

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA
For Thursday, December 10th, 2015

- I. Call to Order** (5:00 p.m. in the Port Field/Customs Conference Room)
- II. Roll** (John Bush, Weston Eiler, Bob Janes, David Lowell, Robert Mosher, David Summers, Tom Zaruba, Budd Simpson, and Tom Donek)
- III. Approval of Agenda**

MOTION: TO APPROVE THE AGENDA AS PRESENTED.
- IV. Approval of November 19th, 2015 Regular Board Meeting 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. A Resolution of the City & Borough of Juneau in Support of Full Funding for the State of Alaska Municipal Harbor Facility Grant Program in The FY 2017 State Capital Budget

RECOMMENDATION: TO ENDORSE THE PROPOSED CBJ RESOLUTION SUPPORTING THE ADOT MUNICIPAL HARBOR GRANT PROGRAM AND REFER TO THE ASSEMBLY AND ASK UNANIMOUS CONSENT.

MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VII. Unfinished Business

- 1. FY17 Marine Passenger Fee Request
Presentation by the Port Director

Board Questions

Public Comment

Board Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA (CONTINUED)
For Thursday, December 10th, 2015

2. Fritz Cove Road
Presentation by the Port Engineer

Board Questions

Public Comment

Board Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING.

VIII. New Business

1. Special Annual Moorage Fee for Skiffs
Presentation by the Port Director

Board Questions

Public Comment

Board Discussion/Action

MOTION: TO RECOMMEND THAT AN OWNER WITH A OPEN HULL VESSEL 21' OR LESS IN LENGTH EXCLUDING ENGINES MAY APPLY TO THE HARBOR-MASTER FOR MOORAGE IN THE LIMITED ACCESS AREAS OF SMALL BOAT HARBORS WHICH IS DETERMINED BY THE HARBORMASTER AT A RATE OF \$300 PER CALENDAR YEAR AND ASK FOR UNANIMOUS CONSENT.

2. Support of Juneau Ocean Interpretive Center
Presentation by Paul Voelkers

Board Questions

Public Comment

Board Discussion/Action

MOTION: APPROVAL OF DRAFT RESOLUTION 2734 EXPRESSING ASSEMBLY SUPPORT FOR THE JUNEAU OCEAN CENTER FACILITY.

IX. Items for Information/Discussion

1. Juneau HydroPower update on the Sweetheart Lake Hydro Power Plant Project
Presentation by Duff Mitchell

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA (CONTINUED)
For Thursday, December 10th, 2015

Board Discussion/Public Comment

2. Email Notifications

Presentation by the Port Director

Board Discussion/Public Comment

3. AJ Dock - Current Sensor Installation Update <http://www.mxak.org/cbj/ajdock.html>

Presentation by the Port Director

Board Discussion/Public Comment

X. Committee and Member Reports

1. Harbor Fee Review Committee Meeting- Wednesday, December 2nd, 2015

2. Operations/Planning Committee Meeting- Wednesday, December 2nd, 2015

3. Finance Committee Meeting- Thursday, December 3rd, 2015

4. Docks Fee Review Committee Meeting- Thursday, December 3rd, 2015

5. Member Reports

XI. Port Engineer's Report

XII. Harbormaster's Report

XIII. Port Director's Report

XIV. Assembly Liaison Report

XV. Board Administrative Matters

a. Harbor Fee Review Meeting – Wednesday, January 6th, 2016 at noon

b. Ops/Planning Committee Meeting – Wednesday, January 20th, 2016 at 5:00pm

c. Finance Committee Meeting –Thursday, January 21st, 2016 at 5:00pm

d. Docks Fee Review Meeting – Thursday, January 21st, 2016 following Finance

e. Board Meeting – Thursday, January 28th, 2016 at 5:00pm

XVI. Adjournment

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, November 19th, 2015

I. Call to Order.

Mr. Donek called the Regular Board Meeting to order at 5:01p.m. in CBJ Assembly Chambers.

II. Roll Call.

The following members were present: Weston Eiler, David Lowell, Budd Simpson, David Summers, and Tom Donek.

Also present were the following: Carl Uchytel – Port Director (via telephone), Dave Borg – Harbormaster, and Gary Gillette – Port Engineer.

Absent: John Bush, Bob Janes, Robert Mosher, and Tom Zaruba

III. Approval of Agenda.

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

Motion was approved with no objection.

IV. Approval of Previous Meeting Minutes.

Hearing no objection, the October 29th, 2015 Regular Board Meeting Minutes were approved as presented.

V. Public Participation on Non-Agenda Items –
Howard Lockwood, Juneau, AK

He said last week there was another attempt by the City Engineer to change the zoning at the Little Rock Dump from Waterfront Commercial Industrial to Industrial. He said he has been apposing this for the last three years. This change would remove potential revenue for this area. He said he talked to Teri Camery today and she said the City Engineer has withdrawn all intentions of changing the zoning at this time.

Mr. Summers asked if that area falls into the avalanche zone?

Mr. Lockwood said no.

VI. Consent Agenda - None

VII. Unfinished Business – None

VIII. New Business –

1. Statter Harbor \$1/hour Parking Fee (05 CBJAC 20.160)

Mr. Uchytel said when going forward with updating the Harbor Fee review for Statter Harbor there were two areas in the Regulation that discussed Statter Harbor parking and in the clean up process the \$1 per hour parking was struck

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, November 19th, 2015

out in error. In all discussions, the intent was to leave the \$1 per hour parking in the regulation. Mr. Uchytel said he is just asking to correct this mistake and have this put back in regulation. This will need to go back through the Assembly. Mr. Uchytel said he will include this the next time the Board sends another regulation change for Assembly approval.

Board Questions - None

Public Comment –

Renee Rieser, Douglas, AK.

She asked when the Douglas Harbor designated pay spaces parking fees will be in affect?

Mr. Donek said that has already been in regulation and is for designated parking space, not for everyday parking. It is not the intent to start charging in the downtown Harbors, however, with this already in regulation if spaces are designated we could charge.

Board Discussion/Action

Mr. Summers said this is a great benefit to Harbor customers because this \$1 per hour parking is under market for parking pricing.

MOTION BY MR. SIMPSON: MOVE THAT THE BOARD TAKE THE CORRECTIVE ACTION REQUESTED BY STAFF AND REINSTATE THE REVISION RELATING TO \$1 PER HOUR PARKING AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

IX. Items for Information/Discussion

1. Capital Improvement Project – 6 Year Plan

Mr. Gillette said every year this is submitted to CBJ Engineering who then compiles the CIP plan that will go to review, the Planning Commission, and then becomes part of CBJ's annual budget. The projects on the six year plan are projects planned to be developed over the next six years, or future projects that Docks & Harbors would like to have developed but no real funding or potential funding identified. While they are listed as a priority, this can change if the Board wants this changed. This list is broken down between Docks and Harbors projects. The FY17 projects list is the list that will be approved for the budget. Docks & Harbors is asking money for these projects out of the City Marine Passenger fees, the State Passenger fees, and have applied for a \$2M matching grant.

Mr. Gillette went over the FY17 requests;

- Steamship Wharf Cathodic Protection Phase II – Staff is currently working with CBJ Engineering because they are executing cathodic

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, November 19th, 2015

protection for under the parking garage structure. This went out for bid, but the bids came in almost double what the Engineer's estimate was. This is now broken up into phases. The first phase is budgeted and estimated at \$500,000 which is pile jacketing, or wrapping pilings for the area under the brickyard because they are showing signs of deterioration and install new anode sleds to protect the water side of the sheet pile retaining wall. Phase II which is estimated at \$600,000 would install an impressed current cathodic protection system for the interior side of the sheet pile wall and recoat the seaward face of the Marine Park sheet piles retaining wall.

- Visitor Information Kiosk Replacement Design – The Juneau Convention and Visitors Bureau requested a new kiosk be provided which would offer a more user friendly facility and address safety, ADA compliance, and comfort concerns of volunteers. The current facility was moved from the Marine Park area when the Alaska Steamship Wharf was expanded for bus staging. This phase of the project would perform planning, design, and cost estimating to ascertain a full understanding of the needs and costs of a replacement structure. The estimated cost for planning and design is \$25,000. For FY18 \$120,000 is estimated for project construction.
- Auke Bay Passenger for Hire Facility – This would update the overall Statter Harbor Master Plan as a result of moving the boat yard to Auke Bay loading Facility. He said there may be a way to use the State Cruise Passenger fees.
- Aurora Harbor Rebuild – Staff applied for a \$2M matching grant for this part of the project. If we received this funding it would be \$4M that would replace the Harbor through the boat shelters area.
- Statter Harbor Breakwater Safety Improvements- This area is used for transient moorage for larger vessels in the summer months. The structure has large open cells within the boundaries of the structure that present safety concerns for users of the facility. Docks and Harbors has prepared a design and cost estimate that indicates it would be \$1M to perform the work. The plan is to proceed with the project in a phased approach over three years utilizing harbor funds.

Mr. Lowell asked if the current Steamship Wharf cathodic protection is an impressed current?

Mr. Gillette said it is sleds.

Mr. Lowell wanted to know the cost per year to operate the cathodic protection?

Mr. Gillette said he does not know.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, November 19th, 2015

Mr. Lowell said his understanding is that there is a yearly required maintenance to look at the rectifiers and then voltage input to run the system. Will the expenses come out of Docks funds?

Mr. Gillette said yes it would be Docks funds.

Mr. Lowell said he would like to see the annual operation cost for this project.

2. Review of previous Marine Passenger Fee Requests

Mr. Gillette said each year staff is asked to submit a list of projects for consideration to receive Marine Passenger Fees. The following list is what was submitted last year;

- Area Wide Port Operations
- Port-Customs and Visitor Center Buildings Maintenance Support
- Statter Harbor Passenger For Hire Facility
- Downtown Restrooms
- Future Cruise Terminal Staging
- Downtown Pay Phones
- Visitor Information Kiosk Replacement
- CBJ Parks & Recreation Landscaping Services
- Lightering Float Ramp Canvas Cover Replacement
- Marine Park Bus Parking Lot Brick Repair
- Flags & Banners

Mr. Uchytel said this list is due to the City Manager by December 31st. The updated list will come back to the Board for approval before it is submitted to the City Manager.

3. FY2015 Docks & Harbors Report to the Assembly

Mr. Uchytel said under title 85 Docks & Harbors is required to provide to the Assembly a written review of their operations during the preceding fiscal year. In the packet is the proposed letter to the Assembly.

Mr. Donek said this is a required report, and hasn't been done since he has been on the Board. This will let the Assembly know what Docks & Harbors is up to. The numbers on the memo need to be verified by the Finance Department and then it will be forwarded to the Assembly.

X. Committee and Member Reports

1. Harbor Fee Review Committee Meeting – Wednesday, November 4th, 2015

Mr. Simpson report the Committee discussed the special fees for the small skiffs that are parked in places other boats can't park. The Committee recommended to reduce the fee to \$300 annually to encourage use. The Committee will be looking at all the small boat harbor moorage fees next.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, November 19th, 2015

2. Operations/Planning Committee Meeting – Tuesday, November 10th, 2015
Cancelled

3. Finance Committee Meeting – Thursday, November 12th, 2015 Cancelled

4. Docks Fee Review Committee Meeting – Thursday, November 12th, 2015
Cancelled

5. Member Reports – None

XI. Port Engineers Report –

Mr. Gillette said his report is in the packet. He provided an update for the following;

- The Boat Yard at the Auke Bay Loading Facility lease goes to the Lands Committee on November 23rd and to the full assembly on November 30th.
- Douglas – Dredging has begun and there are weekly progress meetings. The 95% review for the new floats is complete. We should receive the 100% final bid documents by the first week in December and will go out for bids the first of January. The intent is to get the bids in late January for Board approval, take to the Assembly in February, and the notice to proceed by the first part of March. That end of the Harbor will be under construction for the entire summer.
- Statter Launch ramp is moving forward with no issues.
- Cruise Berth is moving forward. They are a little behind and running double shifts to catch up. Work should be back on schedule by February and go back to single shifts.

Public Comment -

Jim Betts, Juneau Alaska

He asked Mr. Gillette to comment on allowing the dumping of the dredged material in the channel whereas this was not allowed in the past. Does this have to do with material sampling?

Mr. Gillette said the last project completed in 2003 used the dredge material for fill behind a wall that is currently the Douglas parking lot. This dredge project has met all the requirements and will need to be capped and monitored.

XII. Harbormaster's Report –

Mr. Borg reported;

- Working on snow removal
- Make sure to check boats
- Working on the Senior Harbor Officer hiring process
- It will cost \$11,000 to fix the flat bed that had water intrusion at Statter Harbor. This means staff will be down a sander and a snow plow.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, November 19th, 2015

- The Icy Strait sold for \$50,210.

XIII. Port Director's Report –

Mr. Uchytel reported;

- The first of December staff intends to advertise the master plan effort between Norway Point and Bridge Park.
- Staff intends to hold a public meeting to start discussing phase III of Statter Harbor.

XIV. Assembly Liaison Report – None

XV. Board Administrative Matter

- a. Harbor Fee Review Meeting – Wednesday, December 2nd, 2015 at Noon
- b. Ops/Planning Committee Meeting – Wednesday, December 2nd, 2015 at 5:00 pm
- c. Finance Committee Meeting – Thursday, December 3rd, 2015 at 5:00 pm
- d. Docks Fee Review Meeting – Thursday, December 3rd, 2015 following Finance
- e. Board Meeting – Thursday, December 10th, 2015 at 5:00 pm

XVI. Adjournment - The regular Board Meeting adjourned at 5:46 pm

ADOT Municipal Harbor Grant FY17 Scoring

FY17 Applicants (for SLA 16)	Project Name	Tier	Score	Amount Requested
Kodiak, City of	City Float	I	148.6	\$ 1,365,792
Wrangell, City and Borough of	Shoemaker Bay Harbor	I	139.8	\$ 5,000,000
Sitka, City and Borough of	Crescent Harbor	I	138.0	\$ 5,000,000
Aleknagik, City of	City Dock	I	117.0	\$ 94,000
Whittier, City of	Whittier Small Boat Harbor	II	113.0	\$ 500,000
Anchorage, Municipality of	Ship Creek Boat Ramp	II	102.8	\$ 688,722
Juneau, City and Borough of	Aurora Harbor	II	98.0	\$ 2,000,000
Valdez, City of	Valdez New Small Boat Harbor	II	93.4	\$ 5,000,000
Skagway, Municipality of	Skagway Harbor	II	65.0	\$ 1,000,000
Total				\$ 20,648,514

City & Borough of Juneau



RESOLUTION NO.

A RESOLUTION OF THE CITY & BOROUGH OF JUNEAU IN SUPPORT OF FULL FUNDING FOR THE STATE OF ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE FY 2017 STATE CAPITAL BUDGET.

Whereas, the City & Borough of Juneau recognizes the majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

Whereas, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

Whereas, these harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

Whereas, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

Whereas, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

Whereas, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

Whereas, in response to this financial burden, the Governor and the Alaska Legislature passed legislation in 2006, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Municipal Harbor Facility Grant program, AS 29.60.800; and

Whereas, the City & Borough of Juneau, is pleased with the Department of Transportation and Public Facilities administrative process to review, score and rank applicants to the Municipal Harbor Facility Grant Program, since state funds may be limited; and

Whereas, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and

Whereas, the municipalities of the City of Aleknagik, the Municipality of Anchorage, the City and Borough of Juneau, the City of Kodiak, the City and Borough of Sitka, the Municipality of Skagway, the City of Valdez, the City and Borough of Wrangell, and the City of Whittier have offered to contribute \$20,648,514 in local match funding for FY2017 towards nine harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

Whereas, completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska's Municipal Harbor Facility Grant Program; and

Whereas, during the last ten years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

Whereas, during the last ten years the backlog of projects necessary to repair and replace these former State owned harbors has increased to over \$100,000,000.

Now therefore be it resolved that the Membership of the Alaska Association of Harbormasters and Port Administrators urges full funding in the amount of \$20,648,514 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2017 State Capital Budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

Passed and approved by a duly constituted quorum of the Assembly of the City & Borough of Juneau on this 6th day of January, 2016.

Mayor, City & Borough of Juneau

ATTEST:

Laurie Sica, City Clerk



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Carl Uchytel, Port Director

To: CBJ Docks and Harbors Board

Date: December 8, 2015

Re: FY17 MARINE PASSENGER FEE REQUEST

1. Attached is a list of potential FY17 Marine Passenger Fee projects for your consideration. This list is divided into two groupings: 1) on-going maintenance needs, and 2) capital improvement needs.
 - a. On-Going Maintenance Needs
 - i. Area Wide Port Operations - \$154,100
 - ii. Port-Customs and Visitor Center Buildings Maintenance Support - \$133,500
 - iii. CBJ Parks & Recreation Landscape Maintenance Services - \$45,000
 - iv. Downtown Pay Phones - \$12,000
 - v. Flags and Banners - \$7,500
 - b. Capital Improvement Needs
 - i. Corrosion Protection for Marine Park Sheet Pile Wall - \$500,000
 - ii. Statter Harbor Passenger for Hire Facility – Design - \$800,000
 - iii. Visitor Information Kiosk Replacement – Design - \$25,000
 - iv. Future Cruise Terminal Staging - \$1,000,000
 - v. Downtown Restrooms - \$500,000
2. The Board is asked to review these needs with the intent to prioritize the list for submittal to the City Manager for consideration for FY17 funding from the City and Borough of Juneau Marine Passenger Fee revenue.

#

Encl: FY17 Docks & Harbors Marine Passenger Fee Request

CBJ Docks and Harbors Board FY2017 Marine Passenger Fee Request

Area Wide Port Operations

Descriptions: CBJ's cruise ship docks and associated infrastructure are run as an enterprise fund established by local ordinance. All expenses and revenues associated with operating and maintaining CBJ's cruise ship docks and associated infrastructure are accounted within this fund. The CBJ Assembly has placed these assets under the responsibility of the Docks and Harbors Board. CBJ Ordinance Title 85 requires the Board to be self-supporting, generating revenues sufficient to meet the operating costs of the docks enterprise.

The Board has established a number of fees to generate revenues from users of the assets. The Board has calibrated these fees to assure the overall revenue generated by the enterprise equals the overall cost of running the enterprise.

Many of the uplands assets are used by entities which it is not possible, feasible, or acceptable to charge fees. As a result, users paying fees are subsidizing users that do not pay fees. The services provided to these users are area wide in nature benefiting the general public and cruise ship passengers of private docks.

For the past several years, the Board has offset this subsidy with revenues from leases of property along the downtown Juneau waterfront. Faced with crumbling infrastructure in the small boat harbors and the inability to raise harbor fees without profound impacts to its users and the community, the Board has elected to redirect lease revenues of parcels along the waterfront from the Docks Fund to the Harbor Fund. In effect, revenues from these leases had been subsidizing area wide users of the docks enterprise facilities. As part of this initiative, the Board Identified services that are area wide in nature and not specific to users of the CBJ Docks.

Board identified the following services:

1. Year round maintenance and monitoring of Marine Park.
2. Maintenance and operation of year-round public parking at the Columbia Lot and seasonal public parking at the Steamship Wharf Plaza and the Visitor's Center Lot.
3. Maintenance and operation of year-round unrestricted pedestrian access along the waterfront at the public docks.
4. Maintenance of tour operators Vendor Booths
5. Maintenance and operation of shuttle drop-offs and pick-ups in the CBJ loading zone that are used by all cruise ship terminals in Juneau.
6. Providing area wide port security.
7. Billing and collecting CBJ area wide fees for all docks.

The Board reviewed its FY13 budget and apportioned expenses associated with these services. Based on its review, it estimates that about 9% of the annual docks budget is attributable to area wide services.

**CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request**

Area Wide Port Operations (Continued)

Marine Passenger Fee Funds Requested (FY17): \$154,100

Benefits: This approach is supported by the cruise ship industry since it is more equitable than raising dockage fees. It also avoids the need to raise fees during the economic recession.

This approach meets the intent of the marine passenger fee since the services benefit all cruise ship passengers , not just the passengers at the public docks.

This approach allows the Docks and Harbors Board to direct part of the dock lease revenues to the much needed rebuild effort of the small boat harbors reducing the need for fee increases at the harbors.

Maintenance and Operation Responsibility: CBJ is responsible for all ongoing maintenance and operating expenses and will use local Docks enterprise funds for these expenses.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchytel, CBJ Port Director 586-0292.

CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request

Port-Customs and Visitor Center Buildings Maintenance Support

Project Descriptions: These two buildings are located on the downtown Juneau waterfront, an area that serves nearly one million cruise ship passengers each year. Docks and Harbors, an enterprise fund, is responsible for costs associated with operating the Port-Customs and Visitor Center Buildings. Expenses include all utilities (water, sewage, electrical, alarm monitoring) and facility support (parking lot, plaza, snow removal, janitorial and general maintenance).

