small dollar amount gift under \$50.00 with no other connections over the last year.
- A violation of a Conflict of Interest is generally a class B misdemeanor. If a Board member thinks there may be a conflict of interest you just need to call the City Attorney and they will provide advice. If you follow their advice and anything was incorrect advice you will be immune.
- Financial conflict of interest - any interest held by you or an immediate family member of you from which the person has received within the last three years or expects to receive compensation. This means if you have been working for someone in the last three years or someone has lived in your household and worked for that entity over the last three years or anticipates working for them shortly then you would have a conflict of interest and can't participate.
- Personal Conflict of Interest – anything that is not a financial conflict of interest. It is essentially are you getting a benefit because you are seated as a Board member. You cannot use your position to gain a benefit.

Judicial/Quasi Judicial process- Mr. Palmer said there are times the Board may hear an appeal of your Port Director or an employee grievance and in that capacity you would be acting in a Quasi Judicial role. In that capacity you want to make sure you don't have ex parte communication. The concept is that you want to make sure you don't have any private conversations with anyone in that dispute. When a decision is made in this capacity, you need to make sure there is a written record of your decision so there is some way to track why the decision was made.

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Board Discussion/Public Comment –

Mr. Janes asked if a person that sits on a non-profit Board and the Docks & Harbors Board and that institution benefits from a vote in some way does that constitute a conflict of interest?

Mr. Palmer said if you have something that you need to deliberate on, contact the City Attorney prior to the meeting. However, there is an exception in the Charter in our conflict of interest code that can apply specifically to non-profit Boards otherwise that is a prohibited conflict.

Mr. Simpson asked if there is an exception for matters that are general applicable? An example would be setting rates for use of the launch ramp that most all Board members use. This would be setting a fee that we use. His understanding of this is as long as everyone is paying the same it is not a conflict.

Mr. Palmer said yes there is an exception. The concept is the Board would be exempt or waived the Conflict of Interest if the fees are generally applicable to a large number of people. It is not defined so there may be times where it could cause concern. If you have any doubt, contact the City Attorney.

Mr. Uchytel said he is still confused on the definition of a meeting. An example, if he sends an email with information on new technology for floats and tells the Board if they have any questions to call him, did he just create an illegal act?

Mr. Palmer said probably not but the better practice would be to bring it up at the meeting under the Port Directors report. This way it would be clear to the public on the topic.

Mr. Uchytel asked how many people can be in the same room and still be consistent with the open meetings act?

Mr. Palmer said it depends on the topic and if the item is only for discussion from the full Board or a discussion item by a sub-committee. The general rule is three or fewer people are fine if it is the whole Board. If it is a subcommittee, and they only have the authority to make a recommendation, then that would likely be an illegal meeting. A prearranged meeting with more than two members of the Board.

Mr. Uchytel said he offers a one on one training for new Board members. This year, there are four new members. Can he do this training individually or is that a violation?

Mr. Palmer said at a public meeting is a great setting for the training for the new Board members. If the Board members have specific questions they can always reach out and talk to you individually.

Mr. Eiler said frequently during a meeting, a Board member will request information from staff and ask them to forward that to the Board. Are you saying the only way to provide that information is to wait until the next scheduled meeting as opposed to electronic email that gets sent to the whole Board?

Mr. Palmer said the proper way to provide information is to present it to the Board at a meeting. However, he recognizes that there are times with sensitive issues and staff has the

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authority to give you information but it invites a reply all or a response from more than one and that is where the trouble could start. He recommends to make all information from staff happen in a public meeting. Staff can send information but he recommends to do it in public.

Mr. Janes asked when a meeting is called by other agencies and three Board members show up, is that a violation?

Mr. Palmer said even if you are not in control of the meeting you can make it a public meeting and notice it. For example, currently when three or more Assembly members are going to be in one spot, specifically the Southeast Conference, we notice that as a public meeting. If the Assembly members have discussion together, we are covered. However, if it is only three members it is usually not a problem.

Mr. Simpson said he wanted to clarify the flow of information. Typically we get our meeting packet the week prior to the meeting and it has back ground material with it. As the meeting gets closer, other things are added to the packet that staff didn't have when the original meeting packet went out so supplemental updates by email will be sent to the Board members. These are not inviting a response but just providing information. He just wants to make sure that it is not suggested that staff not send that information out but for the Board members to resist any temptation to comment to the group email.