Marine Passenger Fee Funds Requested (FY17): \$133,500

Approximately 4450 sq feet (building area) @ \$2.50/sq feet/month = \$133,500

Project Review: The Port-Customs Building was completed in May 2011 with the Visitor Center completion in June 2012. The project which included the buildings, infill dock construction, covered shelters, landscaping and plaza cost approximately \$9M and was funded with Marine Passenger Fees. The Port-Customs Building is occupied by the US Customs and Border Protection (CBP) year-round and Docks and Harbors staff from April to October. CBP claims to be exempt from any costs associated with their operations within a port. The Visitor Center Building is occupied from April to October by the Juneau Convention and Visitor Bureau, a non-profit organization for the purpose of supporting cruise passenger inquiries. The JCVB budget does not support maintenance of the building. This leaves the Docks enterprise funds fully exposed to the costs of maintaining and servicing these buildings.

Benefits: By establishing a Port-Customs and Visitor Center Buildings maintenance fund Docks & Harbors can better manage and maintain the properties entrusted under their responsibilities. Passenger fees were granted for this purpose in FY2013 through FY2016.

Maintenance and Operation Responsibility: CBJ Docks and Harbors is responsible for all ongoing maintenance and operating expenses of these two buildings and associated upland support facilities.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchytel, CBJ Port Director 586-0292.

CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request

CBJ Parks & Recreation Landscape Maintenance Services

Project Descriptions: Docks & Harbors managed property includes the downtown waterfront from the Taku Dock to Merchant's Wharf. The landscaping has been maintained by CBJ Parks & Recreation seasonal staff for several years out of the CBJ general fund. Flowers, flower pots, trees, shrubs and grass along Marine Park, Cruise Ship Terminal and Alaska Steamship waterfront are meticulously planted and groomed in an admirable fashion. Beginning in FY15, Docks & Harbors was directed to fund this maintenance out of the Docks Enterprise budget.

Cost: \$45,000

Marine Passenger Fee Funds Requested (FY17): \$45,000

Project Review: The requested amount has been developed by a CBJ Parks & Recreation algorithm based on requirements to propagate, plant and maintain the vegetative cover, new seedlings, plants and flowers.

Project Time-Line: This project would be an interdepartmental transfer from Docks & Harbors to CBJ Parks & Recreation.

Maintenance and Operation Responsibility: Commencing in FY15, Docks & Harbors has been assigned sole responsibility for maintaining the greenery along the CBJ owned waterfront, including parking lot facilities.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchytel, CBJ Port Director 586-0292.

CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request

Downtown Pay Phones

Project Descriptions: To meet telephonic communications demands from cruise ship passengers and cruise ship crew, CBJ established a policy to maintain pay telephones in the downtown area including along the cruise ship docks.

Cost Estimate: \$12,000

Marine Passenger Fee Funds Requested (FY17): \$12,000

Project Review: This requirement has been developed at the request of CBJ Leadership to meet a lack of available telephones. In FY15, Docks & Harbors spent \$11,400 for pay phone maintenance, repair, and operating costs to support this need.

Project Time-Line: This requirement is current and expected to persist indefinitely.

Maintenance and Operation Responsibility: CBJ is responsible for all ongoing maintenance and operating expenses and will seek future passenger fee funds for these expenses.

Project Contact: Teena Scovill, Administrative Assistant or Carl Uchytel, CBJ Port Director 586-0292.

CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request

Flags & Banners

Project Descriptions: Flags and banners along the downtown waterfront have been jointly managed through multiple CBJ Departments. There is also a cost involved in renting scissor or basket lifts.

Cost Estimate: \$7,500

Marine Passenger Fee Funds Requested (FY17): \$7,500

Project Review: Many of the flags and banners are worn requiring replacement; this request would provide funding for purchase new aesthetically pleasing visual hanging devices.

Project Time-Line: Procure would begin upon receipt of funding.

Maintenance and Operation Responsibility: CBJ is responsible for all ongoing maintenance and operating expenses and will seek future passenger fee funds for these expenses.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchytel, CBJ Port Director 586-0292.

CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request

Corrosion Protection for Marine Park Sheet Pile Wall

Project Descriptions: The existing metal sheet pile wall is in need of new coating and impressed current cathodic protection. The work protects the steel components of the wall from corrosion by salt water and would extend the life of the facility.

Cost Estimate: \$500,000

Marine Passenger Fee Funds Requested (FY17): \$500,000

Project Review: An inspection of the wall was performed by Tinnea and Associates, experts in cathodic protection. It was determined that the existing sheet pile wall had lost significant material of its protective coating and that the impressed current system no longer functions. The project is designed and ready for bidding as soon as funds are available.

Project Time-Line: Procurement would begin upon receipt of funding.

Maintenance and Operation Responsibility: CBJ Docks and Harbors is responsible for ongoing general maintenance expenses. The work of this project is beyond normal wear and tear and needs dedicated funding to complete this work.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchytel, CBJ Port Director 586-0292.

CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request

Statter Harbor Passenger for Hire Facility - Design

Project Descriptions: The Statter Harbor Master Plan identified significant facility components that would be phased over time as funding becomes available. The Phase I component (repairs to existing moorage, removal of DeHart's floats and fuel dock, and replacement of moorage and fuel dock) was completed in May 2013. Phase II (construction of a new 2-lane launch ramp and upland parking facility) is currently under construction and scheduled to be complete by July 31, 2016. Given increased use and associated staging activities of the cruise ship related charter operations, a decision was made to move the boatyard function to the Auke Bay Loading Facility. This resulted in a need to update the Master Plan to reflect a new Phase III component. The new concept is to develop a kayak launch ramp, restroom facility, new passenger for hire float, and new uplands bus staging area. Planning for Phase III is underway with intent to be completed by spring. Design of the Phase III component would begin as soon as funding becomes available.

Marine Passenger Fee Funds Requested (FY17): \$800,000

Cost Estimate: \$5.4M

Funds Previously Secured: None

Funds Needed but Not yet requested: \$4.6M

Project Review: This project is part of the Statter Harbor Master Plan. The Passenger for Hire facility includes installation of a boarding float, gangway, dredging, and uplands passenger loading zone to service cruise ship passengers embarking on marine based tourism activities. Staging for these activities currently are conducted at Statter Harbor where the facilities are incapable of providing safe and efficient service. The current situation causes extreme congestion and greatly detracts from the local resident's ability to fully utilize the Don Statter moorage facility. A new kayak launch ramp would be constructed, as well as, new public restrooms to serve the new launch ramp area as well as the passenger for hire area. The funds requested would allow for design and permitting activities to move forward with this project.

Project Time-Line: The schedule for the proposed Passenger for Hire Facility is dependent upon funding.

Maintenance and Operation Responsibility: CBJ is responsible for all ongoing maintenance and operating expenses and will use Harbor operations funds for these expenses.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchtyl, CBJ Port Director 586-0292.

**CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request**

Visitor Information Kiosk Replacement - Design

Project Descriptions: The Visitor Information Kiosk serves cruise ship passengers needing information about Juneau. It is located in a strategic location near one of the two city owned docks that support the cruise industry. The current kiosk has exceeded its design life. The facility does not meet ADA standards, has inadequate heating, and does not provide adequate shelter for patrons. This request would provide funding for planning, design, and cost estimate for a new kiosk facility. Once costs are known it is anticipated a future funding request would be made for construction.

Cost Estimate: \$25,000

Marine Passenger Fee Funds Requested (FY17): \$25,000

Project Review: The Juneau Convention and Visitors Bureau requested that a new kiosk be provided which would offer a more user friendly facility and address safety and comfort concerns of volunteers. The current facility was moved from the Marine Park area when the Alaska Steamship Wharf was expanded for bus staging.

Project Time-Line: This project would begin the design phase upon allocation of funding.

Maintenance and Operation Responsibility: CBJ is responsible for all ongoing maintenance and operating expenses and will seek future passenger fee funds for these expenses.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchytel, CBJ Port Director 586-0292.

**CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request**

Future Cruise Terminal Staging

Project Descriptions: This project would be located in the downtown area near the cruise dock, an area that serves approximately one million cruise ship passengers each year. The project entails identifying and procurement of available Downtown lands necessary to accommodate additional staging areas required to accommodate the larger post-panamax sized cruise ships and greater passenger counts.

Marine Passenger Fee Funds Requested (FY17): \$1,000,000

Project Review: The Cruise Ship Terminal Staging Area, completed in spring 2014, greatly improves the efficiency and safety of the parking and embarkation in support of the cruise industry. However, due to geographic limitations and finite available land, new property must be pursued to ensure facilities are available to support increased passenger loads in the coming decade. A strategic approach to the management of future cruise ship requirement will require securing adjacent lands to the cruise ship berth.

Project Time-Line: This project has not been fully developed.

Maintenance and Operation Responsibility: This project is to identify and procure land available for future Docks enterprise initiatives.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchytel, CBJ Port Director 586-0292.

**CBJ Docks and Harbors Board
FY2017 Marine Passenger Fee Request**

Downtown Restrooms

Project Descriptions: The project would be located along the downtown Juneau waterfront, an area that services approximately one million cruise ship passengers each year. The project consists of constructing new restroom facilities on a dock structure located on the recently purchased Archipelago property south of the Library/Parking Garage.

Cost Estimate: \$500,000

Marine Passenger Fee Funds Requested (FY17): \$500,000

Project Review: This project has been brought forward at the request of the Assembly to address the lack of adequate restroom facilities in the downtown waterfront area.

Project Time-Line: This project would begin design phase upon allocation of funding.

Maintenance and Operation Responsibility: CBJ is responsible for all ongoing maintenance and operating expenses and will seek future passenger fee funds for these expenses.

Project Contact: Gary Gillette, CBJ Port Engineer or Carl Uchytel, CBJ Port Director 586-0292.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, April 22nd, 2015

ii. ~~Off season discounted rate (Oct-April)~~

1. ~~\$50/month~~

2. ~~Staff Labor Fees (05 CBJAC 20.140)~~

~~Recommendation: \$75 per hour for each staff person with a one-hour minimum charge per staff person. \$125 boat charge per hour, one-hour minimum, and increments each 30 minutes prorated.~~

~~MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED.~~

VII. ~~Unfinished Business~~

1. ~~Aurora Harbor Rebuild Project – Installation of Phone & Cable TV~~
~~Presentation by Port Engineer~~

~~Board Questions~~

~~Public Comment~~

~~Board Discussion/Action~~

~~MOTION: TO BE DETERMINED AT THE MEETING.~~

VIII. ~~New Business~~

1. ~~Limitation of Access to Utility Easement/End of Fritz Cove Road~~
~~Presentation by Port Director~~

~~Board Questions~~

~~Public Comment~~

~~Board Discussion/Action~~

~~MOTION: TO BE DETERMINED AT THE MEETING.~~

2. ~~Request for Food Vendor Cart Access to Downtown Wharf~~
~~Presentation by Port Director~~

~~Board Questions~~

~~Public Comment~~

~~Board Discussion/Action~~

Loren Domke/Kathy Nielson
965 Fritz Cove Rd.
Juneau, AK 99801

April 8, 2015

Docks and Harbors Board
City/Borough of Juneau
155 S. Seward St.
Juneau, AK 99801

Re: Limitation of access to utility easement/end of Fritz Cove Rd.

Dear Board Members:

We request that the Board close the utility easement adjacent to the end of Fritz Cove Road to motorized vehicular traffic. Currently, the easement is regularly used as a public launch ramp for boats up to 26 ft. in length. Until 2005, the easement was essentially a trail, restricted to pedestrians. Motorized vehicle access was created during the development of the Spuhn Island subdivision. After completion of the subdivision, pedestrian only access was restored when the utility contractor placed large boulders in the easement. Gradually, over subsequent years, various individuals moved the rocks to permit 4 wheel access; and, contractors working on the island used heavy equipment to create a gravel access road for their own purposes. As a consequence, vehicle usage has become a daily occurrence in the spring and summer, with boats launched and retrieved several times daily.

Intermittent efforts by neighbors to limit vehicle usage have been complicated by jurisdictional ambiguity and policy between the state and city. The easement access starts on the DOT right of way and, according to the city, crosses onto its property. DOT has not acted on requests to limit vehicle access to the beach. That has recently changed. The attached correspondence from the Southcoast Region Right of Way Office authorizes the city to assume jurisdictional control and limit access to pedestrian use.¹

There are several reasons to restore exclusive pedestrian beach access:

- **Incompatibility with other cove users and uplands residents.** Smuggler's Cove is one of the few harbors in the area which does not have a CBJ launch ramp. Past

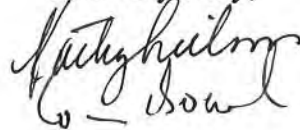
¹ See attached e mail and map from DOT Southcoast Region right of way chief.

land use plans have designated the beach access for pedestrians and non-motorized canoe and kayak use, recognizing that the cove is a unique recreational asset. The cove beach also is heavily used by individuals seeking a quiet spot to shore fish, observe marine life or just to watch the sunset. Listening to a vehicle in low range attempting to trailer launch a boat is incompatible with these activities and uses.

- **Avoidance of launch permit fees.** The beach access from the end of Fritz Cove is not particularly convenient for trailers, but it is free. Everyone resident who fishes under power benefits from use of CBJ harbors and facilities, whether or not they purchase a launch permit. For this reason, the harbor master has taken the position that access should be restricted.
- **Return to the status quo.** The defacto launch ramp created in 2005 is a significant change for homeowners living on and adjacent to the cove, and it is a change which has happened without any of the expected due process of law. Normally, before permitting a launch ramp, there would be public notice and a hearing process so that everyone affected by the decision would have an opportunity to comment. Instead, the motorized access has occurred through informal self-help measures, avoiding any of the public review process necessary for making this kind of modification to existing land use.

To expedite matters, we will personally assume the installation expense of a locking gate or bollards. Either of these solutions would preserve pedestrian access and at the same time permit vehicular access for utility maintenance.

Yours very truly,

A handwritten signature in black ink, appearing to read "Kathy Nielson" or "Loren Domke", written in a cursive style.

Kathy Nielson/Loren Domke

Loren Domke

From: Buck, Joseph T (DOT) <joe.buck@alaska.gov>
Sent: Tuesday, March 31, 2015 11:02 AM
To: domkelaw@gci.net
Cc: Schmidt, Joanne M (DOT)
Subject: Smugglers Cove Access - End of Fritz Cove Road
Attachments: Smugglers Cove Beach Access - F17.pdf

Hi Loren,

To follow up on our telephone conversation last week, attached is sheet F17 from the current DOT&PF project 69397 JNU Fritz Cove Road with the Smugglers Cove beach access highlighted.

The beach access is both a permitted utility access and a public access. The environmental analysis for the Department's current highway project determined it a valued 4(f) access that would not be altered by the highway work.

If the CBJ should decide in the future to limit the beach access to pedestrians only, and wants to put up a gate of some type, they could do so on their own property or could apply to the Department for an encroachment permit for a gate within the State right-of-way. Any gate design proposed within the right-of-way would have to be located down below the cul-de-sac guard rail so as not to be a traffic hazard.

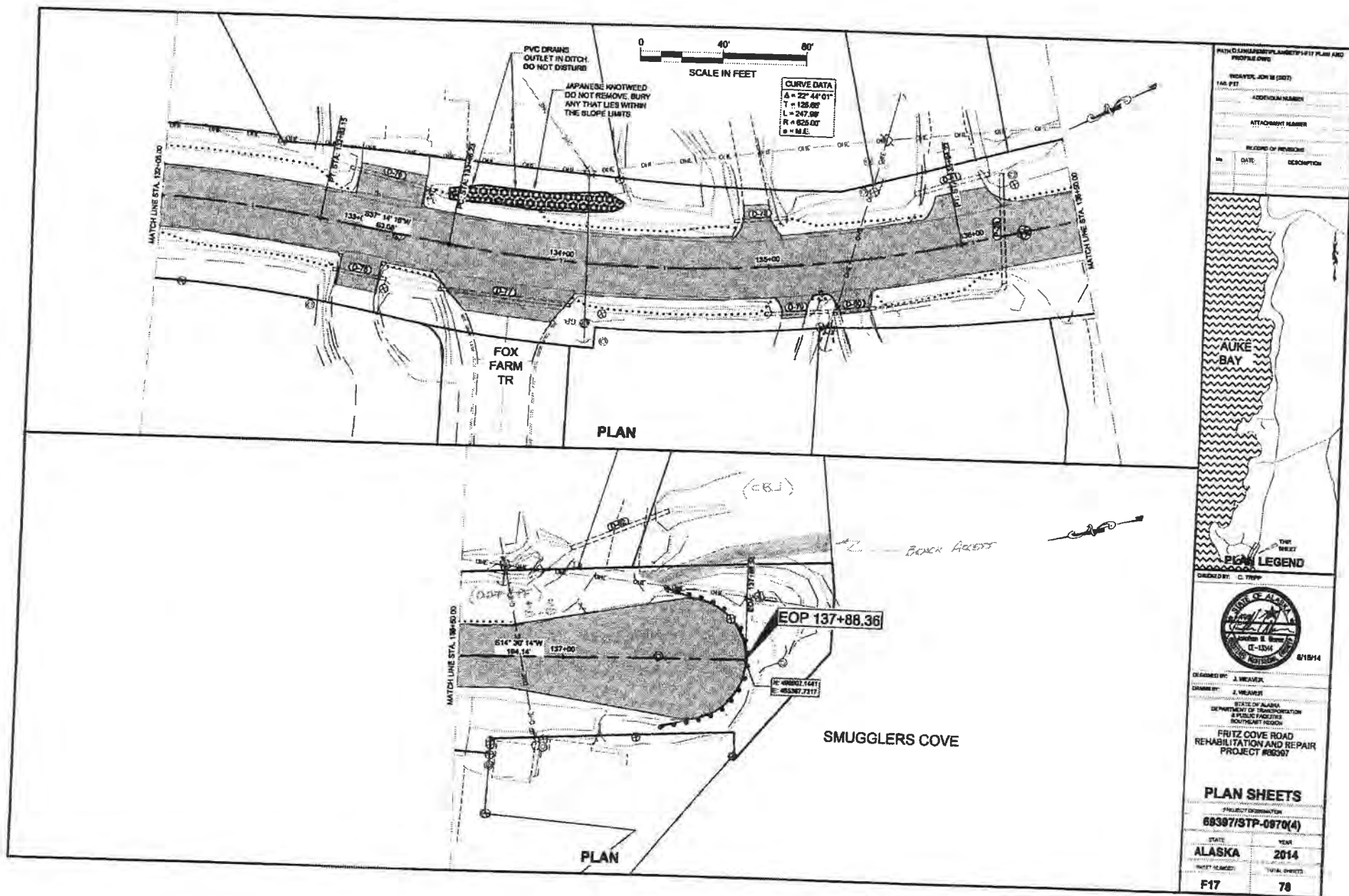
Joe

Joe Buck, PE

Right-of-way chief
Southcoast Region

Alaska Department of Transportation & Public Facilities
Right-of-Way & Utilities Section
6860 Glacier Highway
P.O. Box 112506
Juneau, AK 99811-2506
Ph: 907.465.4541
Fax: 907.465.4414
joe.buck@alaska.gov

"KEEP ALASKA MOVING through service and infrastructure"



From: [Kirk Duncan](#)
To: [Carl Uchytel](#); [Hal Hart](#); [Greg Chaney](#); [Rorie Watt](#)
Cc: [Rob Steedle](#); [Kim Kiefer](#); [Gary Gillette](#); [David Borg](#); [Erich Schaal](#); [Teena Scovill](#)
Subject: RE: FRITZ COVE ROAD - ACCESS - DOMKE REQUEST
Date: Tuesday, April 14, 2015 2:11:00 PM

Parks and Recreation has no opinion in this issue at this location

From: Carl Uchytel
Sent: Tuesday, April 14, 2015 11:08 AM
To: Hal Hart; Greg Chaney; Rorie Watt; Kirk Duncan
Cc: Rob Steedle; Kim Kiefer; Gary Gillette; David Borg; Erich Schaal; Teena Scovill
Subject: FRITZ COVE ROAD - ACCESS - DOMKE REQUEST

Hal/Greg/Rorie/Kirk –

Do you have an opinion to the Domke request to limit vehicular access to Smuggler's Cove at the terminus of Fritz Cove Road? I intend to take this to the Docks & Harbors Operations-Planning meeting next Wednesday.

Thx.

Carl

From: [Hal Hart](#)
To: [Rorie Watt](#); [Greg Chaney](#); [Carl Uchtyl](#); [Kirk Duncan](#); [Beth McKibben](#)
Cc: [Rob Steedle](#); [Kim Kiefer](#); [Gary Gillette](#); [David Borg](#); [Erich Schaal](#); [Teena Scovill](#)
Subject: RE: FRITZ COVE ROAD - ACCESS - DOMKE REQUEST
Date: Tuesday, April 14, 2015 1:11:47 PM

I think Greg covered this well.

- (1) Spuhn Island residents (note it is not remote since they have sewer, water, power) are to park in the Auke Bay area RV parking area provided by the owners.
- (2) Access and parking near water is a commodity just like access to water, views to water homes on water. It is precious because of its scarcity.
- (3) Parking and access to water generally is provided for public launching at Auke Bay.
- (4) Parking is also provided for remote Shelter Island residents and the increasing number of summer residents (per Carl a few minutes ago) for an extraordinary low price of \$100.00 per month. This is a much better deal than airport parking.
- (5) Karla Alwine said that for a price she could offer parking to Shelter Island residents as well.
- (6) There will be increasing demand for parking and access to water as more residents develop their properties at Auke Bay and the surrounding neighborhoods...including Pederson Hill, infill at Auke Lake, infill in Fritz Cove, development of Spuhn continued development on Shelter Island and development in the vicinity of the town center.
- (7) Access points such as the end of Fritz Cove Road should have signage reminding people that there is great/safe public access to water at that location along with reasonable parking accommodations.

Hal Hart AICP
Director, Community Development Department
City and Borough of Juneau
Alaska's Capital City

(907) 586-0757

From: Rorie Watt
Sent: Tuesday, April 14, 2015 12:06 PM
To: Greg Chaney; Carl Uchtyl; Hal Hart; Kirk Duncan
Cc: Rob Steedle; Kim Kiefer; Gary Gillette; David Borg; Erich Schaal; Teena Scovill
Subject: RE: FRITZ COVE ROAD - ACCESS - DOMKE REQUEST

I do not have an opinion on this. DOT maintains Fritz Cove Road and Public Works/Engineering's only need is clear access to CBJ maintained utilities. That access does not need to be exclusive use of the land. Driving access, parking etc is normal on top of many of our pipes, manholes and vaults. Thanks for asking.

From: Greg Chaney
Sent: Tuesday, April 14, 2015 11:33 AM
To: Carl Uchtyl; Hal Hart; Rorie Watt; Kirk Duncan
Cc: Rob Steedle; Kim Kiefer; Gary Gillette; David Borg; Erich Schaal; Teena Scovill
Subject: RE: FRITZ COVE ROAD - ACCESS - DOMKE REQUEST

When the Planning Commission approved the Sphun Island Subdivision, they made it pretty clear that they didn't want the end of Fritz Cove Road to become the terminus for significant boating access to the new subdivision. A condition of approval was that the developer would set aside parking along the road system near a harbor facility to accommodate property owners on Sphun Island. The developer is currently providing this parking at the RV Park in Auke Bay. I think all of this argues against allowing the end of Fritz Cove Road/Smuggler's Cove from becoming a new launch ramp area.

Greg Chaney
CBJ Lands and Resources Manager

<http://www.juneau.org/plancom/documents/SUB04-08stf060804.PDF> (see pages 9 – 12 of staff report)

http://www.juneau.org/plancom/documents/NOD_SUB04-08.PDF (see conditions 4, 5)

http://www.juneau.org/plancom/documents/NOD_SUB05-02.PDF (see condition 2)

From: Carl Uchytel

Sent: Tuesday, April 14, 2015 11:08 AM

To: Hal Hart; Greg Chaney; Rorie Watt; Kirk Duncan

Cc: Rob Steedle; Kim Kiefer; Gary Gillette; David Borg; Erich Schaal; Teena Scovill

Subject: FRITZ COVE ROAD - ACCESS - DOMKE REQUEST

Hal/Greg/Rorie/Kirk –

Do you have an opinion to the Domke request to limit vehicular access to Smuggler's Cove at the terminus of Fritz Cove Road? I intend to take this to the Docks & Harbors Operations-Planning meeting next Wednesday.

Thx.

Carl





CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
April 22nd, 2015

~~Russel Peterson, Juneau, Alaska:~~

~~He said he found out today that pacemakers require a twisted pair phone line and can't work over wireless. Phone and cable are the last wires run in new construction because they are the most delicate. You can't use any wireless security camera footage as evidence in court. It will be thrown out because it is not secure, and the images can be altered. He said he will pay upfront for the cable installation and anyone wanting to hook up would pay him \$100.00. He said this is a good investment for this infrastructure.~~

~~Savannah Worley, Juneau, Alaska~~

~~She said she has wireless security system at her house and the court will take the footage as evidence.~~

~~Committee Discussion/Action~~

~~Mr. Logan asked if Mr. Gillette needed anything from the Committee?~~

~~Mr. Gillette said unless you disapprove of the temporary decking, he said staff will just work with the contractor until GCI comes back with a decision.~~

~~Mr. Janes said he would like to know more about someone with a pace maker needing direct wire and not wireless.~~

~~Mr. Donek asked what is Docks & Harbors options if GCI backs out?~~

~~Mr. Gillette said at this point GCI is interested.~~

~~NO MOTION NEEDED AT THIS TIME.~~

VIII. New Business

1. Limitation of Access to Utility Easement/End of Fritz Cove Road.

Mr. Uchtyl said this request came from Mr. Domke. He requested CBJ take control of this area and close it off to motorized trailer boat launch. What does the Committee want to do at the end of Fritz Cove?

Committee Questions

Mr. Logan asked if Mr. Uchtyl talked to the CBJ Law department to see if Docks & Harbors has liability for people using this area to launch their boats?

Mr. Uchtyl said he has not asked that question.

Mr. Logan said he assumes Docks & Harbors would be liable.

Mr. Donek asked what the problem is at this site?

Mr. Janes asked if the problem is for motorized boat use or non-motorized use?

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
April 22nd, 2015

Mr. Uchytel said Mr. Domke's letter refers to motorized boat launch use.

Mr. Summers said if Docks & Harbors were to put a launch ramp in at this site, there would need to be a public process, and there was no public process currently. He asked what has been done to stop the access for people to launch their boats? He asked if DOT put large boulders to stop access for boat launching?

Mr. Uchytel said last year a nearby resident put a chain up and DOT cut the chain.

Mr. Summers asked why DOT cut the chain.

Mr. Uchytel said because DOT said it was in their right-of-way.

Mr. Simpson asked if Docks & Harbors manages the Fox Farm parking lot?

Mr. Uchytel said he thought so.

Public Comment –

Loren Domke, Juneau Alaska

He said this would be re-closing the utility easement. This has been closed in the past. Marion Hobbs built a utility easement for Spuhn Island and placed rocks for no access when he was finished. Everything was fine for a while, then guys came along and wanted to launch their boat without buying a launch ramp permit and hauled the rocks out of the way with their pick up. Contractors working on Spuhn Island added rock to this area so they wouldn't get their pickups stuck when they back down to the beach, and now there is regular use. The beach historically is heavily used by the public during nice weather for shore fishing or just sitting on the beach to watch the sunset, and by guys with duck boats, and kayakers that carry their boats. The change recently is the motorized traffic use, and this has not been through a public process and is all done informally. He said he would like to see this closed off again, and suggested bollards would work good. He knows this area would need to remain open for utility access so bollards or a gate would work good and still allow kayakers and other people use access. He also recommended signage. People are using it because there are no signs saying they can't use it.

Mr. Janes asked Mr. Domke where people park their boat trailers after launching?

Mr. Domke said they are left on the side of the road or behind the mail boxes. Typically people don't use the parking lot that is there.

Mr. Logan asked if he knew why they were launching their boats at that location?

Mr. Domke said he doesn't keep track of how long they are gone.

Russell Peterson, Juneau, Alaska

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
April 22nd, 2015

He said he has a mooring buoy to the left of Smugglers Cove and he would like to see that area non-motorized access use so he can carry a row boat and still row out to his boat.

Committee Discussion/Action

Mr. Janes said this was not designed for motorized use and any access should be by carrying a boat and he is in support of the request.

Mr. Logan asked if there was a mechanism to allow Mr. Domke to donate money to put in bollards?

Mr. Uchytel said it would be easier if Docks & Harbors did this rather than accept a gift from the public.

Mr. Summers said he would like this closed to motorized use.

Mr. Logan said he understands that this will need to be discussed with DOT also. He recommended to discuss this with DOT and get a cost estimate, then revisit this issue.

Mr. Simpson asked if the Committee agreed that this area would be for non-motorized vehicles only. The Committee agreed.

MOTION By MR. LOGAN: TO INVESTIGATE THE COST TO CLOSE THE ACCESS OFF AND DISCUSS WITH DOT AND MAKE SURE THEY KNOW THIS HAS BECOME A DEFACTO LAUNCH RAMP AND ASK FOR UNANIMOUS CONSENT.

Motion passed with no objection.

Mr. Simpson said this will come back to this Committee after it is refined before it is finalized.

~~2. Request for Food Vendor Cart Access to Downtown Wharf.~~

~~Mr. Uchytel said this was a request from Mr. Jonah Smith. The first request from Mr. Smith was in 2013 and he wanted to sell food on the docks. Mr. Uchytel said he is not in favor of this, but Mr. Smith wants to have a food cart along the seawalk. Within CBJ, CDD issues permits for food carts along the city streets. If this would be allowed along the seawalk, there would need to be better rules in place. The current food cart ordinance only charges \$50.00 filing fee, and \$150 per month. His concern is the seawalk is still very narrow with yellow fence and a lot of people coming and going. His other concern is that we are selling 4x4 space for \$30,000 and it undercuts other food business along the water.~~

~~Committee Questions~~

~~Mr. Donek asked if this would raise any security concerns on the dock?~~

~~Mr. Uchytel said no.~~

~~Mr. Logan asked if there was a particular location he wanted?~~

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
May 28th, 2015

I. ~~Call to Order.~~

~~Mr. Simpson called the meeting to order at 5:00 p.m. in the CBJ Assembly Chambers.~~

II. ~~Roll.~~

~~The following members were in attendance: John Bush (via phone), Robert Janes, Dave Summers, and Budd Simpson.~~

~~Absent: David Logan~~

~~Also in attendance were: Carl Uchytel—Port Director, Gary Gillette—Port Engineer, Harold Moeser—Docks & Harbors Engineer, Dave Borg—Harbormaster, Mike Peterson—Board Member, and Dick Somerville—PND Representative.~~

III. Approval of Agenda.

~~MOTION By MR. SUMMERS: TO APPROVE THE AGENDA AS PRESENTED AND ASK FOR UNANIMOUS CONSENT.~~

~~The motion passed with no objection.~~

IV. Public Participation for non-agenda items –
Ed Grossman, Juneau, AK

He said he is building a house on Spuhn Island. He read the minutes from April 22nd where Mr. Domke petitioned the Committee for DOT to shut off the motorized access at the end of Fritz Cove road. He said he met Mr. Domke in the last couple of years when Mr. Domke was hollering in his face at this access point while Mr. Grossman was taking a load of lumber with some friends to his house on Spuhn Island. All of the material was taken for the building out of the Auke Bay Loading Facility by a commercial landing craft. There was a mistake in the order and some longer boards were needed. The builder asked him to get the boards out to the house over the weekend so the building work could continue on Monday morning. Mr. Grossman said Mr. Domke claimed that he was acting illegally and needed a permit and that he had been a lawyer longer than he had been alive. Mr. Grossman said he informed Mr. Domke that he talked to the City and was informed that this was a DOT access point. He went and talked to DOT, and they had no problem with this sort of use at this site. When Mr. Grossman told Mr. Domke that DOT has no problem with this use, he accused him of somehow bribing DOT. A complaint was filed to Mr. Uchytel by Mr. Domke and that is how he met Mr. Uchytel. At some point a Mr. Smith put up a stainless steel cable to stop access and Mr. Grossman said he called DOT. DOT said they did not put up a cable or authorize putting up a cable and sent an operations & maintenance man to cut that cable that very day. Mr. Smith called Mr. Grossman's builder and accused him of cutting his cable. The builder informed Mr. Smith that DOT cut the cable because it was illegally placed by someone in the neighborhood. Mr. Grossman said he was disappointed to see that based on one person with an axe to grind that people were willing to shut off a public access point that is important to a lot of people. He has four suggestions for the Committee to consider;

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
May 28th, 2015

1. If the Committee decides to shut off the public access, please put in a small gate where a key could be available at the Auke Bay Harbor office for AEL & P, Spuhn Island residents, Verizon, and for others who need to have an excellent access point just as hardened as any of the launch ramps in town. If you put a boulder in the way, it takes an excavator every time to provide that access, and the utilities will need maintenance over time.

2. Please allow enough room at the end of the gate so people with smaller boats can go around the end and not over and under a gate.

3. There is a City parcel adjacent to this launch point that has been used for private parking and material storage for decades. Please demark this area so the public knows this is a first come first serve area to take advantage of the parking down close.

4. The City has a wonderful parking lot at the corner of Fox Farm and Fritz Cove road that doesn't see a lot of use and the reason is because it does not allow overnight parking. There are six islands that offer great camping opportunities for people that can't afford a cabin and don't have a cabin cruiser. You could increase use of this lot by allowing overnight parking for those who use the islands, but no camping in the lot.

V. ~~Approval of April 22nd, 2015 OPS/Planning Meeting minutes.~~

~~Hearing no objection the April 22nd, 2015 OPS/Planning Meeting minutes were approved as presented.~~

VI. ~~Consent Agenda—None~~

VII. ~~Unfinished Business—None~~

VIII. ~~New Business~~

~~1. Auke Bay Speed Zone Regulation~~

~~Mr. Uchytel said at the last Docks & Harbor Board meeting, Mr. Warden spoke on a non-agenda item and expressed a need to extend out the five knot speed restriction seaward of the Statter launch ramp. He said the larger whale watching vessels are throwing a wake that is damaging property in the Auke Bay Area. His request is to extend the white speed buoy out further. The Board directed this to come to the Operations/Planning Committee meeting for review. Is the buoy properly and sufficiently located or is there a need to adjust this?~~

~~Committee Questions~~

~~Mr. Peterson asked where Mr. Warden's residence is located?~~

~~Mr. Uchytel showed the location on the map. The buoy would need to be moved out approximately an additional 1000 feet.~~

~~Mr. Peterson asked if the 1000 ft was a typical amount out from a breakwater?~~

~~Mr. Uchytel said the Law Department said if Docks & Harbors has the tidelands, we would be able to control the surface speed. He said he has received complaints of other wakes in the area. At Smuggler's Cove,~~

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, June 17th, 2015

- I. ~~Call to Order~~** (5:00 p.m. in City Hall Room 224)
- II. ~~Roll Call~~** (Budd Simpson, Bob Janes, John Bush, David Summers, David Logan)
- III. ~~Approval of Agenda~~**
- ~~MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED~~**
- IV. ~~Public Participation on Non-Agenda Items~~** (not to exceed five minutes per person, or twenty minutes total)
- V. ~~Approval of May 20th, 2015 Operations/Planning Meetings Minutes~~**
- VI. ~~Consent Agenda~~**—None
- ~~A. Public Requests for Consent Agenda Changes~~**
~~B. Committee Member Requests for Consent Agenda Changes~~
~~C. Items for Action~~
- VII. Unfinished Business**
1. Kayak Launching Area Development at Fritz Cove
Presentation by the Port Engineer
- Committee Questions
- Public Comment
- Committee Discussion/Action
- MOTION: TO BE DEVELOPED AT THE MEETING**
- VIII. ~~New Business~~**—None
- IX. ~~Items for Information/Discussion~~**
1. Fisherman's Dock Tiger Grant Application
Presentation by the Port Engineer
- X. ~~Staff & Member Reports~~**
- XI. ~~Committee Administrative Matters~~**
1. ~~Next Operations/Planning Committee Meeting—Wednesday, July 22nd, 2015.~~
- XII. Adjournment**



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

MEMORANDUM

To: Docks and Harbors Board
OPS/Planning Committee
From: Gary Gillette, Port Engineer
Date: June 11, 2015
Re: Water Access at End of Fritz Cove Road

Background

On April 22, 2015 the OPS/Planning Committee discussed the reported motorized boat launch use at the end of Fritz Cove Road across Docks and Harbors managed lands. Mr. Loren Domke sent a letter previously (attached) and testified that there is regular use of the launch area since the rocks that formerly blocked motorized access were removed. He suggested that bollards or a gate be installed to control motorized access yet allow pedestrian access that would allow kayakers to launch. He also recommended signs to inform the public that motorized launching is not allowed. The Committee agreed this area should be for non-motorized access only and asked Staff to investigate cost to control access.

On May 28, 2015 the Committee heard testimony on non-agenda items from Mr. Ed Grossman. He is building a house on Spuhn Island and needed to use the Fritz Cove access to get supplies to his contractor when a materials shipment delivered from the Auke Bay Loading Facility was missing some lumber. Mr. Grossman had four suggestions:

1. If the Committee decides to shut off the public access, place a gate that a key might be available at the Statter Harbor office for those that might have a need for access for maintenance (AEL&P, Spuhn Island residents, Verizon, etc.). Placing boulders or jersey barriers require an excavator every time there is a need to provide service access.
2. Provide enough room at the gate to allow those with kayaks to access the beach without going over or under the gate.
3. Demark the adjacent City parcel for public parking use with signs that informs the public it is available for public use.
4. The City lot at the corner of Fox Farm and Fritz Cove should allow overnight parking for those that access the nearby islands that offer great camping opportunities but do not allow camping in the lot.

Investigation

Alaska Department of Transportation was contacted following up on the e-mail to Mr. Domke. ADOT would not allow installation of an access control device on the road right-of-way. However, they have no issue with an installation on CBJ property.

A visit to the site verified that there is a path way that is sufficient for motorized access to the beach. Comparing photos taken in 2009 and in 2015 it is apparent the path has been used often and even appears to have been graded for wider smoother access. Docks and Harbors has not performed this work.

Adjacent to the access path there is a site that is being used by private individuals for vehicle parking and boat storage. There is also a path in this area which appears it is being used for boat launching.

Potential Solutions

According to Mr. Domke the immediate need is to restrict motorized access along the path adjacent to the ADOT right-of-way. This could be accomplished by moving the rocks back in place but this didn't seem to deter past users determined to use the area. Another option would be to place "jersey barriers" such that motorized access would be blocked but allow access for pedestrian and kayak users. Mr. Domke did not seem to have an issue with kayak access and Mr. Grossman suggested that if the path were to be blocked that it should allow kayak access. He also suggested that the method of control should be something that could be removed to provide maintenance access to Spuhn Island. This could be accomplished with removable bollards. These bollards would probably not be as strong a deterrent as jersey barriers as someone might be able to hit it with a truck or pull it over with a chain (yes that kind of thing happens in Juneau).

Some of the suggestions by Mr. Grossman would require some planning and development to provide parking for users and possibly overnight parking for those leaving the area for overnight adventures. The development might include tree removal, some grading, gravel placement, barrier installation to limit use area, and signs. A full blown plan and development for maximum parking and use opportunities would be a longer term exercise. Any development beyond installation of barriers to control motorized access should include public review and input.

Costs

Use of jersey barriers might take a small bit of grading to set them level but could be installed with Docks and Harbors staff and equipment. Jersey barriers cost about \$350 each. Rough estimates for purchasing, installing two barriers, and signs is about \$1,500 to \$2,000.

Installing removable bollards might cost somewhat more as it would require an excavator to dig a hole or two; placement of sonotubes, rebar and anchor bolts; getting concrete to the site; and bolting down the bollards to the concrete. No specific costs were available at the time of this memo but it is estimated to cost a bit more than the jersey barrier option.

The other ideas of developing parking for users has not been estimated at this time since there would need to be some level of planning involved and there probably are a number of options to explore.

Discussion and Direction

Staff looks forward to discussing the issues and options at Fritz Cove Road and receiving direction for this project.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, June 17th, 2015

~~Mr. Gillette said we contracted Greg Fisk to write the application for this grant.~~

~~Mr. Fisk said he did an economic analysis to see what the potential business generation would be when we complete this project. The cost of the project is estimated to be \$2.8 million. It should generate its cost annually for the City and Borough of Juneau. However, it will not generate that much economic activity for the Docks and Harbors Department; which is why a grant is necessary for construction.~~

~~Mr. Simpson said it looks like there are no matching funds required for this grant. I saw a reference to Alaska Glacier Seafood's contributing an ice machine to the project and somehow that constitutes part of a matching fund. Could you explain this?~~

~~Mr. Fisk said Tiger Grants normally require a minimum of 20% match for urban areas. Juneau is considered rural and is not required to have a matching fund. However, it is desirable to have a contribution. We were trying to demonstrate past investment and industrial partner match. This makes our application more competitive. They have \$500 million available nationwide and are expecting over \$5 billion in applications. Sometimes they will offer a partial grant. If we get a partial grant we can always request for the rest of the funds from another grant. Also, if we can build the same amount of useable space on the Northside as we have on the Southside that will provide more than 90 additional feet because we will be able to complete the end of the Gastineau Channel side.~~

~~Mr. Simpson asked would we dredge the north side or are we bringing the piling out to depth and filing.~~

~~Mr. Fisk said some of both. We will dredge to minus 15 feet with the intent of using some of the dredged material as fill behind the sheet pile.~~

VII. Unfinished Business

1. Kayak Launching Area Development at Fritz Cove

Mr. Gillette gave a PowerPoint presentation and provided a packet with information and maps regarding the Fritz Cove area.