Mr. Palmer said that is correct for Board members to not reply all. Some departments use different color folders. The first information provided would be in one color folder and another color folder for any updates.

Mr. Eiler asked Mr. Palmer what records or minutes are required for public meetings, specifically the Southeast Conference talked about earlier?

Mr. Palmer said the Opens Meeting Act is very ambiguous on that point. CBJ protocol keeps track of formal meetings, similar to this meeting, with minutes and a recording. For the Southeast Conference it is a little different. We typically post the agenda and any materials that came from that meeting but we don't keep verbatim minutes or have a recording.

Mr. Becker said he drops in on staff quite frequently with ideas and asking for information. He asked Mr. Palmer if he needs to wait for a Board meeting to ask for information?

Mr. Palmer said no, the Board members can reach out to staff as often as they want.

Mr. Uchytel asked Mr. Palmer if he can take three Board members at a time to show them the condition of the north end of Aurora Harbor and walk the docks with each group of three?

Mr. Palmer said if there is an easy way to get all nine members there at one time, make it a public meeting and walk down. If logisticaly you can't get all nine there at the same time, but can get four or more at once, that will still need a notice of a public meeting.

Mr. Uchytel asked what the required notice is for a public meeting?

Mr. Palmer said it is a minimum of 24 hours prior to the meeting by posting it on Docks & Harbors website.

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Mr. Uchytel asked if it just needed to be on Docks & Harbors website and how is that transparent to the community?

Mr. Palmer said that would be the minimum, but you should do more.

Mr. Uchytel said yesterday Docks & Harbors staff had a public meeting at Statter Harbor and today two public meetings in this room. They were noticed and advertised. Are those subject to the Open Meetings Act requirements.

Mr. Palmer said in general yes. All regular and special meetings are subject to the Open Meetings Act. The ones that are different are work sessions.

Mr. Uchytel said Board members are invited to the meetings, but these meetings are public meetings run by staff.

Mr. Palmer said those type meetings are different. If you think three or more Board members will be present to definitely notice that as a public meeting. The Opens Meeting Act only applies to a governing body. It does not apply to staff meetings where public is invited.

Mr. Simpson asked about Mr. Palmers reference to work sessions and why it is different?

Mr. Palmer said work sessions are the same as a regular or special meeting with one big exception. The public has the right to attend but not comment. You don't have to allow public comment at a work session. You can, but you don't have to.

Mr. Simpson asked if a worksession needs to be noticed?

Mr. Palmer said yes, all the other rules apply with the only exception being the public does not have the right to comment.

Mr. Uchytel asked if a member of the public can set up meetings with each Board member separately and not violate the open meetings act?

Mr. Palmer said if a member of the public sets up the meetings it does not violate the open meetings act, but if the Board member sets up the meetings then it might.

Mr. Uchytel asked if he contacted the Board members on behalf of the public requesting to meet each Board member separately for the next 10 days is that a violation of the Opens Meeting Act?

Mr. Palmer said he would recommend not doing that.

Mr Uchytel asked about quorum, if you start a meeting and then someone has to leave and you no longer have a quorum, what should the Board do at that point?

Mr. Palmer said when there is a quorum, you can have a full business meeting. When there is no longer a quorum or if a meeting does not meet a quorum, the only thing the Board can do is set the next meeting time.

Mr. Uchytel asked if you can continue to discuss non-action items when there is not a quorum?

Mr. Palmer said no.

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Mr. Uchytel asked if the meeting can be set for the next day?

Mr. Palmer said as long as it is noticed 24 hours prior to the meeting.

Mr. Eiler asked for more detail on executive session and personnel actions.

Mr. Palmer said if the Board is contemplating executive session for something, reach out to the City Attorney to see if it is applicable. The executive session options exist but narrowly construed. If an executive session is challenged, we have to prove what was discussed in executive session fits with one of the exceptions. If it is a general discussion about setting boat launch fees, that will not be eligible for executive session. However, if you are making a land transaction deal and telling the Port Director how much he can offer, that would be eligible for executive session.

Ms. Bowen reminded the Board that it still needs to be publically noticed that there is going to be an executive session. However, if the land sale topic is on the Agenda and you need to go into executive session you can. You can not take any action in executive session.

Mr. Becker asked if the person in question that is going to be discussed in executive session has the right to be in executive session.

Ms. Bowen said that is correct. They also have the right to want the discussion to be in public.

Mr. Uchytel asked if next month at the Operations meeting someone came in and complained that his lease rate was too high, the Appraiser Charles Horan does not know what he is doing, and he requests a lower lease rent. Does that merit a discussion in Executive Session?