Mr. Gillette said there have been people launching motorized vessels and kayaks at the end of Fritz Cove. We need to determine what we want the area used for. Do we want to use the area to launch all vessels, non-motorized vessels, kayaks, or do we not want to permit launching of any sort? We could put up temporary barriers and we have two options; a Jersey barrier or folding bollards. There is a parking lot that people can utilize for overnight parking that is close by, but it currently has signage that says "No Overnight Parking". The folding bollards are about \$300 each.

Committee Questions

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, June 17th, 2015

Mr. Janes asked where does Docks and Harbors authority end and the Department of Transportations (DOT) begin.

Mr. Gillette said the area we are considering putting a barrier is on the City and Borough of Juneau's property. Mr. Gillette contacted Joe Buck at the DOT and he said they would not discourage us from putting up a barrier.

Mr. Simpson asked what the zoning for this area is.

Mr. Gillette said I assume it's residential.

Public Discussion

Carla Allwine of Juneau, AK

Ms. Allwine pointed at the map provided and said these areas are used by residents who had off-road properties around Smugglers Cove. The City just ignored the fact that people parked their cars there because they had nowhere else to park. When Sphun Island's conditional use permit was approved the City approved a different access road. Ms. Allwine was a part of the Auke Bay Planning Commission last year. This area was talked about when discussing the safety of kayakers in the Auke Bay area. We could develop this area for kayak use and perhaps other small vessels.

Kurt Henning of Spoon Island, AK

Mr. Henning said he sees families using the small islands for recreational purposes and they launch from the end of Fritz Cove Rd. He thinks it should be expanded for more use. To ask these small boat users to launch at Statter or Douglas does not make sense. It would not be safe because the wakes are very high for these small boat users.

Dennis Watson of Juneau, AK

Mr. Watson said the Harbor Board should look at these properties as an opportunity. Over time you can take that area and develop it. The public has a right to the water. I do not think it should be used for any commercial use. There should be signs at the parking lot so people know they can park there. People should be allowed to use the area within reason.

Dave Hanna of Juneau, AK

Mr. Hanna said he has been in the Fritz Cove area for 50 years now. That area has always been used to launch and haul skiffs. The area is in good shape for small vehicles. It is too difficult for large boats and vehicles to back down that area; so people don't. It is a firm beach and no environmental degradation is occurring.

Loren Domke of Juneau, AK

Mr. Domke said he and his wife propose the utility easement be maintained. They would pay for bollards and a gate. This would prevent motorized vehicles from using the area. There was no motorized access until 2009; which meant that people had to

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, June 17th, 2015

carry everything up and down the beach. There has been unauthorized use of motorized vehicles through an illegal process. In other words, people have removed the stones put in place after the development out at Spuhn Island. Kayakers only have to carry their kayaks another 50 feet compared to people with motorized access. I think the simple bollards would allow for access for non-motorized users. There should also be signage informing that public where they can park. I would like to see us keep motorized access off the beach. This is like the camel's nose under the tent; the nose isn't very big, but the rest of the camel is going to come. We have had industrial tourism use at the end of the road, which has been very controversial and the neighbors oppose it. I think what we outlined in April with our letter was reasonable. It would maintain access to utility easements for maintenance. All this would require is a few bollards.

Marion Hobbs of Juneau, AK

Mr. Hobbs said he worked on a project there, and when he left in 2007, the permitting was set up that it would always be open to foot traffic. I don't think it should be commercialized. It should be left for maintenance and for the public to use.

Steve Allwine of Juneau, AK

Mr. Allwine said he too is opposed to commercial traffic in the Fritz Cove area. This area has the potential to take pressure off the Auke Bay area. This area is a great resource for our neighborhood because it allows us easy access to the smaller islands. I do not encourage any commercial use in the area. I'm surprised you are considering closing the area down. If you adopt some regulation and proper signage, you could designate the area for 18 foot skiffs and kayaks only. It would be useful to have an area designated for overnight parking too.

Committee Discussion/Action

Mr. Janes said this would be a safe place for small craft to launch. There needs to be signage. We should look into restricting the boat length.

Mr. Donek said our intent was never to close this area off. We are trying to figure out what the best use for the area is. The North Douglas Launch Ramp is inadequate for the use out there. North Douglas is a popular fishing area. There is no amount of signage you can put up that will stop someone from launching a boat larger than what is permitted. If they can back down they will launch. We could put up a blocking device further down towards the launching area; this way people can get further down and not have to walk as far to launch. We need to come up with a barrier that will allow for carry down and does not put a huge burden on our staff.

Mr. Simpson said everyone agrees on these points: we should keep the area open to kayaks and canoes, anything that can be walked down is fine, and no commercial users are welcome.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, June 17th, 2015

Mr. Janes said the area needs to be managed properly no matter which route we choose.

Mr. Borg said parking will be an issue. Boats with trailers get parked anywhere by the owners. The Department of Transportation then gets on our case about people parking their trailers along the road. Someone is going to try to launch a 32 foot boat there, and then topple it over because the road is not made for that. Then they will try to hold use liable for the boat toppling over. Plus we will have to fix the ramp. We will need to figure out what type of trailer will be permitted to launch. Perhaps we could only allow single axial trailers. We will need a comprehensive plan. As it is now, I am opposed to allowing motorized vehicle access at the end of Fritz Cove Rd. We can put signs up, but people ignore them or shoot holes in them. It is a great opportunity, but we have to take all angles into consideration and move forward with a plan.

Mr. Janes said I think we need to know more before we make a decision.

Mr. Simpson said I think we should walk the property and examine the area further. We should put up Jersey barriers in the short-term while we continue to discuss what is best for the long-term. This will allow people to continue to carry down small crafts but won't be a permanent structure in case we decide to open the area for launching small vessels. Do we want to require people to have a launch permit to use the Fritz Cove area? We only need to consider the Launch Permit if we are going to allow trailers. The public will have the opportunity to speak at the Full Board Meeting because it will be an Agenda Item.

Mr. Logan said I suggest we keep it in the Operations/Planning Committee until there is a consensus for action.

MOTION By MR. JANES: TO REFER THE KAYAK LAUNCHING AREA DEVELOPMENT AT FRITZ COVE TO THE Operations/Planning Committee Meeting on Wednesday, July 22nd, 2015¹ AND ASK UNANIMOUS CONSENT.

The motion passed with no objection.

Mr. Janes said there will be an opportunity for the public to speak at the next meeting and people are welcome to send an email prior to the meeting.

Mr. Simpson said he encourage anyone who is interested to email their comments to Docks and Harbors. This will allow you to get all of your points made.

Mr. Gillette asked is there anything specific you want staff to provide before the next meeting.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, June 17th, 2015

Mr. Janes said staff provided sufficient information, but the public has more they would like to provide. Also, I would also like the opportunity to walk the location to get a feel for the area.

VIII. ~~New Business-None~~

IX. ~~Staff, Committee and Member Reports~~

~~Mr. Donek said Mr. Simpson suggests we do some interim appointments.~~

~~Mr. Logan said I will be on the Operations/Planning Committee until August.~~

~~Mr. Janes said Rob Warden called me today. He spoke at our last meeting about the dock at Auke Bay. He said he thinks it is still an unsafe situation. This can go directly to the Tourism Best Management Practices (TBMP). Then we can come up with a way to keep the whale watchers in a self-regulated runway through that area in Auke Bay. I think it will take a while to implement and to make work. I think we can make it better and solve the problem.~~

X. ~~Committee Administrative Matters~~

~~Next Operations/Planning Committee Meeting is scheduled for Wednesday, July 22nd, 2015¹.~~

XI. ~~Adjournment~~

~~The Operations/Planning Committee adjourned at 6:20 p.m.~~

¹This date was subsequently changed to July 15th .

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, June 25th, 2015

~~tonight as an information item to find out how the Board would like to proceed with this. He gave Mr. Lockwood and the Board members a copy of the Draft letter.~~

~~Mr. Logan recommended Mr. Lockwood carefully read the letter and consult an attorney.~~

~~Mr. Lockwood said he would do that.~~

~~Mr. Logan said this will be an action item in September and the list is in the letter of what you will need in order for another lease extension to be granted. You will need to give all the items in the letter to the Port Director.~~

~~Mr. Janes said in reading this letter he agrees with everything except the last sentence "Without the necessary permits and the survey plat the lease may be terminated". He said he is glad the word "may" is used because that gives the Board a little discretion to still be able to renew the lease. However, the permits are critical to the Board's decision making.~~

~~Mr. Orman said the word "may" is the word that the Law Department is worried about. If the Board goes back and looks at the 2007 Ordinance, the intent was for one extension and this Board has already authorized three. If Mr. Lockwood meets the requirements, then he would move into the 36 month building period. This is the eighth year for this lease and beyond the 24 months he was given to get the permits. The language in the lease used "shall" as to the requirements. The concern is that this was passed by the Assembly and the requirements are not being met.~~

~~Mr. Logan asked Mr. Orman to attend the September meeting where this will be an action item.~~

~~Mr. Uchytel said there is also some legal words in the lease about due diligence and that is how the Board was able to grant the extensions.~~

X. Committee and Board Member Reports

1. Harbor Fee Review Committee Meeting – June 3rd, & June 17th, 2015

~~Mr. Simpson said at the June 17th meeting, the Committee discussed and heard testimony on the daily recreational boat launch fees and the public did not want the fees raised. The Committee recommended to raise the daily fees by a dollar. There was also a request for a senior citizen waiver or discount, but the Committee is still working on this.~~

2. Operations/Planning Committee Meeting – May 28th & June 17th, 2015

~~Mr. Simpson said at both meetings, the Committee discussed the area at the end of Fritz Cove where people are launching their boats. There is a dispute where people want to continue to have access to the water to launch their~~

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, June 25th, 2015

boats and the neighbors in that area don't like that. This area is used by the people that have homes on Spuhn Island. Docks & Harbors does own this property with a DOT right of way through the middle of it. The Committee also heard a complaint from Rob Warden on wake damage to his private dock.

Mr. Janes said he will take this issue to TBMP and maybe establish a corridor that the TBMP members would stay into to reduce the wake.

~~3. Finance Committee Meeting June 18th, 2015~~

~~Mr. Spiekler said the Committee discussed the following;~~

- ~~• Recreational boat launch permits and could not come to an agreement;~~
- ~~• Mr. Uchytel gave a financial summary report and it appeared to be within budget.~~
- ~~• Update on the Thane Ore House RFP~~

~~4. Docks Fee Review Committee Meeting Cancelled~~

~~5. Member Reports~~

~~Mr. Peterson said he was not able to attend the Lands Committee meeting but will give a full report at the next Board meeting.~~

~~Mr. Summers said he has been approached by the downtown merchants with an issue on using the public docks versus the private docks on the single and two cruise ship days. He understands logistic wise some ships aren't able to dock at the public dock. He said with the cruise ship negotiations two years out, he wanted to know if we should start long term negotiations with cruise lines for the new docks? He would like to start discussions on this topic.~~

~~Mr. Uchytel said Cruise Line Agencies set all the schedules due to several different factors. Docks & Harbors is the facility manager and has not been involved with the scheduling in the past.~~

~~Mr. Summers said there is a perception from the local business owners that Cruise Line Agencies uses the private docks before the public docks for their benefit.~~

~~Mr. Janes said with the two new docks going in there is an obligation to keep these docks filled. This needs to be a policy decision.~~

~~Mr. Bush said Cruise Line Agencies does have ownership interest in the AJ Dock. He said he has been approached also that Docks & Harbors should fill the public docks first.~~

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, June 25th, 2015

~~Mr. Zaruba asked if there was any reason to believe that the new dock won't be filled as is now?~~

~~Mr. Uchytel said the ships at anchor currently will now be able to dock at the dock. The City benefits if the ship is docked at either dock and doesn't see being disenfranchised at the current status quo.~~

~~Mr. Peterson said he would support having a representative at the table for the cruise ship scheduling.~~

XI. Port Engineers Report –

Mr. Gillette said his written report is in the packet.

He said he checked with CDD about the table of permissible uses for the end of Fritz Cove, to address the launching issues, which is in a D1 zone. Where this land is located, there is no provision to get a permit to build a launch ramp. Having a launch ramp in this zone is not allowed. Parking lots are not allowed unless they are associated with the use on that property. The idea to have the parking lot for kayakers or pedestrian access to the beach would be allowed.

~~Mr. Gillette showed a power point presentation on the 16B dock project structure being built. Manson Construction plans to be in Juneau in September to begin the project.~~

~~Mr. Spickler asked what the expected life of the new 16B dock is?~~

~~Mr. Gillette said 50 years.~~

~~Mr. Spickler asked where Docks & Harbors is in the process for the electrification for this dock?~~

~~Mr. Gillette said when the new parking lots where put in, conduit was buried from the other side of Franklin street to the bank of the water. There is 24/6" conduits buried under the parking lot with vault locations for access. Docks & Harbor is ready for the electric, we are just unsure when AEL & P will be ready and coordination with the cruise line companies. There are still a lot of decisions to be made.~~

~~Mr. Simpson asked if there are any water tight bulkheads in the new docks.~~

~~Mr. Gillette said yes.~~

XII. Harbormaster's Report –

Mr. Borg reported;

- ~~Performed maintenance on the Grid.~~

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, July 15th, 2015

- I. ~~Call to Order~~** (5:00 p.m. in the CBJ Assembly Chambers)
- II. ~~Roll Call~~** (Budd Simpson, Bob Janes, John Bush, David Summers, David Logan)
- III. ~~Approval of Agenda~~**
- ~~MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED~~**
- IV. ~~Public Participation on Non-Agenda Items~~** (not to exceed five minutes per person, or twenty minutes total)
- V. ~~Approval of June 17th, 2015 Operations/Planning Meetings Minutes~~**
- VI. ~~Consent Agenda~~** None
- VII. Unfinished Business**
1. ~~Launch Ramp Fee Increase~~
Presentation by the Port Director
- ~~Committee Questions~~
- ~~Public Comment~~
- ~~Committee Discussion/Action~~
- ~~MOTION: TO BE DETERMINED AT THE MEETING~~**
2. Fritz Cove area
Presentation by the Port Engineer
- ~~Committee Questions~~
- ~~Public Comment~~
- ~~Committee Discussion/Action~~
- MOTION: TO BE DETERMINED AT THE MEETING**
- VIII. ~~New Business~~**
1. ~~Zone Change Litte Rock Dump Area from Waterfront Commercial Industrial to Industrial~~
Presentation by the Port Director



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

MEMORANDUM

To: Docks and Harbors Board
OPS/Planning Committee
From: Gary Gillette, Port Engineer
Date: July 8, 2015
Re: Water Access at End of Fritz Cove Road

Background

At the June 18, 2015 OPS/Planning Committee meeting discussion and testimony was heard regarding vehicle/trailer boat launch activities at the end of Fritz Cove Road. The parties presenting testimony offered opinions ranging from blocking the access to vehicular use but allowing pedestrian access; to installing removal bollards to serve cases of emergency or maintenance tasks at Spuhn Island; to leaving it open to vehicle/trailer access; to improving the access for vehicle/trailer use.

The Committee considered the testimony and information presented and voted to table the discussion to allow time for more information to be made available. Since that meeting no additional information has been presented by the public on this issue.

Investigation

Staff consulted with the Community Development Department regarding zoning and permitting issues pertinent to the area. The area is zoned D-1 Residential. Launch ramps are not an allowed use in the D-1 zoning district thus a permit would not be obtainable. Pedestrian beach access is allowed without a permit. Kayak launching would be allowed as it is essentially a pedestrian activity and allowed at any beach access. Developing the property for parking to serve the beach access would be allowed provided there were no services or buildings associated with the lot. A written explanation is provided in an e-mail message from Teri Camery, Planner at CDD and attached to this memo.

Options

Given the zoning information it seems there are a couple options the Committee might consider. They are:

1. Status Quo
2. Close the access points to pedestrian only with use of jersey barriers and provide signs to inform the public of the restrictions of use.
3. Close the access points to pedestrian only with use of removable bollards (emergency and maintenance only) and provide signs to inform the public of the restrictions of use.
4. Secure the existing parking area adjacent to the beach access and provide signs to inform the public of the restrictions of use. Note this is not the parking lot on Fox Farm Trail.

Recommendations

Staff recommends options 2 and 4 for the following reasons:

- Installation of jersey barriers can occur sooner and at less cost than removable bollards.
- The adjacent parking area can be secured with surplus piling pieces at a low cost to Docks and Harbors.
- Signs can be purchased and installed by staff at low cost.
- All the work can be done by Docks and Harbors staff for low cost.

From: [Beth McKibben](#)
To: [Teri Camery](#); [Gary Gillette](#)
Subject: RE: Fritz Cove Road Launch Area
Date: Wednesday, July 08, 2015 3:54:37 PM

agreed

Beth McKibben, AICP
Planning Manager, CDD
City & Borough of Juneau
907.586.0465



Please consider the environment before printing this email.

From: Teri Camery
Sent: Wednesday, July 08, 2015 3:11 PM
To: Gary Gillette
Cc: Beth McKibben
Subject: RE: Fritz Cove Road Launch Area

That sounds fine to me. Thanks for checking.

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

Please consider the environment before printing this email.

From: Gary Gillette
Sent: Wednesday, July 08, 2015 2:56 PM
To: Teri Camery
Cc: Beth McKibben
Subject: RE: Fritz Cove Road Launch Area

One follow-up question.

It was suggested that removable bollards be installed to block the vehicle access. The bollards could be removed with permission of Docks and Harbors for Spuhn Island emergency or maintenance use. Would this be allowed?

From: Teri Camery
Sent: Tuesday, June 30, 2015 3:06 PM
To: Gary Gillette
Cc: Beth McKibben
Subject: RE: Fritz Cove Road Launch Area

Hi Gary,

Thank you for your questions. I've reviewed the CBJ Title 49 Table of Permissible Uses, and have

answers for you below each question as follows:

So, the question is: If this location is used as truck/trailer launch ramp is it allowed by zoning and would it require a permit?

Truck/trailer launch ramps with parking would be classified as Marine Facilities in the TPU, Category 9.600. Marine Facilities are not allowed, with or without any permit process, in the D-1 zoning district, which is the zoning district at the Fritz Cove cul-de-sac.

If it is a pedestrian beach access is it allowed by zoning and does it require any permitting?
Pedestrian beach access does not require any permit and is allowed in all zones.

If D&H were to develop the property for a parking lot for the beach access is this allowed and does it require any permitting?

If it's just pedestrian beach access, without associated amenities such as bathrooms, picnic tables, etc., then my interpretation is that it would stay below the threshold of being classified as a Marine Facility and would be allowed in this zone. If the beach access includes a boat ramp (sufficient for motorized boats as opposed to hand-carried kayaks), dock, restrooms, etc., then my interpretation is that it would be considered a marine facility and could not be allowed in D-1 zoning.

Beth, do you concur?

I hope that answers your questions. Please let me know if you need anything else.

Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

Please consider the environment before printing this email.

From: Gary Gillette
Sent: Tuesday, June 30, 2015 2:10 PM
To: Teri Camery
Subject: Fritz Cove Road Launch Area

Teri

Recently Docks and Harbors Board (D&H) received a letter of complaint and public testimony that folks were launching power boats from trailers at the end of Fritz Cove Road. At some point in time the path to the water was blocked to truck/trailer launching but someone moved the rocks thus allowing motor vehicle access. The complainant suggested that D&H block the path to the water to motor vehicles but allow pedestrian access which would also allow access for kayakers.

In subsequent testimony we heard from another person who is building a house on Spuhn Island and suggested that we block the path with removable bollards such that if there were repair or maintenance work needed at Spuhn Island one could get a key from D&H to allow access. He also suggested we develop a parking area on adjacent city land for this beach access. In follow-up testimony we heard from some folks that truck/trailer access has been occurring for many years and that it should continue to be allowed at all times. They objected to blocking it off and suggested making improvements.

So, the question is: If this location is used as truck/trailer launch ramp is it allowed by zoning and would it require a permit?

If it is a pedestrian beach access is it allowed by zoning and does it require any permitting?

If D&H were to develop the property for a parking lot for the beach access is this allowed and does it require any permitting?

Thanks for any information you can provide.

Gary



Gary H Gillette, Architect

Port Engineer

155 S. Seward Street

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907-586-0398

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gary.gillette@juneau.org **Please Note New E-Mail Address**

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, July 15th, 2015

2. Fritz Cove Area

Mr. Gillette said I contacted the Zoning Department and they said this area is zoned D-1 Residential. Launch Ramps are not allowed in areas zoned D-1 Residential. However, pedestrian beach access is allowed. We can offer a parking lot, but no buildings or services are allowed. My recommendation is to install jersey barriers. We can do this immediately and it will cost less than other options. We can secure the adjacent parking area with surplus pilling that we have and staff can install signs.

Public Discussion

Dave Hannah of Juneau, AK

Mr. Hannah said I did testify on this subject at the last meeting we had. This may not be permitted if it was a designated launch ramp area under the current zoning, but it predates the City and Borough of Juneau, AK. The use of this ramp has been going on long before the borough existed out at the Fritz Cove area. As such it is technically grandfathered in. I am familiar with this because I use properties for uses that would not be permitted in today's zoning. Since those uses began prior to the formation of the borough they are permitted to continue. It is debatable that launching is not permitted there. I would also like to point out that this has been going on for more than 50 years and no one has complained until now. We have one person who complains but there is no foul here; no one is trespassing on this person's property or denying them access to their property. There is no harm being done to this complainant. Before you take an action that might be unnecessary I think it deserves a lot more consideration. If you do decide to block it off I would like to sell you the jersey barriers. I'm the guy who makes them. I don't think it is the right answer. I think a gate would make more sense though.

Loren Domke of Juneau, AK

Mr. Domke said I am the most recent complainant, but there have been other people. I think the reason the Harbor Board has received resistance is that it is convenient for Spoon Island contractors who are building out there to use this area. So you have a small section of the population who want to use that area. There have been well over a dozen people using that launch area this week and most of them have been different people. I think that denies the Docks and Harbors launch permit fees. My observation has been that it is getting worse. As far as grandfathering, I have lived within 150 feet of the Fritz Cove area, and at first there was just a trail. No one took a trailer up and down because it was impassable to trailers after Spoon Island was developed. It is a recent development and it has been getting worse every year.

Committee Discussion/Action

Mr. Donek said my concern is that it is now a trail down to the water. I would like to see something that is openable without having to get a crane out there. I see the use of

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, July 15th, 2015

the Fritz Cove area increasing if we do not control it. I am in favor of blocking it off. I would like to see a way of opening the area up in case of an emergency. Can we install a gate? I don't think it would be too expensive.

Mr. Simpson said it does not seem like a very big problem in the scheme of things. I don't know how much money we should spend on this, which is why I like the Jersey barrier option.

Mr. Donek said it is not a big problem now, but I don't want it to become a bigger problem.

Mr. Gillette said the problem with gates is that you don't have access for the pedestrian unless you go around it. That might turn into more excavation and that would lead to increasing the footprint of what is already there. If you want something removable we can go with bollards.

Mr. Simpson said I have not been able to go to the area to see what it looks like. I do not want to have staff go in a particular direction without knowing what it is like over there.

Mr. Logan said I am fine with Jersey barriers. I do not see a need to have emergency access. Emergency crews can go to Statter Harbor or another launch ramp for easy access to the water. It is just for utility crews and if they are out there working they can bring out their equipment and remove the Jersey barriers.

Mr. Janes said we have had historical use of the area that we now find is not permitted in the current zoning. We should study this for a few more months. I don't think we need to decide right now. Mr. Domke can keep us informed as to the use out there and will let us know if it gets out of control. There are people on Spoon Island who purchased there knowing they could use the Fritz Cove area to load necessities in their skiffs. They could use the Auke Bay Loading Facility. I would like to walk the area and think about it so we can make an educated decision.

VIII. ~~New Business~~

~~1. Zone Change Little Rock Dump Area from Waterfront Commercial Industrial to Industrial~~

~~Mr. Uchytel said the Community Development Committee explained what a zoning change would do from Waterfront Commercial Industrial to Industrial. That is what the city engineer would like to do. He has applied for that zoning change and the Planning Commission has denied it. It was then appealed to the Assembly and they tabled it. This past week the Committee of the Whole took up discussion on this and the direction from the Board was to bring the issue to the Operations and Planning Committee for further discussion. Do we need to take a proactive response to this?~~

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, August 12th, 2015

- I. ~~Call to Order~~ (5:00 p.m. in the CBJ Assembly Chambers)
- II. ~~Roll Call~~ (Budd Simpson, Bob Janes, John Bush, David Summers, Tom Donek)
- III. **Approval of Agenda**

MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED

- IV. ~~Public Participation on Non-Agenda Items~~ (not to exceed five minutes per person, or twenty minutes total)
- V. ~~Approval of July 15th, 2015 Operations/Planning Meetings Minutes~~
- VI. ~~Consent Agenda~~ - None
- VII. **Unfinished Business**

- 1. Fritz Cove Road - Zoning Issue
Presentation by Port Engineer

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING

- 2. ~~Douglas Harbor 35% Design & Budget Review~~
~~Presentation by Port Engineer~~

~~Committee Questions~~

~~Public Comment~~

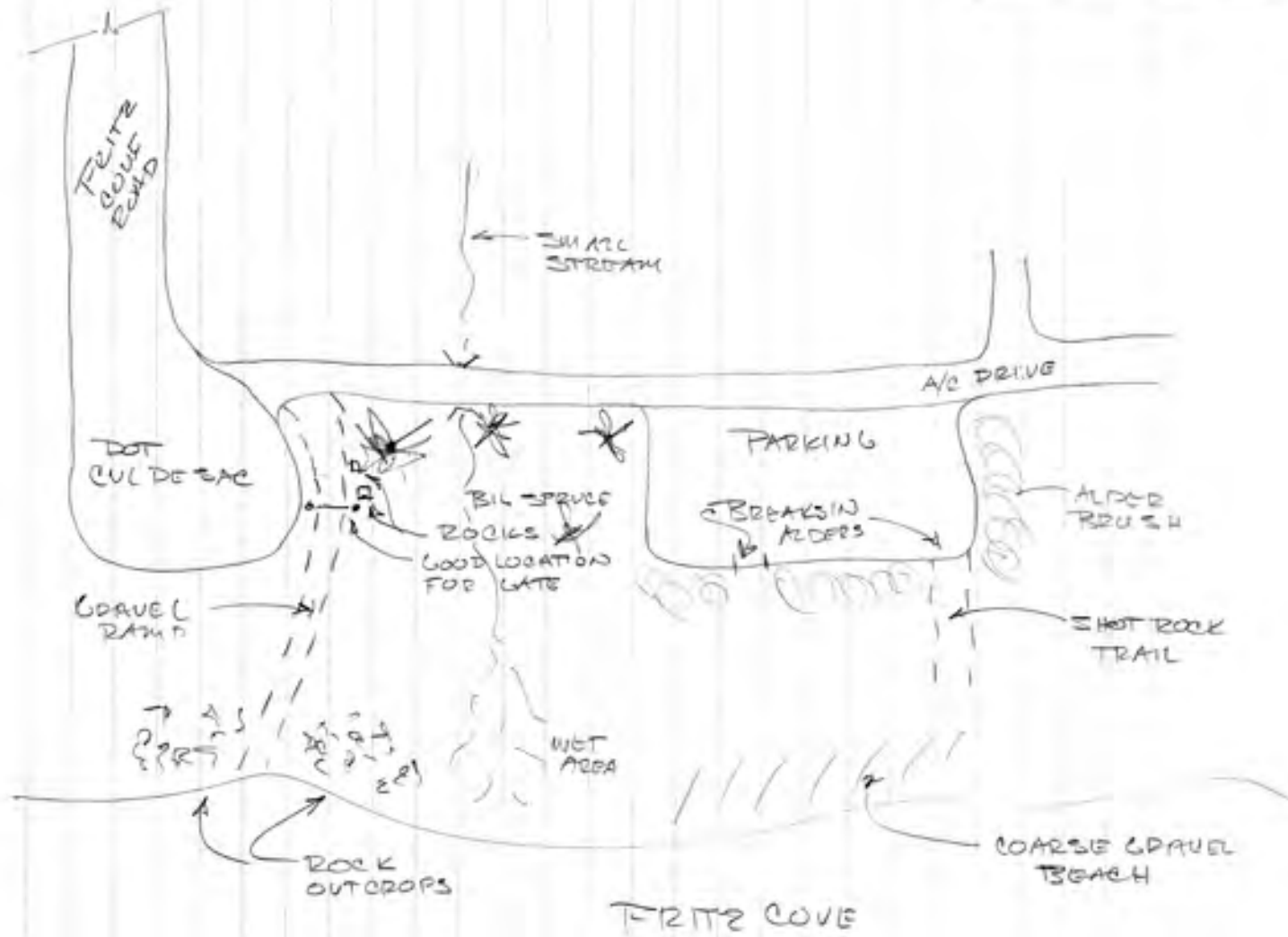
~~Committee Discussion/Action~~

MOTION: TO BE DETERMINED AT THE MEETING

- VIII. ~~New Business~~ - None

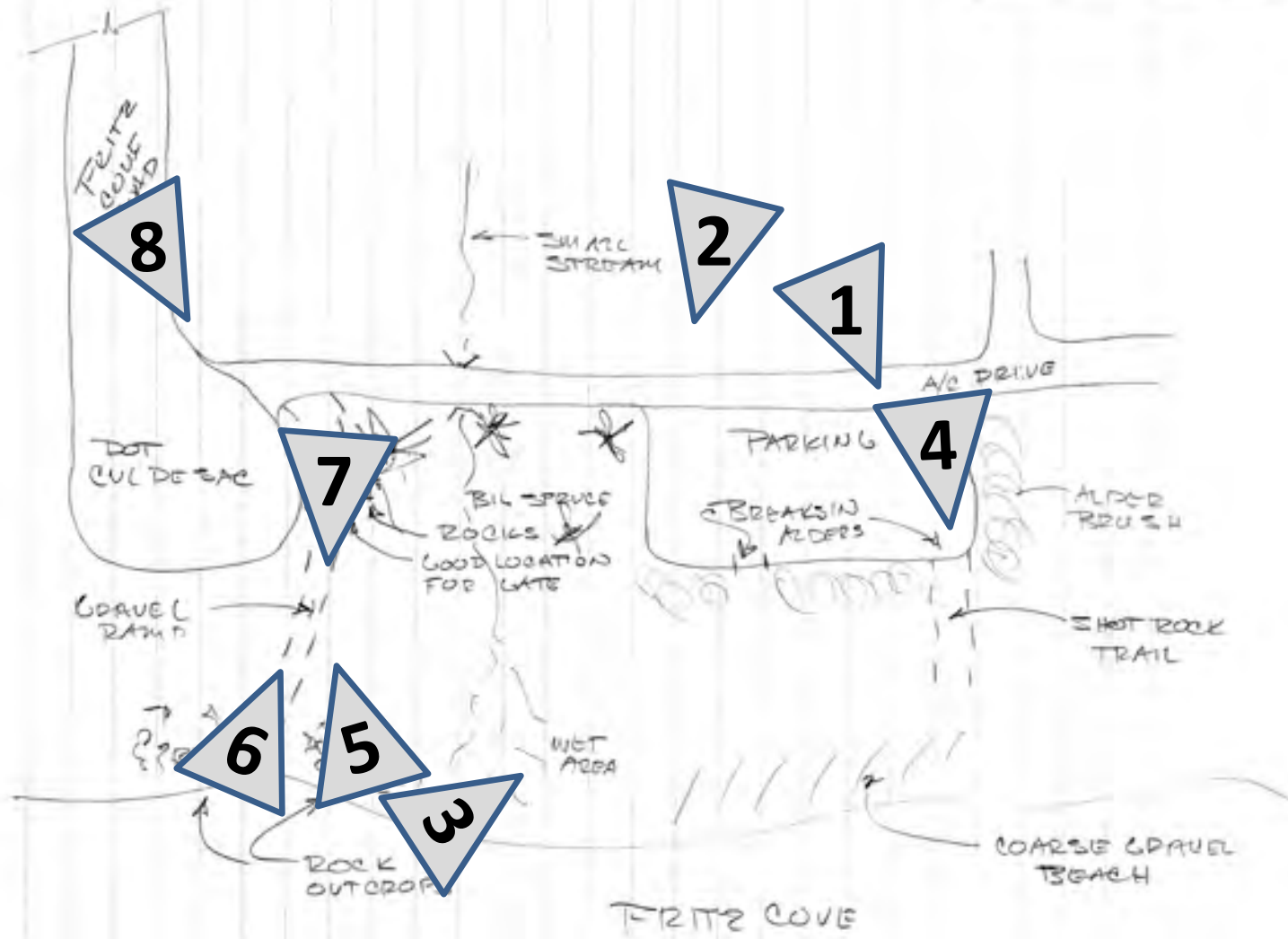
Fritz Cove Road Beach Access

JULY 16, 2015



Fritz Cove Road Beach Access

JULY 16, 2015



Location and Direction of Photo



Photo 1



Photo 2



Photo 3



Photo 4



Photo 5



Photo 6



Photo 7



Photo 8

Loren Domke/Kathy Nielson
965 Fritz Cove Rd.
Juneau, AK 99801

JUL 30 2015
CBJ Manager's Office

July 27, 2015

Ms. Kim Kiefer, City Manager
City/Borough of Juneau
155 S. Seward St.
Juneau, AK 99801

Re: Exhaustion of city remedies/Limitation of vehicle access to utility easement/end of Fritz Cove Rd.

Dear Ms. Kiefer:

Our intent in writing is to determine if the city will enforce a zoning restriction on motorized beach access in our neighborhood. Specifically, we have been requesting since early April that the city close the unauthorized boat launch ramp and vehicle access across the beach at the end Fritz Cove Rd. A copy of our original letter and a relevant Docks and Harbors staff memo of July 8, 2015 are enclosed for your interest. Without going into the multi-year history of this unpermitted launch ramp, **CBJ staff have concluded that vehicular access may not be permitted in this neighborhood (a D-1 single family residential zone) under any circumstances absent a zone change for the entire area.**¹ Our request has been under consideration for four months by the OPS/Planning Committee of the Docks and Harbors Board. At the July 15 OPS/Planning meeting, despite the July 8 staff memo, the committee refused to take action on the matter, leaving the access open and our request effectively tabled.²

We have several suggestions to move forward:

- **Move the request to a vote of the entire Board.** The OPS/ Planning Committee on July 15 were unwilling to move on the recommendation in the July 8 staff memo and thus on our request for closure of the unauthorized access, despite a previous several month delay at the request of two committee members. At the

¹ July 8, 2015 Port Engineer Memo, page 1.

² Apparently, our request is again going on the agenda at the next OPS/Planning Committee meeting in August. Given the history of this issue, we expect more slow rolling through the fall without bringing the matter to a vote.

very least, our request should come before the entire Board for a vote without more delays.

- **Return lands jurisdiction to Parks and Recreation.** The launch ramp and two immediately adjacent parcels, designated for parking, should be returned to management by Parks and Recreation. The predominant uses for the beach always have been and remain recreation by pedestrians and as a non-motorized kayak/canoe launch area (with boats hand carried to the beach). The predominant uses in a docks/harbor zone are marine-related commercial uses. The Table of Permissible Uses, Category 9.600, prohibits commercial/ marine-related activities in a D-1 zone. There is no logical reason for Docks and Harbors to have jurisdiction over an area which may not be developed for marine related commercial uses, including a truck/trailer launch ramp.³
- **Exhaustion of city remedies.** Our ordinances have clear appeal procedures from final decisions by CBJ subordinate bodies and after final assembly action. What is not clear is how to exhaust administrative remedies when a subordinate body declines to act on a matter before it.

We request either that our request be acted on by the appropriate CBJ agency or that we be advised there is no further administrative remedy before CBJ. Thank you.

Yours very truly,


Kathy Nelson/Loren Domke

³ Members of the OPS/Planning Committee expressed surprise that lands control had been delegated to Docks and Harbors. It is not apparent how the city made the lands management assignment.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, August 12th, 2015

I. ~~Call to Order~~

~~Mr. Simpson called the meeting to order at 5:00 p.m. in the Assembly Chambers.~~

II. ~~Roll Call~~

~~The following members were in attendance: John Bush, David Summers, Tom Donek, Bob Janes, and Budd Simpson.~~

~~Also in attendance were: Carl Uchytel—Port Director, Gary Gillette—Port Engineer, Dave Borg—Harbormaster, and David Lowell—Board Member.~~

III. ~~Approval of Agenda~~

~~MOTION By MR. JANES: TO APPROVE THE AGENDA AS PRESENTED.~~

~~Motion passed with no objection.~~

IV. ~~Public Participation on Non-Agenda Items—None~~

V. ~~Approval of Previous Meeting Minutes~~

~~MOTION By MR. JANES: TO APPROVE THE July 15th, 2015 Ops/Planning Meeting Minutes AS PRESENTED AND ASK UNANIMOUS CONSENT.~~

~~Motion passed with no objection.~~

VI. ~~Consent Agenda—None~~

VII. Unfinished Business

1. Fritz Cove Road – Zoning Issue

Mr. Gillette said at the last Ops meeting there was a recommendation by staff to use bollards to block off the area used as a launch ramp and to secure the small parking area with signs that relate to beach access. The Community Development Department (CDD) indicated it is not able to be zoned for a boat launch. Since the last meeting, committee member Tom Donek went down to the area, drew a map, and took some pictures which are included in the packet. Docks & Harbors also received a letter to the City Manager written by Kathy Nielson and Loren Domke, which is in the packet. There is no other new information to add.

Mr. Simpson said he also did a site visit and it was helpful to his understanding of the area in discussion.

Committee Questions

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, August 12th, 2015

Mr. Janes asked if the area could be grandfathered in as a historic access area regardless of the current zoning?

Mr. Uchytel said he spoke with a CDD staff member who did not think it merited “historic use,” but we are still waiting on a decision from the CDD Director

Mr. Simpson asked Mr. Gillette to elaborate on the zoning issue.

Mr. Gillette said CDD confirmed that in the D1 (Density 1 unit per acre) zoning district, a launch ramp would not be allowed. We could not apply for a permit to build a launch ramp there.

Mr. Simpson asked if there is one there already, is it just a question of historic use?

Mr. Gillette said it is a question of whether it actually has historic use, and how far that goes back. Some of Mr. Domke’s testimony indicated that it didn’t see use until Spuhn Island was developed, and that probably wouldn’t be classified as “historic.” It’s also never been designated as a launch ramp. If it were a designated launch ramp and the zoning changed, that’s when you typically get “grandfather” rights.

Public Discussion

Ed Grossman of Juneau, AK

Mr. Grossman said he is building a house on Spuhn Island. He’s been before the Board and has read the minutes from the last meeting. It’s helpful to know the zoning issues out there, but the bigger issue is that regardless of zoning, you have a current use there that isn’t a problem. You have a conjecture that someday somebody will launch a big boat. You have complaints by one, maybe two neighbors that just don’t like the idea. You should be embracing this opportunity to take some of the pressure off some of your other overflowing launch sites. Currently, the Harbor people are parking in the road this weekend. Auke Bay Harbor is so full that people are anchoring in the bay because they can’t tie up, and inside the bay they’re tying 3, 4, and 5 deep. Allowing some place for small craft to access the Channel Islands, or for folks like Mr. Grossman to bring materials back and forth is a valuable asset. There is parking in this area and a hardened beach. People like him aren’t asking you to develop a launch ramp, because it’s already there, and there is no maintenance to the City. He said he had also brought up at a few meetings that the reason for some of the complaints about people parking along mailboxes and such, is because that current parking area at the corner of Fox Farm doesn’t allow for overnight stay. That was built as a mitigation for the subdivision out there, and you could correct some of that congestion around the residences or their mailboxes by changing that to allow a 4 or 5 night stay or allow for holiday weekend use of Channel Islands. If you decide that there is a need to close off this access, please use something that is less of a hassle to move for legitimate use for locals, a utility company, emergency access, etc. Bollards or a gate are definitely much better solutions than jersey barriers where you need to bring in an excavator.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, August 12th, 2015

Dave Hanna of Juneau, AK

Mr. Hanna said he would just like to reinforce everything that Mr. Grossman said and agrees 100%. He added that he remembers the launch area that comes down out of the parking lot was being used as far back as the 1960's to launch skiffs, most of which were being moored out there. There is a historical use there, not unlike the Tee Harbor beach launch. He believes that's also D1 zoning and people can drive down on the beach and launch their boat at that location. He doesn't understand where the problem is. There's really no damage being done to anyone. If there is concern about people parking by the mailboxes, opening up that parking lot at the entrance to fox farm would be an easy and free solution. Mr. Hanna reinforced the gate idea. It would actually be fairly easy to construct a pair of swinging gates that locked open at about 6 or 6 ½ feet wide. If we are bound and determined to close it off so nobody can back their pickup with a boat down there, at least the people that have 12 or 14 foot skiffs with big beach wheels on the back could get to the water. In the time he's spent working on the island in the last four or five years, it's amazing how many people he sees coming out of there in little skiffs and inflatables to go out to all the little islands.

Savannah Worley of Juneau, AK

Ms. Worley asked how Docks & Harbors would regulate having only small crafts going down? How much harbor staff time is it going to take to regulate that ramp, gate, bollard, jersey barrier, or whatever you want to put there? How are you going to make sure that only the people with small crafts are using it? It's still going to be abused, and the parking will be abused. Regulating that kind of stuff is going to be a tough deal for Harbor staff.

Committee Discussion/Action

Mr. Janes said he hates to fix something that's not broken and he's afraid that we're going to break something that's not broken. He's not for having another regulation in our books if we don't really need it. He doesn't know of anything that has ever happened out there that has caused damage or harm to any of the neighbors. It's not going to be over-used because there's not going to be a place for people to park. He said he is swaying towards the idea of leaving it as it is now, not taking up the harbor staff's time to try and regulate it, and carrying on as we have been for many years. If a problem arises then we deal with it.