Mr. Palmer said probably not. The distinguishing feature is that it is generally applicable in general government and not a specific individual transaction.

XI. Committee and Member Reports

1. Operations/Planning Committee Meeting-Wednesday, September 19th, 2018 –
Mr. Eiler reported the Committee discussed information items;
 - Docks & Harbors Board By-Laws
 - Title 85 changes and suggestions to modernize with our current operating environment.
2. Member Reports –
Mr. Wostmann said he attended the Statter Harbor Operations meeting and said it was a very positive meeting and he noticed a good repore with staff and users that attended.
3. Assembly Lands Committee Liaison Report- There has been no meetings.
Mr. Eiler said next meeting is in October.
4. Auke Bay Steering Committee Liaison Report- Mr. Janes said nothing to report.

XII. Port Engineer's Report –

Mr. Gillette said his report is in the packet. Highlights of his report;

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The Archipelago Development- There will be a meeting on Monday to discuss the Purchase and Sale Agreement which is an important piece to get in front of the Assembly. Staff and Consultants are working diligently to move this project along in design. This is scheduled to go before the Planning Commission on November 13th. It will be helpful to have people attend to show support.

Mr. Janes asked if Mr. Gillette has seen the progress on the schedule from the Morris group?

Mr. Gillette said they are waiting on the Purchase & Sales Agreement completed before they spend a lot of money. They are going to wait until this is approved by the Assembly.

Mr. Eiler asked when the Purchase and Sale Agreement will be back before this Board?

Mr. Gillette said hopefully next month. Staff will know more after the Monday meeting.

XIII. Harbormaster's Report –

Mr. Borg reported;

- Staff is working on winterization
- Seasonal staff will be on seasonal leave as of the 30th of this month.
- There was a significant leak in the fire line at the CT Dock. This is now repaired to 100%.
- Harbor Officer Dennis Holloway is retiring September 30th.

XIV. Port Director's Report

Mr. Uchytel reported;

- He said he reached out to DNR today to find out the status on the Lumberman. Their reply was that there was no real updates to report. They have not taken possession of the vessel and remains in trespass. They are gathering information for the NOAA grant. They are currently waiting on another more detailed quote for the removal and disposal of the vessel. If the quote comes back too high they will not be eligible for the grant.

- Staff held three end of season meetings

Statter Harbor meeting highlights – request for better signage, complaint that a tour company was dropping off at the top of the ramp and was not suppose to, recommendation that staff not park in the closest lot to the Statter Harbor building, there was an observation that the Petro Marine float has a water leak that needs to be repaired, and the visibility of getting into Statter Harbor is obscured somewhat at night because of the background lighting at the launch ramp facility.

Waterfront Vendor Booth meeting highlights - there was a request to move the vendor booths farther apart, and a request to move the vendor booths closer to the CT lot, and taxi's are a problem.

Loading Zone Permit meeting highlights - Mr. Gillette presented an update on the downtown waterfront improvement plan, there was a request to put up signage under the tents for gathering, and complaints about the taxi's parking at the Red Dog.

- There will be an Amalga Harbor Presentation on Monday October 22nd at 6:00 pm at Mendenhall Valley Library to let people know that Docks & Harbors intends to proceed with the float extension for the fish cleaning station and hope to have that installed before May 2019.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, September 27th, 2018

- Statter Harbor phase III dredging, blasting, and wall portion - we are making headway with NMFS and permitting. Most likely the bid package will go out mid November for bids and staff expects to have the permits in hand by the end of December.
- Aurora Harbor Phase II work is complete.
- He asked the Board if he should send out another doodle poll to establish a strategic planning date – The Board said yes.

Mr. Eiler asked for information back ground to the letter that was sent out about an expired lease and derelict property.

Mr. Uchytel said the letter was pertaining to Mr. Howard Lockwood's prior Juneau Port Development LLC lease with Docks & Harbors. The lease was terminated on October 31st, 2015. He has a mining claim from Dr. Eckmann. The mining claims are very complicated. Essentially he has subsurface rights but not surface rights. Mr. Uchytel said he asked CBJ Law to help with this situation. In May he sent a letter to Mr. Lockwood regarding a derelict skiff he left in Douglas and also other derelict items/floats left between the Big Rock Dump and the Little Rock Dump and to please clean it up. Mr. Lockwood did retrieve the skiff in Douglas but not the other items/floats. There are other issues with Mr. Lockwood and the snowdump site which is managed by CBJ Streets. GCI contacted him about alders on the Little Rock Dump property that is causing issues with their satellite dish and asked to have them removed. Mr. Uchytel said he sent another letter to Mr. Lockwood reminding him that the items/floats still need to be cleaned up and that staff is sending a contractor to remove the alders at the Little Rock Dump and he expects cooperation.