Mr. Donek said it is difficult to make a decision with the zoning issue up in the air. If it can be done with the zoning restrictions out there, he would like to put an openable gate across it versus putting something that permanently closes it off. He can see the need for beach access, but he can also see the real potential for abuse, if we just leave it open. He can see why people like Mr. Grossman might want to use it. If it's legal to do, he would suggest a lockable gate and Mr. Borg's staff would be in charge of allowing people to use it if they have a legitimate reason to use it other than launching a recreational boat.

Mr. Summers said there are problems and we have complaints from people who don't like motorized use out there in our packets. It's a simple matter of do we manage that property or not? If we manage the property we can develop it as a boat launch or not, and there are fees

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, August 12th, 2015

associated with that for users just like everything else. If we manage it, we either have to close it or operate it. There are problems in the neighborhood, some people don't like it, so it's not fair to the people that submitted their complaints for us to sit here and say that it's not a problem. Mr. Summers said he doesn't think it's clear whether it's our space or not.

Mr. Bush asked for clarification whether this is a DOT right-of-way?

Mr. Gillette said it's CBJ property managed by Docks & Harbors. It's accessed off the DOT right-of-way, but the actual area that's used for launching is on CBJ property.

Mr. Donek asked if we need a driveway permit from DOT to have that there, since it does come off the side of the DOT right-of-way?

Mr. Gillette said the driveway that comes off the DOT right of way is the driveway that splits our lot in half and there's some sort of easement or use agreement that accesses those houses back there. The access to this ramp comes off of that, so we've already got a driveway there. As far as the CDD issue, it's clear that it's not zoned to allow a launch ramp, it's the grandfather issue of how they interpret the historic use. To answer a question that was brought up in testimony, Tee Harbor launch ramp area is not owned by the City, that's on State land and it's zoned waterfront commercial, so they could actually apply for a ramp permit there. It is different, it's not the same scenario that we have.

Mr. Summers liked the suggestion from the public comment period that if we were to create a barrier of whatever kind, it should still allow for consistent use by non-motorized vehicles, such as a skiff small enough to carry. That might mean that you could carry a motor too, throw it on there and scoot across to Spuhn Island and that wouldn't be much different than a kayak launch, if a kayaker had an assist motor. He doesn't think that includes trailer parking, you would have to put it in the back of your truck.

Mr. Donek said that type of access is already available from our little parking lot. There are two access points, one at the far end of the parking lot and another one to the west. As far as launching non-motorized carry-downs, whether they are skiffs or kayaks, that function is already well served out there from our parking lot. It's actually nicer because it's several feet lower in elevation and you don't have to climb the hill to get up to the road.

Mr. Simpson said we're not talking about restricting motorized vessels, we're talking about motorized access on the beach. He is receptive to the suggestion that some kind of a gate as opposed to a jersey barrier might be a good way to go, because then at least if we changed our minds sometime in the future, or if there's a good reason for somebody to access it, for example a construction project or something that just needs that spot, it would be available.

MOTION by Mr. Donek to direct staff to look into the feasibility of installing a lockable gate across this boat launch area and having it cleared by CDD, and ask unanimous consent.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, August 12th, 2015

Mr. Janes objected that he doesn't know what the gate means, whether it will be opened for only emergency vehicles or whether it will include access by those that have been issued a key. There is a big question as to what that gate symbolizes so he can't support that motion.

Mr. Simpson said this property is managed by Docks & Harbors, and since we've got it, we've either got to give it back to somebody else and do nothing, or we've got to manage it in some way. Putting a gate there that's consistent with what appears to be the correct zoning application for the area at least makes some sense. We haven't developed a comprehensive policy yet for the use of that area, but this at least allows us to begin controlling it.

Mr. Donek said that the motion is to have staff look into the feasibility of the gate. We don't know if we can build a gate or if it will be allowed, and there's no sense in going down the road of how we're going to manage that until we know whether or not we can do it. CDD may come back and say absolutely not, and then we're back to a pile of rocks. Does that clarify your objection, Mr. Janes?

Mr. Janes said it still leaves a lot of unanswered questions, but withdrew his objection.

Mr. Simpson said Mr. Domke suggested that we could transfer this to Parks & Rec.

Mr. Uchytel said we don't need permission to put the gate up, we could do it tomorrow if we wanted. The question for CDD is whether the historical use has any merit, but that's the only thing we need to ask anybody outside Docks & Harbors.

Mr. Simpson said putting a gate in allows us to manage the property, and if we decide that the historical use takes precedent over the local neighbor's complaint, we can open that gate.

Mr. Uchytel said he wants to be careful that this gate is not to establish a launch ramp facility. Once you go down that road, there's going to be expectation that it's managed, maintained, plowed in the winter, etc. He doesn't think that's where staff wants to go with this.

Mr. Donek said if we put up a gate, we have a launch ramp. If the gate is opened, we have a launch ramp. Do we have an illegal launch ramp right now, or can we manage it as a restricted use or permitted use only? If it's not a launch ramp, we're putting rocks in it.

Mr. Gillette said in his discussions with CDD he asked about launch ramp use and they said it is not allowed in that zone. He asked about having a gate that could be opened for emergency use or period use to access utilities or maintenance on Spuhn Island and they said that would be fine.

Mr. Donek withdrew his motion, as the feasibility question has already been answered.

Mr. Summers asked Mr. Borg how it would be for staff to manage a gate out there?

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, August 12th, 2015

Mr. Borg said it would be a nightmare. He likes the idea if it's for utility access or emergency vehicles only. He doesn't always have staff that can come unlock the gate because someone did a Home Depot run. It's going to be a nightmare plain and simple.

Mr. Simpson said there's virtually no circumstance under which the Home Depot run couldn't be made from Statter Harbor.

Mr. Borg said the expectation from the public will be that it's going to be available for them to go back and forth. Even if it's a 12 hour notice, it takes 15 minutes for one of my guys from Statter Harbor to run out there, unlock a gate, then hang around for 30 minutes while they drive a truck down and unload it. Then he's got the neighbors coming out and saying "Oh isn't this nice, now you guys are coming down here and using this as a launch ramp." It's just going to be a nightmare.

Mr. Simpson asked what Mr. Borg's suggestion would be?

Mr. Borg suggested to install a gate which will be available for emergency vehicles and emergency access. As much as he would love to make it all work for everybody, it isn't going to work for everybody.

Mr. Simpson said if we put a gate up, it means that we're managing the site. We can open it later if we decide that it should be available for anyone who wants it, but I don't see that happening.

Mr. Borg asked if we would charge for freight loading? It's not a launch ramp, but now we're going to have people saying "I don't want to go pay \$60/hr to sit on the ramp and load up gear so I'll just have Docks & Harbors open the gate and I'll pull my drop down up there and load it up."

Mr. Janes said until he hears from the Law Department or someone who can give us a certainty on this historic use that has been benign and rather passive, he doesn't feel that he can really make a good decision on this. If it is historically legal to do and there are no problems that have occurred, he tends to want to leave it alone.

MOTION By MR. BUSH: TO CREATE JERSEY BARRIERS WITH A GAP NO WIDER THAN 6 FEET, PUT THEM IN PLACE AND BE DONE WITH IT, AND ASK UNANIMOUS CONSENT.

Mr. Summers objected because he would rather see a gate that could be opened for emergency services or utilities. He offered an amendment that there be a locking gate installed with the following policy: to be opened for emergency use only at the discretion of the Harbormaster or the Port Director, with the follow up that the 6 foot space be available.

Mr. Simpson said the 6 foot space is available at the other place. The gate could close it off and people with canoes and kayaks still have as much access as they need.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, August 12th, 2015

Mr. Summers said the idea being, speaking to other comments, if in the short term we hear from the CBJ Law Department there is a historical use, the gate would go, and we haven't made a major investment.

Mr. Simpson said the gate can just be opened too. So there is a motion which is essentially to install a gate. It's Mr. Bush's motion as amended by Mr. Summers, and consented to by Mr. Bush.

Mr. Donek asked if this goes to the full board for further discussion?

Mr. Simpson said yes, it has to, and asked for a vote.

John Bush – Yes
David Summers – Yes
Tom Donek – Yes
Bob Janes – No
Budd Simpson – Yes

Motion passed 4 yes – 1 no.

~~2. Douglas Harbor 35% Design & Budget Review~~

~~Mr. Gillette said staff is reviewing the 35% design submittal from our consultants, PND Engineers. Mr. Somerville is here to answer any questions, and staff would like to continue moving forward with the design process.~~

~~Mr. Uchytel added that the design we're looking at right now would require the Board to use \$1.2 million of Harbors fund balance.~~

Committee Questions

~~Mr. Lowell asked if our dredging permit precludes us from adding additional volume beyond what's shown in the plan?~~

~~Mr. Gillette answered yes, since the Corps of Engineers is dredging the historic footprint. Originally, there was a different plan that had additional dredging area, but it added to the cost and by the time all the environmental requirements for the permit were met, the cost was prohibitive.~~

~~Mr. Lowell said the clear space behind the 24' slips on the south side of the harbor is a very tight area. He would consider trying to put more transient and skiff moorage there in lieu of the 24' slips. He's not aware of the demand for the 24' slips. He suggested to trade and add transient moorage on the backside and install more 24' slips somewhere along the walk floats.~~

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, August 27th, 2015

~~Mr. Nankervis said another part of this is to not do reply all because it would be conducting business and would be in violation of the Open Meetings Act. Conducting business on the Juneau.org emails is the safe way to go.~~

~~Mr. Peterson asked if these emails were monitored by the City Clerk?~~

~~Mr. Uchytel said no. The concept is once you go to the server, you give up your privacy. Also unless you save your emails to another area, after 90 days the emails will be deleted.~~

~~Mr. Donek asked when this takes affect?~~

~~Mr. Uchytel said immediately.~~

~~Mr. Nankervis said the account isn't monitored, but recoverable.~~

~~Mr. Uchytel said there is also a telecommunication policy that will need to be signed by all the Board members.~~

X. Committee and Member Reports

1. Operations/Planning Committee Meeting – Wednesday August 12th, 2015

Mr. Simpson reported the Committee heard;

- The Fritz Cove access issues – There are two legitimate but opposing point of view. The Committee decided to put a lockable openable gate at the ramp access. This will still be accessible for kayaks and smaller non-trailerred vessels.
- ~~The 35% Douglas Harbor Design~~
- ~~Mr. Summers made motions to address at a future meeting relating to relationships between Harbor staff and Harbor Patrons.~~

~~2. Finance Committee Meeting – Thursday August 20th, 2015~~

~~Mr. Peterson reported the Committee heard;~~

- ~~The 35% Douglas Harbor Design~~
- ~~Appointed the Finance Committee Vice Chair – David Lowell~~

~~3. Member Reports – None~~

XI. ~~Port Engineers Report –~~

~~Mr. Gillette reported;~~

- ~~Statter Harbor is still on schedule and moving forward.~~
- ~~The Cruise Ship Berth project begins September 16th.~~
- ~~Aurora Harbor is in the final close out.~~

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA
For Thursday, September 24th, 2015

- I. ~~Call to Order~~** (5:00 p.m. in City Hall Conference Room 224).
- II. ~~Roll~~** (John Bush, Tom Donek, Bob Janes, Robert Mosher, David Lowell, Mike Peterson, Budd Simpson, David Summers, and Tom Zaruba).
- III. ~~Approval of Agenda~~**
~~MOTION: TO APPROVE THE AGENDA AS PRESENTED.~~
- IV. ~~Approval of August 27th, 2015 Regular Board Meeting 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**
1. ~~Public Hearing—Notice of Proposed Changes to Regulations~~
~~Amendment of Title 05, Chapter 20 (Small Boat Harbor Fees and Charges)~~
~~Presentation by the Port Director~~
- ~~Board Questions~~
- ~~Public Comment~~
- ~~Board Discussion/Action~~
- ~~MOTION: TO APPROVE PROPOSED REGULATIONS CHANGES AND THAT ASSEMBLY TAKE ACTION TO ADOPT.~~**
2. Fritz Cove Beach Access Gate
Presentation by the Port Engineer
- Board Questions
- Public Comment
- Board Discussion/Action
- MOTION: TO BE DETERMINED AT THE MEETING.**

Gary Gillette

From: Beth McKibben
Sent: Tuesday, September 08, 2015 2:56 PM
To: Carl Uchytel; Gary Gillette
Cc: Rob Steedle; Teri Camery
Subject: Friz Cove Boat Ramp

CDD has reached a conclusion, summarized as follows:

- Boat ramps without associated facilities are not specifically listed in the Table of Permissible Uses.
- Public moorage is allowed in the D-1 zoning district with a Conditional Use Permit. A boat ramp could be considered a lesser impact of moorage, though moorage is not part of this proposal. Moorage could be added with something as simple as a mooring buoy.
- Marine Commercial Facilities are not allowed in the D-1 zoning district according to the TPU. The proposed boat ramp could be restricted from commercial use through conditions and design, if needed.
- In response to these points and other code technicalities, we have concluded that the code could both support or deny use of a boat ramp in this area. We support putting the use under a marine commercial facility just because it doesn't fit well under anything else in the code. This would mean that the use is denied.
- We recommend, based on our best interpretation of the code, that a boat ramp not be allowed. If this interpretation is challenged, the Docks and Harbors Board or some other entity could take the issue to the Planning Commission for a Use Not Listed determination. Another option is to request an code amendment to the TPU to specifically list boat ramps as an option. That would be the best resolution because it would settle the issue not just for this case and this area but for all zoning districts.

Beth McKibben, AICP
Planning Manager, CDD
City & Borough of Juneau
907.586.0465



Please consider the environment before printing this email.

From: [Teri Camery](#)
To: [Gary Gillette](#)
Cc: [Beth McKibben](#)
Subject: RE: Fritz Cove Road Access - Grandfather Rights
Date: Friday, September 18, 2015 12:00:15 PM

Hello Gary,

Thank you for your questions.

A use is considered a grandfather right if it was an established use at a time when it was legal in the code. In this case, we don't have information on when the use began or how long it continued, so we can't determine if it was an established legal use at the time and therefore a grandfather right. If the use has been discontinued for a year, then the grandfather right (more formally known in CBJ code as a legally non-conforming use) goes away.

Please let me know if you have further questions.

Cheers,
Teri

Teri Camery, Senior Planner
City and Borough of Juneau
Community Development Department
155 S. Seward
Juneau, AK 99801
(907) 586-0755

Please consider the environment before printing this email.

From: Gary Gillette
Sent: Tuesday, September 15, 2015 3:14 PM
To: Teri Camery
Cc: Beth McKibben
Subject: Fritz Cove Road Access - Grandfather Rights

The Fritz Cove access issue is not done yet. We have been asked to bring this to the Harbor Board on Sept 24.

One outstanding issue is grandfather rights. At one of our meetings someone asked about GF rights because he remembered launching a boat with his father back in the 1960s or thereabouts. On the other hand we heard from someone else that the problems only started when a contractor moved the rocks which blocked access to the beach in about 2005 when they were developing Spuhn Island.

Could you please inform us of what constitutes GF rights and how long do they apply?
If the access was indeed blocked – how long would the access need to be blocked to affect GF rights?



Gary H Gillette, Architect

Port Engineer

155 S. Seward Street

Juneau, Alaska 99801

907-586-0398

907-586-0295 (fax)

gary.gillette@juneau.org **Please Note New E-Mail Address**

From: [REDACTED]
To: [Jennifer Shinn](#)
Subject: Fritz Cove Access
Date: Tuesday, August 18, 2015 1:04:43 PM

Hi Jennifer:

I'll be out of town next week, so please provide these comments to the Docks and Harbors Board regarding Fritz Cove/Smuggler's Cove access for the Aug 27 meeting. Thank you.

Dear D&Hs Board:

I was pretty discouraged at the result of the most recent D&Hs operations committee meeting regarding the poor decision on the end of Fritz Cove salt water access point. It was decided to recommend to the full Board that the end of Fritz Cove be gated and no access allowed except emergency vehicles. I beg of you to be more foresightful in your decision.

The facts are these:

- Mr. Domke, the complainant, has no case for asking you to close off access at the end of FCR. His personal property is not being trespassed upon or otherwise damaged by current use of the public access point.
- This access has been used by folks launching small motorized and non-motorized craft for decades without issue. There remains no issue.
- No resource damage is occurring and there is no safety concern.
- A gate closing off access to everyone except emergency vehicles is useless to the public.
- If gated, a key can be signed out at the Auke Bay Harbor office for legitimate purposes. A small admin fee could be charged, and a deposit for the key taken. This is a very small administrative task requiring nobody to leave the office as Mr. Borg has suggested would be needed.
- You have yet to address the overnight parking prohibition for the lot at the corner of Fox Farm and FCR. Allow overnight parking so this can change from a basketball court back to a useful parking lot for those camping in the Channel Islands.
- With a naturally hardened beach, and ample parking, you should be embracing this area for the launching of small craft rather than thwarting it. You are overflowing at Amalga and Auke Bay, and maybe the other launch sites, thus it makes no sense to close off the FCR launch.
- Mr. Donek wishes to shut off access because somebody, someday may try to launch a larger vessel. This is pure speculation. Why would someone with a sizable boat do this when it's much easier at a harbor launch ramp with a dock? Even if this occurred, what's the problem? Would this speculative person do this twice?
- Mr. Janes has put it best; closing off the FCR launch access is breaking something that is not broken. Please reconsider the Operations Committee recommendation. It's expedient in addressing an exaggerated complaint and pure speculation of what could happen, but damaging over the long term by removing viable public salt water access options for Juneau residents.

Thank you,
Ed Grossman

From: [REDACTED]
To: [Jennifer Shinn](#)
Subject: Fritz Cove Access
Date: Tuesday, August 18, 2015 7:50:01 PM

Hi Jennifer,

My wife and I are unfortunately out of town during the Docks and Harbors board meeting on August 27th, 2015, that is regarding the possible closing of small boat access and fencing at the end of Fritz Cove Road.

Please use this letter as our testimony opposing the closing of this important access point.

We are writing today to again express our dissatisfaction and disbelief that the board would move to close this access to the Juneau public.

Our reasons for not closing this access point are as follows:

1. No current problem exists. We live on Spuhn Island and have a direct view of this area. The usage we see are families, small groups of people or single kayaks launching very small vessels. This would include small skiffs with small motors on trailers, kayaks, and dingys in order to recreate in the area; whether kayaking around the small islands, picnicking, or camping at Suedla Island. Many local families as well as teenagers use Suedla Island for overnight camping. To require these groups to put in at Douglas or Statter Harbors would create a safety concern for many of these smaller vessels.
2. No resource damage is being caused and the usage is small for trailered vessels and it seems perfectly safe. It is my understanding that the usage has been ongoing for decades.
3. With the high usage occurring in facilities such as Statter, Douglas, and Amalga Harbors to shut down this location would only cause problems where no problems exist. And it makes it harder for people to recreate around these small islands.

Please consider the above facts. A no action vote would allow the public to continue to have a safe and close access point to enjoy recreating around these small islands. And keep these people in smaller vessels safer with this access point instead of having to go over such large bodies of water to get to these areas.

Thank you for your consideration in this matter.

Sincerely,

Kurt And Debi Henning

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, September 24th, 2015

~~Mr. Uchytel said the moorage fees are July to June because that is the fiscal year for all CBJ.~~

~~Mr. Borg said administratively that would not be a good idea because he would not have enough people. The fees timeline currently works.~~

~~Mr. Donek said to answer Mr. Damon's questions, the Commercial Launch ramp fee applies to Commercial users not someone who wants to pull their boat out one time. If you want to use the launch ramp one time, there is a \$15 daily use fee.~~

~~Mr. Damon asked if he could launch and retrieve several times on the same day.~~

~~Mr. Borg said yes if it is the same day.~~

~~Mr. Borg said to answer Mr. Damon's question on purchasing another trailer in the middle of the season, a person would need to bring in their registration and proof of purchase and that person would receive another permit.~~

~~Mr. Simpson said there has been a lot of time spent on multiple trailers in the same family. The proposed changes are an effort to try to curtail potential abuses but still recognize people that had different boats for different purposes when in fact they were only going to use one at a time.~~

~~Mr. Donek would like after annual "(January 1 to December 31)".~~

~~Mr. Orman said that sounded good.~~

~~MOTION By MR. SIMPSON: TO APPROVE THE PROPOSED REGULATION CHANGES TITLE 05, CHAPTER 20(SMALL BOAT HARBOR FEES AND CHARGES) RELATING TO THE LAUNCH RAMP FEES AND REFER TO THE ASSEMBLY FOR ACTION AND ASK UNANIMOUS CONSENT.~~

~~Motion passed with no objection.~~

2. Fritz Cove Beach Access Gate

Mr. Gillette said this has been discussed several time. The last directive was to install a gate but there was still a question on the grandfather rights issue. He said he did research and a "use" is grandfathered in if it is an established use at the time and it was legal in code. Mr. Gillette said there was testimony from an individual that remembered launching a boat when they were a young kid. Mr. Gillette said he is not sure that is now established as a legal use. He researched in the codes as far back as 1972, and there wasn't anything said about that. Mr. Gillette said there was also testimony that there wasn't an

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, September 24th, 2015

issue until the rocks that blocked the access were moved in 2005 when they started developing Spuhn Island. With that testimony he knows there was some period the access was blocked. If that use was abandoned for a year, you lose grandfather rights. He asked direction from the Board how they would like him to proceed.

Board Questions -

Mr. Zaruba asked why the Board is looking into this?

Mr. Donek said some of the people that live on Fritz Cove road don't like that area being used as a launch ramp and others have come in and said they like it and use it. It was also a surprise for the Board that Docks & Harbors manages this area. The Board needs to decide if this needs to be blocked off with rocks or a gate that can be opened to allow access for people taking supplies to Spuhn Island. Even with a gate, there will still be adequate kayak access and a parking area.

Mr. Mosher asked if there was an option to just leave it as is?

Mr. Simpson said it is in our jurisdiction and with competing interests in play, Docks & Harbors Board is forced into a position to decide what to do. Leaving it like it is would be one option. The Board decided over quite a bit of testimony that a good compromise would be to install a gate. This would not be permanently blocking this off and still allow foot traffic and kayak use. It would also allow some boats that would need to use this area get an access key from the Harbormaster.

Mr. Gillette said launch ramps are not allowed in that zone. Also, when someone comes and complains to the Board it is the Boards responsibility to address the situation.

Mr. Janes said he does not like the situation the Board has been put in. He said he would like to just leave it alone. It hasn't been a problem and people use it. However, the Board is put into a situation that something needs to be done. He recommends;

1. Leave alone for a year and see what happens.
2. Do the minimum restrictions so kayaks and small skiffs still have access.

Mr. Donek said the Board needs to decide because this is an illegal boat launch ramp that is not allowed to be there. Mr. Borg has a problem if it is open, he will need to manage that area. The gate was an attempt to give Mr. Borg something to work with instead of just an open area.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, September 24th, 2015

Mr. Zaruba recommended to put a gate in and revisit this issue in a year to see how it worked.

Mr. Simpson said that is what has been proposed and someone can come back at any time and say that solution is no good and the Board can revisit this issue at that time.

Mr. Zaruba said he would like this revisited in a year just to see what it looks like.

Public Comment

Tom Williams, Juneau, AK

He said he does launch his kayaks from that launch ramp. He said leaving it alone would be a good approach, however, if it is inconsistent with the use from CBJ, he doesn't understand why there is a compromise? You can either use it or you can't. If you can't use this to launch boats, than you shouldn't put a gate in that still allows some people to be able to launch. He said he would object to putting a gate there. He recommends to block off this area with rocks and revisit this issue in a year. He also recommended to put signs up in the parking area stating this is Harbor parking. He said this is Harbor owned so the Harbormaster will still need to do enforcement there.

Board Discussion/Action -

Mr. Donek said if this was left open, it will remain a launch ramp. As soon as a gate was installed, it was no longer a boat launch ramp and would be taken out of the CBJ code issue and would be a controlled use beach access.

Mr. Simpson said the access would be given for emergency situations and not intended for a public launch ramp ever again.

Mr. Donek said staff has been given direction to put up signage.

Mr. Gillette said CDD did say emergency situations would be an allowable use.

Mr. Janes asked if large boulders could be placed there and see what happens.

Mr. Gillette said there were boulders blocking the access and the contractors working on Spuhn Island moved them.

Mr. Janes said he launches his kayaks with a trailer and so if this is blocked off there would be discrimination toward certain kayak users.

**MOTION By MR.SIMPSON: TO DIRECT STAFF TO PLACE A LOCKABLE
LOCKED GATE AT THE FRITZ COVE BEACH ACCESS POINT SUFFICIENT TO
PREVENT BOATS ON TRAILERS FROM GOING DOWN THE RAMP AND**

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, September 24th, 2015

INSTALL SIGNAGE IN DEPARTMENT CONTROLLED PARKING AREAS IN THAT LOCATION AND GATE ACCESS ONLY BE OPEN FOR EMERGENCIES AND ASK UNANIMOUS CONSENT.

Mr. Janes objected.

Mr. Donek called for a vote.

Bob Janes – No

Robert Mosher – No

Mike Peterson – No

Budd Simpson – Yes

Tom Zaruba – No

Tom Donek - Yes

Motion did not pass and Mr. Donek will send this back to the Ops/Planning meeting for more review

VIII. ~~New Business~~

1. ~~Boatyard Lease Amendment~~

~~Mr. Uchytel said this is a lease amendment for Harri's Commercial Marine to relocate to the Auke Bay Loading Facility. At the Board's Strategic planning meeting in March, the Board prioritized that they wanted to move the Boatyard for Docks & Harbors plans to better manage the master planning of Statter Harbor. Moving the boat yard out of Statter Harbor will allow building Statter Harbor to it's best and highest use. Within the existing lease, which was formerly known as Juneau Marine Services, and currently known as Harri's Commercial Marine, the lease will be for a term of 10 years or until such time as a new boat haul out facility is constructed at Auke Bay. In the event the new boat haul out facility is constructed, the lessee has the right of first refusal. The need for a RFP is not in question. Harri's Commercial Marine has that within the contract of the lease. Mr. Uchytel said he consulted with CBJ Law on how to move the boat yard in an expedited manner. In August an MOA was crafted on how to move forward with the goal of having Harri's Commercial Marine operating by September 1st. CBJ Law will need to put together a lease amendment that would be brought back to this Board next month. This will essentially be the existing lease at the new location with a new lease rent proposed at \$27,000 which is a lease rent established by Horan & Company our term contractor for appraisals.~~

~~Board Questions—~~

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, December 2nd, 2015

I. ~~Call to Order~~

~~Mr. Simpson called the meeting to order at 5:00 p.m. in the Assembly Chambers.~~

II. ~~Roll Call~~

~~The following members were in attendance: Tom Donek, Robert Janes, and Budd Simpson~~

~~Also in attendance were: Carl Uchytel—Port Director, Dave Borg—Harbormaster, and Gary Gillette—Port Engineer.~~

~~Absent: John Bush and David Summers.~~

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~~

~~Howard Lockwood of Juneau, AK~~

~~Mr. Lockwood handed out pictures showing an aerial view of the Rock Dump area from 1961 and prior. He also gave a brief history of the AJ Rock Dump.~~

V. ~~Approval of October 22nd, 2015 Operations Planning Meeting Minutes~~

~~MOTION By MR. DONEK: TO APPROVE THE October 22nd, 2015 Operations Planning Meeting Minutes AS PRESENTED AND ASK UNANIMOUS CONSENT.~~

~~The motion passed with no objection.~~

VI. ~~Consent Agenda—NONE~~

VII. ~~Unfinished Business~~

1. ~~Fritz Cove Road~~

~~Mr. Gillette said in your packets you will find a compilation of the meeting minutes where the Fritz Cove Road was discussed along with the letter we received regarding the Fritz Cove Road. There's no way to get a permit to develop a formal boat launch for the area. The area is not covered by the Grandfather clause because the area was blocked off for more than a year and not used to launch boats during that time.~~

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, December 2nd, 2015

Mr. Simpson said there were two motions that came before this committee. The first was to put up a locked gate and that motion passed. The second motion was to put up signage and that motion did not pass.

Mr. Uchytel said this Committee passed a motion that went to the Full Board and the motion then failed at the Full Board (see page 75 in the packet).

Committee Questions

Mr. Donek asked Mr. Janes why didn't you vote for the gate.

Mr. Janes said I would vote for the gate today because there is enough parking and launching near Fritz Cove Road at Statter Harbor.

Public Discussion

Dennis Watson of Juneau, AK said I researched what the Planning Commission decided in 2005 when the Fritz Cove Road access was last discussed. The appeal from the Neighborhood Association said that the developers should lease some private land for parking at the end of Fritz Cove Road to address a possible parking shortage. The Assembly disagreed as adding parking to the area would only exasperate the present congestion by encouraging additional use of this area. They never addressed the beach and it was not on the appeal. One patron replied that he was disappointed by the Assembly's decision, and he anticipated conflicts would begin with the first construction activity and will continue until adequate provisions are made for reasonable access. The Planning Commission did require them to put in enough room for 30 - 20 foot boats. This is why that dock is there and why there is so much interest in launching from that beach. There were no concerns regarding boat launching from the beach in the 2005 minutes I read.

Committee Discussion/Action

Mr. Simpson said I think we need a gate and it is important the gate be removable in case we want to develop the area in the future.

MOTION By MR. DONEK TO DIRECT STAFF TO PLACE A LOCKED GATE AT FRITZ COVE ROAD BEACH ACCESS POINT SUFFICIENT TO PREVENT BOATS AND TRAILERS FROM GOING DOWN THE RAMP AND INSTALL SIGNAGE STATING THE GATE ACCESS IS ONLY FOR EMERGENCY USE AND ASK UNANIMOUS CONSENT.

The motion passed with no objection.

Mr. Simpson said this will go to the Full Board for further action along with this packet of material.

VIII. ~~New Business~~

Gary Gillette

From: Art Kolter <alkolter@gmail.com>
Sent: Thursday, December 10, 2015 11:32 AM
To: Gary Gillette
Cc: Johnson, Brenda L
Subject: Fritz Cove beach access restrictions

12/10/2015

RE: public comment on Fritz Cove beach access restrictions

Docks and Harbor Board,

My friends and I have for many years used the access trail / road at the end of Fritz Cove Road to launch our kayaks. This area has over the years been the point of access to explore and recreate in the Mendenhall Wetlands and Channel Island State Marine Park. Please consider this traditional use when deciding the future development of this site. I would like to recommend to the board that if access is to be restricted, that it be restricted to foot traffic and emergency services in a manner that would not inhibit or restrict kayak or canoe use. Also I would ask that parking be provided on the adjacent city property for day and overnight excursions.

Sincerely,

Art Kolter

alkolter@gmail.com

Juneau, Alaska

Gary Gillette

From: Brenda Johnson <bljinalaska@gmail.com>
Sent: Thursday, December 10, 2015 12:39 PM
To: Gary Gillette
Subject: Public comment on Fritz Cove beach access restriction

Docks and Harbor Board,

For many years I have used the access trail / road at the end of Fritz Cove Road to launch my kayak. This area has over the years been used by folks to access and recreate in the Mendenhall Wetlands and Channel Island State Marine Park. Please consider this traditional use when deciding the future development of this site. I would like to recommend to the board that if access is to be restricted, that it be restricted to foot traffic and emergency services in a manner that would not inhibit or restrict kayak or canoe use. Also I would ask that parking be provided on the adjacent city property for day and overnight excursions.

Sincerely,

Brenda Johnson
bljinalaska@gmail.com
Juneau, Alaska

Harbor Fee Review

Special Annual Moorage Fee for Skiffs

REGULATION: 05 CBJAC 20.020

An owner with an open-hulled vessel 21 feet or less in length, excluding engines, may apply to the Harbormaster for moorage in the limited access areas of the small boat harbors. The Harbormaster will assign moorage in these areas on a first-come, first-serve basis. If assigned moorage by the Harbormaster, all requirements pertaining to annual moorage apply, except the annual moorage fee that the owner shall pay, which shall be as follows:

- (1) \$580.00 from July 1, 2013 through June 30, 2014; and
- (2) Each moorage year after June 30, 2014, a fee equal to the previous year's fee adjusted by the Anchorage Consumer Price Index (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, rounded to the nearest \$5.00, unless the docks and harbors board takes action to keep the fee the same as the previous year.

(Amended 4-11-2005, eff. 4-19-2005; Amended 10-24-2005, eff. 11-1-2005; Amended 12-11-2006, eff. 7-1-2007; Amended 7-15-2013, eff. 7-23-2013)

CURRENT RATES:

DOUGLAS, HARRIS AND AURORA HARBORS		
	<i>Effective thru June 30, 2015</i>	<i>Effective July 1, 2015</i>
Skiff	\$590 per year	\$ 600 per year
Daily	54¢ per foot	55¢ per foot
Monthly	\$4.20 per foot	\$4.25 per foot
Annual (July 1 – June 30)	5% discount on 12-month advanced payment	5% discount on 12-month advanced payment

STATTER HARBOR		
	<i>Effective thru June 30, 2015</i>	<i>Effective July 1, 2015</i>
Skiff	\$590 per year	\$600 per year
Daily Moorage	54¢ per foot	55¢ per foot
Monthly	\$7.05 per foot	\$7.15 per foot
Annual (July 1 – June 30)	5% discount on 12-month advanced payment	5% discount on 12-month advanced payment

ANNUAL REVENUE:

During FY15, there were two customers downtown and no customers at Statter Harbor who chose to pay the special annual moorage rate for skiffs, resulting in an annual revenue of \$1,200.00.

STAFF RECOMMENDATION:

Delete the regulations for an annual skiff fee. It is not widely used and the monthly rate typically is more advantageous.

RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2734

A Resolution Expressing Assembly Support for the Juneau Ocean Center Facility to be Developed by the Juneau Ocean Center, LLC.

WHEREAS, in 2004, the City and Borough of Juneau adopted a Long Range Waterfront Plan with a goal to establish an attractive and continuous waterfront seawalk from the Douglas Bridge to the Little Rock Dump; and

WHEREAS, the Juneau Ocean Center, LLC, is proposing to create an associated waterfront marine science interpretive center that supports and strengthens the waterfront seawalk experience; and

WHEREAS, the City and Borough of Juneau has adopted an Economic Development Plan with a goal to recognize and expand Juneau's position as a marine research center; and

WHEREAS, the Juneau Ocean Center facility would provide a world-class interpretive center with a focus on Southeast Alaskan maritime ecology and species, establishing links between local, state, and federal research programs such as National Oceanic and Atmospheric Administration (NOAA) and University of Alaska Southeast (UAS) Fisheries Sciences; and

WHEREAS, the City and Borough of Juneau has adopted an Economic Development Plan with a goal to increase independent visitor travel to Juneau and expand on Juneau's strengths as a regional arts and culture hub; and

WHEREAS, the Juneau Ocean Center, in combination with the nearby State Library, Archives, and Museums (SLAM) expansion, proposed Willoughby Arts Complex, and new Sealaska Heritage Institute's Walter Soboleff Building, would help secure Juneau's reputation as a year-round visitor destination for its culture, ecology, science, arts, and beauty; and

WHEREAS, the Juneau Ocean Center proposes to be a showcase for best environmental stewardship, including LEED-Platinum certification, a green roof and other features to provide an integrated community park, heating using sea water heat recovery, and an electric water taxi to facilitate movement of visitors; and

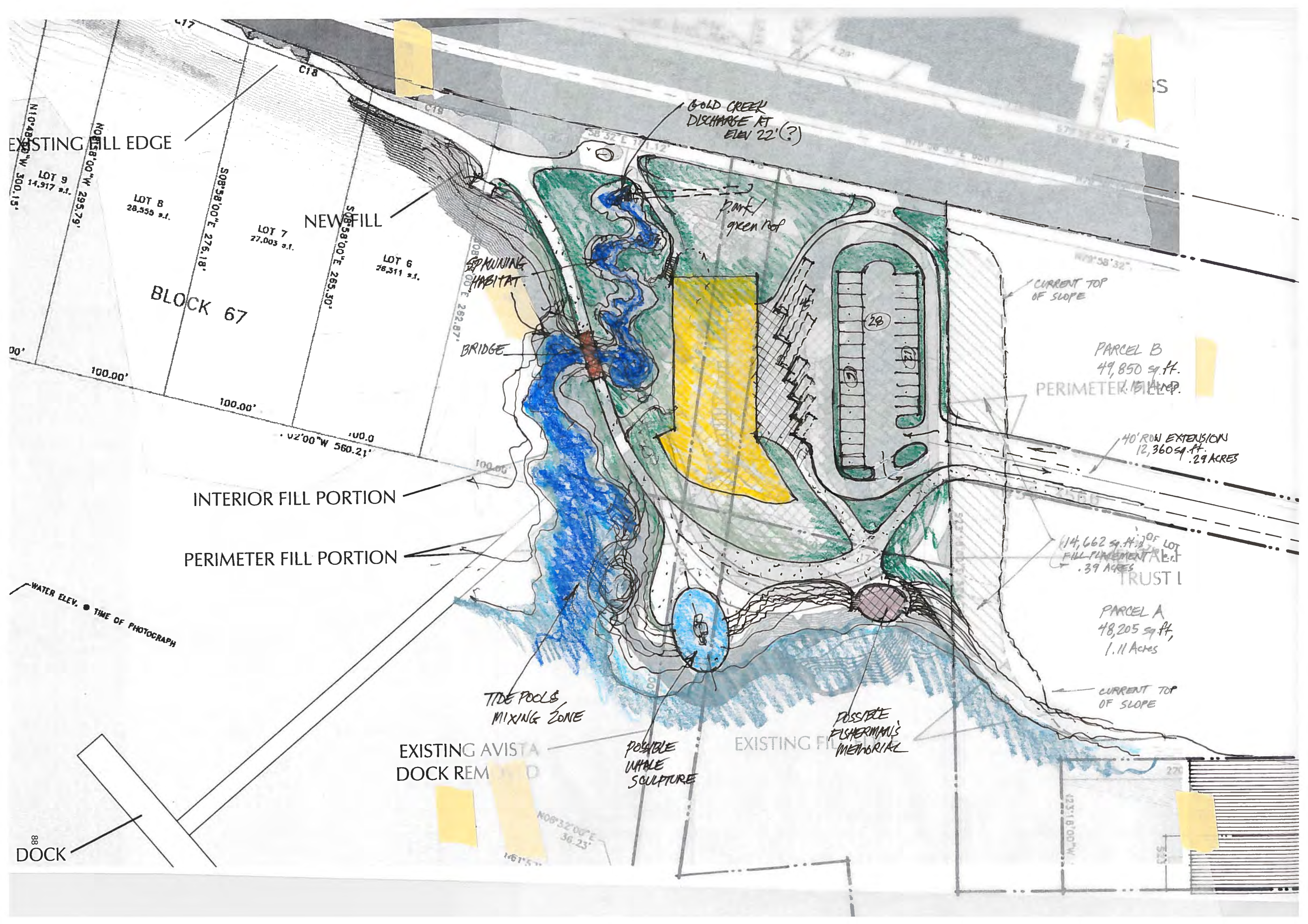
WHEREAS, the Juneau Ocean Center facility would provide a year-round venue for the community, encouraging visitors, residents, and school children to utilize the building, seawalk, community park, and integrated ecological features.

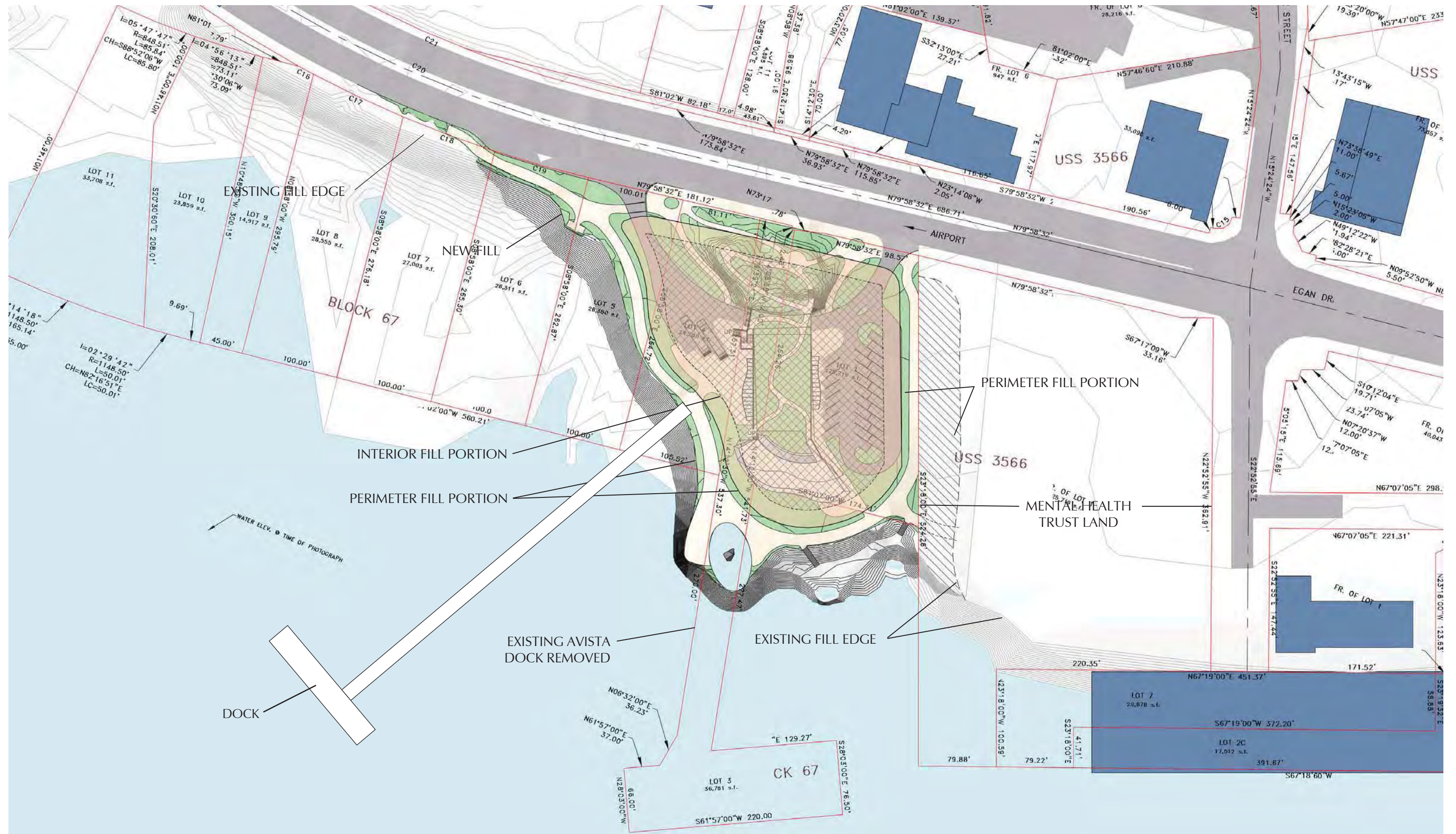
NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. The Assembly of the City and Borough of Juneau hereby expresses its support for the Juneau Ocean Center and associated seawalk design.