XV. Assembly Liaison Report – None

XVI. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Wednesday October 17th, 2018 at 5:00pm
- b. Board Meeting – Thursday, October 25th, 2018 at 5:00pm
- c. Strategic Planning Date - TBD

XVII. Adjournment – The regular Board Meeting adjourned at 6:45 pm.

2019

January							February							March						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5						1	2						1	2
6	7	8	9	10	11	12	3	4	5	6	7	8	9	3	4	5	6	7	8	9
13	14	15	16	17	18	19	10	11	12	13	14	15	16	10	11	12	13	14	15	16
20	21	22	23	24	25	26	17	18	19	20	21	22	23	17	18	19	20	21	22	23
27	28	29	30	31			24	25	26	27	28			24	25	26	27	28	29	30
														31						

April							May							June						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6				1	2	3	4							1
7	8	9	10	11	12	13	5	6	7	8	9	10	11	2	3	4	5	6	7	8
14	15	16	17	18	19	20	12	13	14	15	16	17	18	9	10	11	12	13	14	15
21	22	23	24	25	26	27	19	20	21	22	23	24	25	16	17	18	19	20	21	22
28	29	30					26	27	28	29	30	31		23	24	25	26	27	28	29
														30						

July							August							September						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
	1	2	3	4	5	6					1	2	3	1	2	3	4	5	6	7
7	8	9	10	11	12	13	4	5	6	7	8	9	10	8	9	10	11	12	13	14
14	15	16	17	18	19	20	11	12	13	14	15	16	17	15	16	17	18	19	20	21
21	22	23	24	25	26	27	18	19	20	21	22	23	24	22	23	24	25	26	27	28
28	29	30	31				25	26	27	28	29	30	31	29	30					

October							November							December						
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa
		1	2	3	4	5						1	2	1	2	3	4	5	6	7
6	7	8	9	10	11	12	3	4	5	6	7	8	9	8	9	10	11	12	13	14
13	14	15	16	17	18	19	10	11	12	13	14	15	16	15	16	17	18	19	20	21
20	21	22	23	24	25	26	17	18	19	20	21	22	23	22	23	24	25	26	27	28
27	28	29	30	31			24	25	26	27	28	29	30	29	30	31				

 Operations/CIP - Jennifer
 Board - Teena

PORT ENGINEER'S PROJECT STATUS REPORT

Gary Gillette, Port Engineer

Auke Bay Loading Facility - Phase II				
TIGER Grant Reporting - Annual	On-Going	Sept. 2019		Annual equipment depreciation report
Aurora Harbor Re-Build - Phase II				
Construction Administration - Inspection	Complete		PND	Closing out Contract
Final Completion	Complete		NCS	Closing out Contract
Zinc Anodes for Phase I and II	Complete		NCS	Closing out Contract
Statter Master Plan Phase III				
Army Corps of Engineers Permit	In Progress		PND	
Incidental Harrasment Authorization	In Progress		PND	
Eagle Permit	In Progress		Staff	Awaiting USFWS permit
Phase III A - Blasting, Dredging, Retaining Wall				
Design - Bid Documents	In Progress		PND	
Construction Bid	Hold		TBB	
Construction	Hold	Fall 2018	TBD	Pending ACOE Permit
Phase III B - Float Installation				
Design - Bid Documents	In Progress		PND	
Construction Bid	Hold		TBB	
Construction	Hold	Fall 2019	TBD	
Phase III C - Uplands, Restrooms				
Design - Bid Documents	In Progress		PND	
Construction Bid	Hold		TBB	
Construction	Hold	Fall 2020	TBD	
Downtown Waterfront Improvements				
Geotech Report	In Progress		PND	
Conditional Use Permit	In Progress		Staff	Planning Commission - Nov 13, 2018
City Project Review - Use	In Progress		Staff	Planning Commission - Nov 13, 2018
Flood Zone Exception	In Progress		Staff	Planning Commission - Nov 13, 2018
City Project Review - Land Action	In Progress		Staff	Planning Commission - Nov 13, 2018
Army Corps of Engineers Permit	In Progress		PND	Preparing Application
Incidental Harrasment Authorization	Hold		PND	May not seek IHA
65% Design Submittal	Hold	3-Dec-18	PND	
D&H 65% Design Review	Hold	10-Dec-18	Staff	
95% Design Sumittal	Hold	31-Jan-19	PND	
D&H 95% Design Review	Hold	7-Feb-19	Staff	
Final Bid Documents	Hold	7-Mar-19	PND	
Bid Opening	Hold	16-Apr-19	Staff	
D&H Board Approval	Hold			
Assembly Approval	Hold			

PORT ENGINEER'S PROJECT STATUS REPORT

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Notice to Proceed	Hold	7-May-19		
Materials Procurement	Hold		TBD	
On-Site Construction	Hold	13-May-19	TBD	
Substantial Completion	Hold	24-Apr-20		
Final Completion	Hold	26-May-20		
Archipelago Property Procurement				
Funding	In Progress		Staff	Awaiting Assembly Approval
Purchase and Sale Agreement	In Progress		Staff	Awaiting Assembly Approval
Amalga Harbor Fish Cleaning Station				
Planning	Complete			Pursuing Float Option
Design	Hold		PND	Awaiting ADF&G Grant Documents
Aurora - Harris Harbors Dredging				
Dredging Activity	Hold	2019	ACOE	Awaiting final dates for work
Auke Bay Marine Station				
Subdivision	In Progress		Staff	Coordinate with UAS
Shared Work with UAS	In Progress		Staff	Clarify with Nathan Leigh
Marine Park Sheet Wall Coating				
Construction	Hold		Purcell	Awaiting Contactor Schedule
Contract Administration & Inspection	Hold		Tinnea	Pending Construction Schedule
ADOT Grant Application - Harris Anodes	Hold		Staff/PND	Awaiting Legislative Action in 2019
LRD-Norway Point Ocean Data Study	In Progress		PND	
Statter Breakwater Safety Improvements				
Phase II	Hold			Board Strategic Plan meeting
Sewage Pump-Out Improvements				
Douglas Barge	In Progress		Harold & John	Designing and Building Barge
Statter Winterization	Hold		Matt Creswell	Seeking Funding
Harris Winterization	Hold		Matt Creswell	Seeking Funding
D&H Managed Lands - Surveys				
ASLS 2013-15 - Uplands at Tee Harbor	Hold	2020	TBD	
ATS 1682 -DIPAC-Channel Construction	Hold	2020	TBD	
ATS 1690-NPS Dock at Indian Point	Hold	2019	TBD	
ATS 1691 - Adjacent to ABMS	In Progress	2018	PDC	Awaiting Prelim Plat Comments
ATS 1692 - North Douglas Boat Ramp	In Progress	2019	PDC	Preliminary Plat comments
ATS 1693-DIPAC Wayside Park	Hold	11-Jul-05	TBD	
ATS 1694-Tee Harbor Submerged Lands	Hold	2020	TBD	
ATS 1707 - Cruise Berths	In Progress	2018	DOWL	Awaiting CDD Comments
Archipelago Lot Easement	In Progress		Staff	May be moot if CBJ purchases land
Visitor Information Kiosk				
Final Design	In Progress	1-Nov-18	JYL	

PORT ENGINEER'S PROJECT STATUS REPORT

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Wayside Park Float				
Dredging as Float Grounds Out	Hold			Awaiting Funding
Taku Harbor Repairs				
Close Out of ADF&G Grant	Complete		Staff	Awaiting Reimbursement from ADJ&G
Current-Weather Equipment Maintenance	Hold		MXAK	Awaiting signatures to agreement
U.S. DOT "BUILD" Grant Applications				
Marine Services Center	Hold		Staff	Awaiting Awards Announcement
Fisheries Terminal	Hold		Staff	Awaiting Awards Announcement
Auke Bay Transportation Link	Hold		Staff	Awaiting Awards Announcement
N. Douglas Boat Launch Expansion Study				
Conceptual Design	In Progress		PND	
Aurora Harbor Re-Build - Phase III				
Phase IIIA - Demolition				
Design and Bid Documents	Hold		PND	
Phase IIIB - Dredging				
Army Corps of Engineers	Hold		ACOE	Awaiting design and funding
Phase IIIC - Float Installation				
ADOT Grant Application	Hold		Staff/PND	Awaiting Legislative Action in 2019