Section 2. Effective Date. This resolution shall be effective immediately after its adoption.

Adopted this _day of _ 2015.







Oceans Interpretive Center - AUGUST 2015

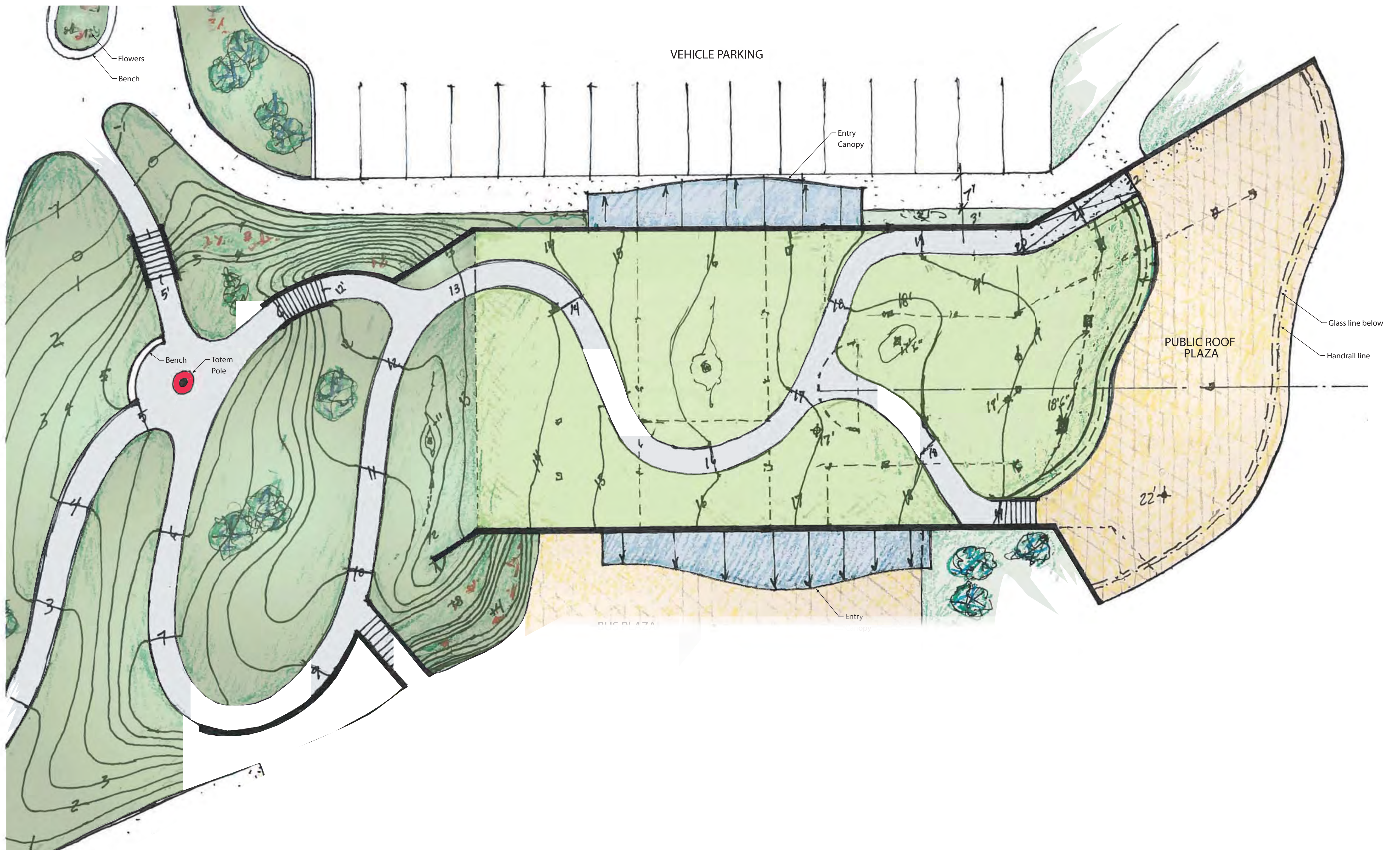
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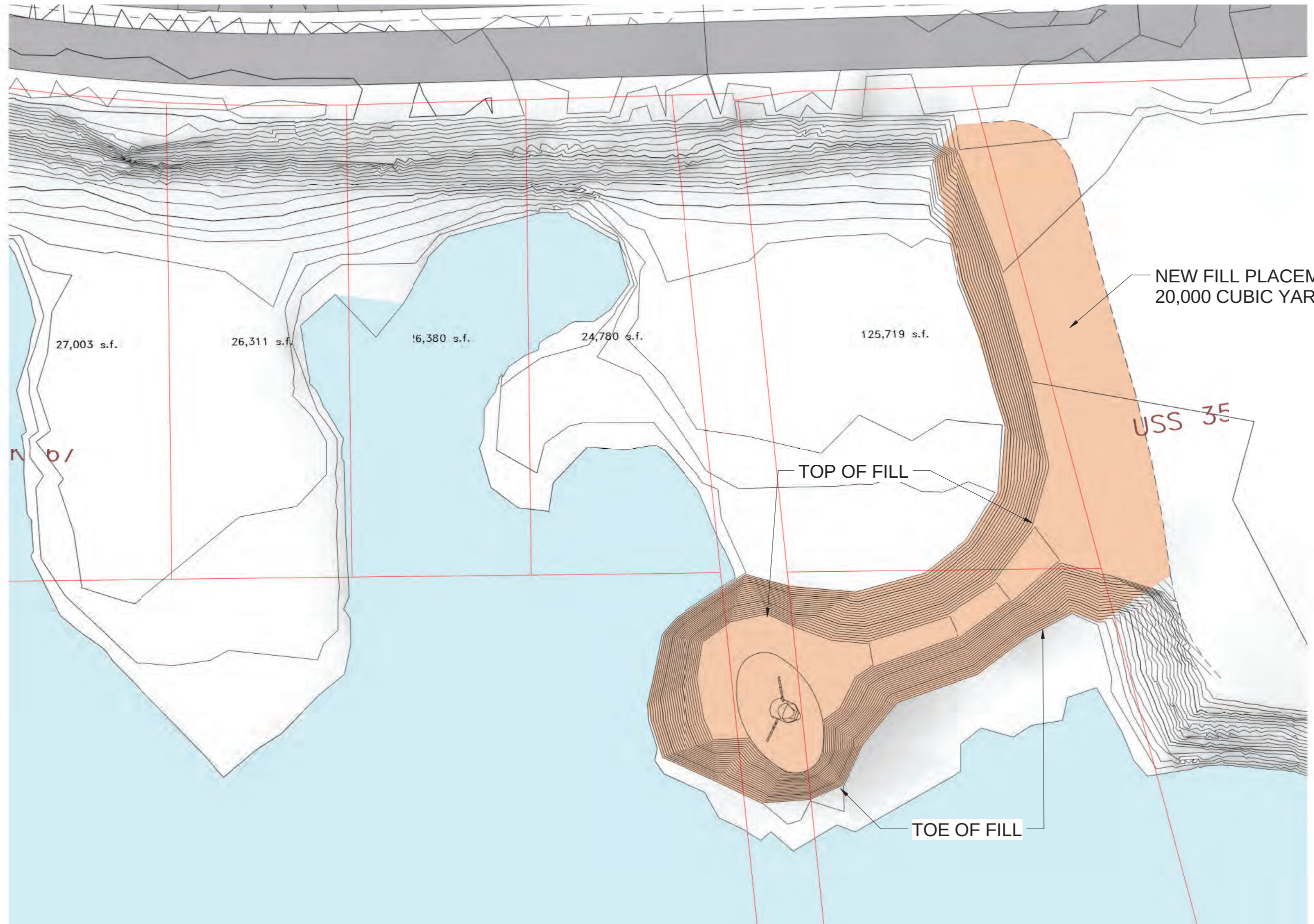
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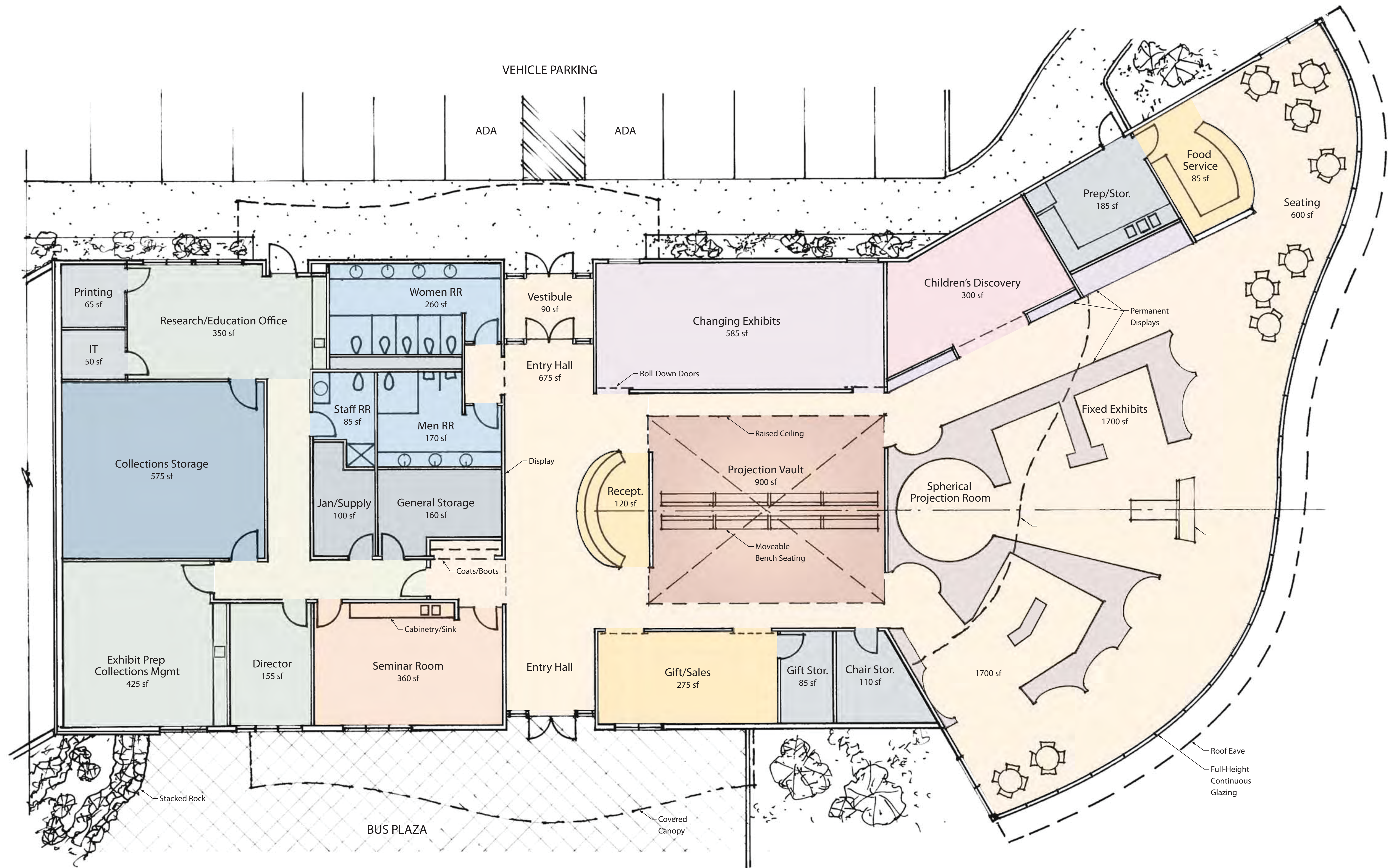
MRV ARCHITECTS PC

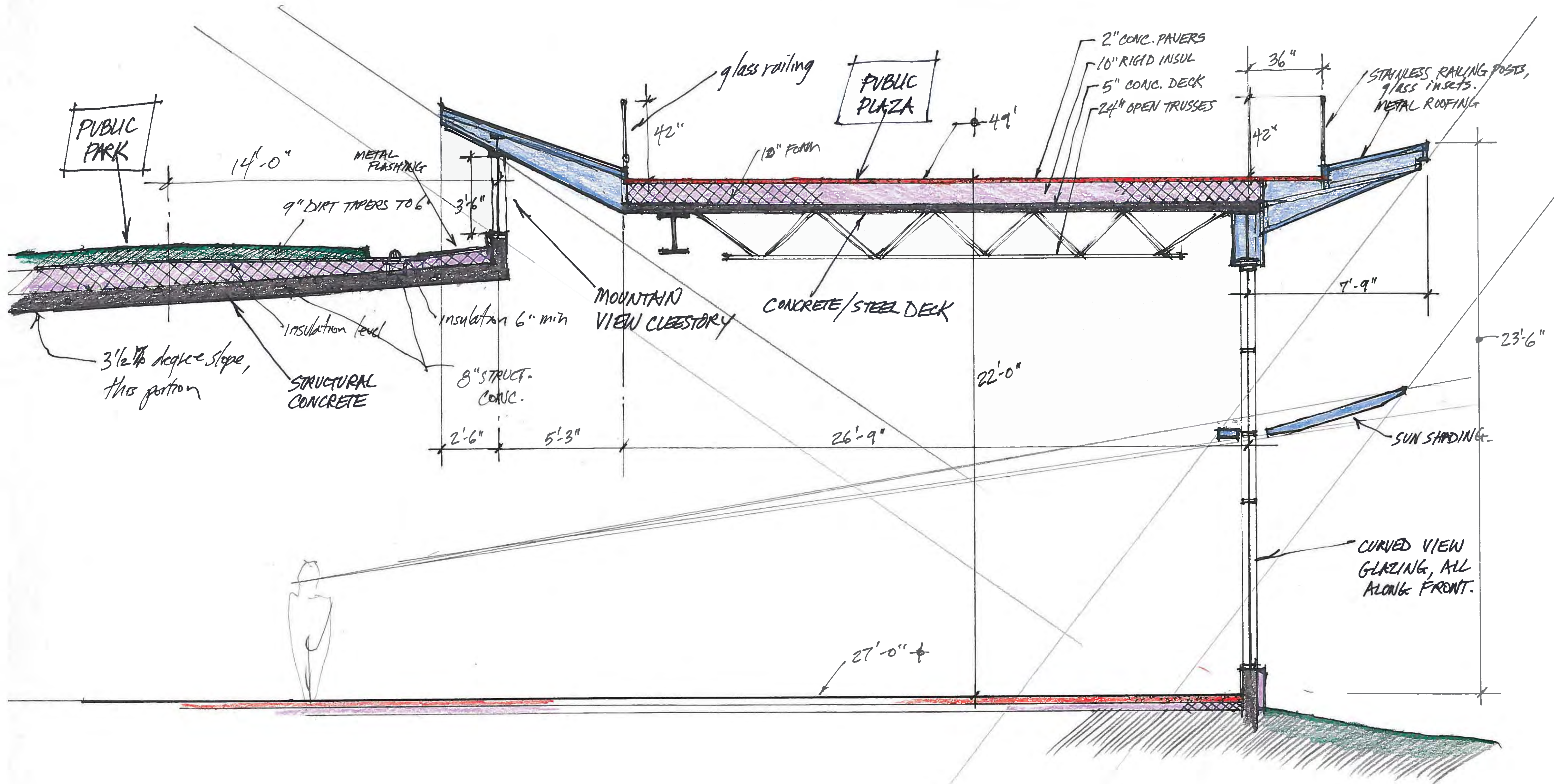
1420 GLACIER AVENUE #101
JUNEAU, ALASKA 99801

907-586-1371
mrv@mrvarchitects.com









1/4" CROSS SECTION, EXHIBIT AND VIEWING SPACE

Oceans Interpretive Center - AUGUST 2015

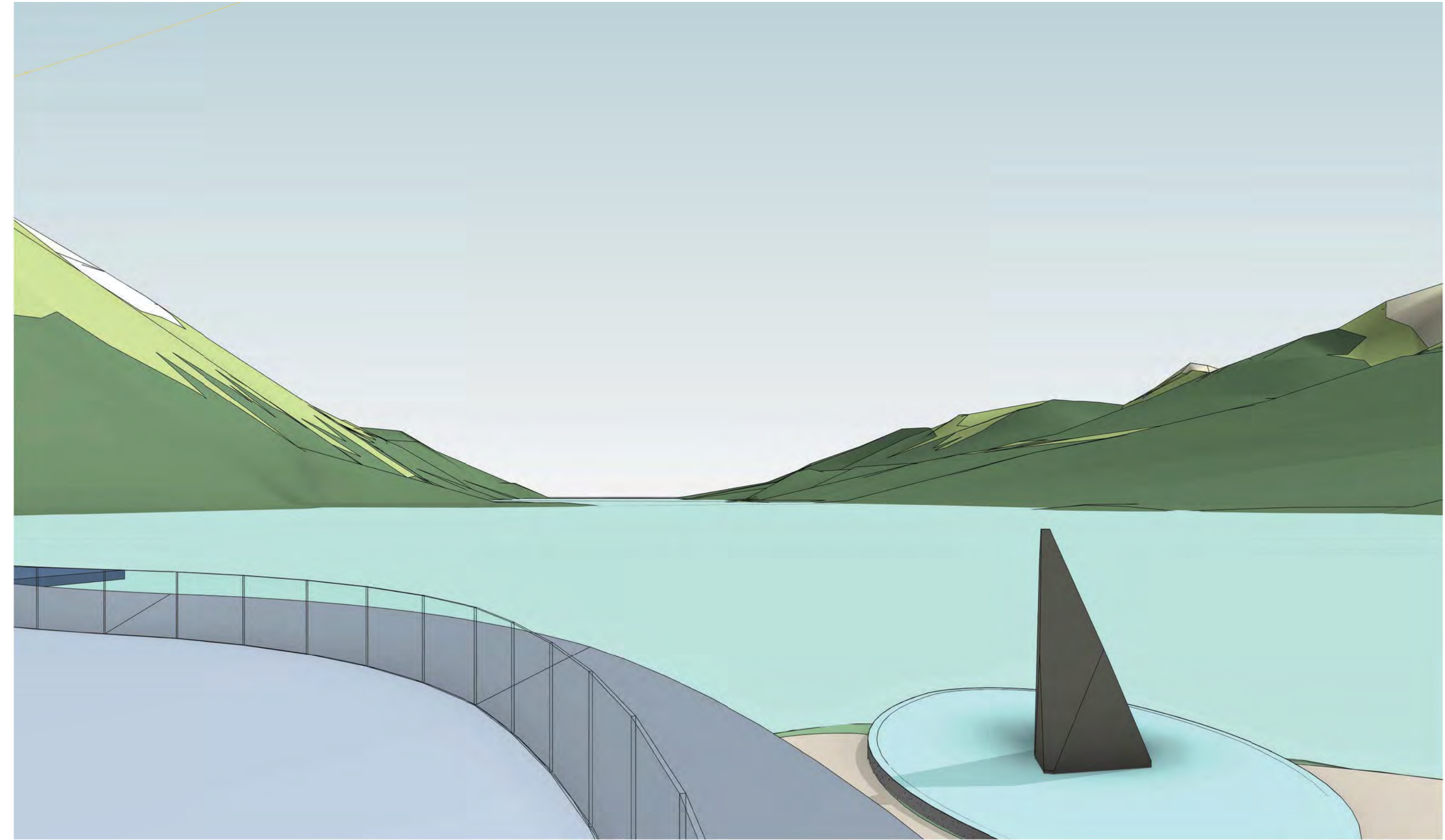
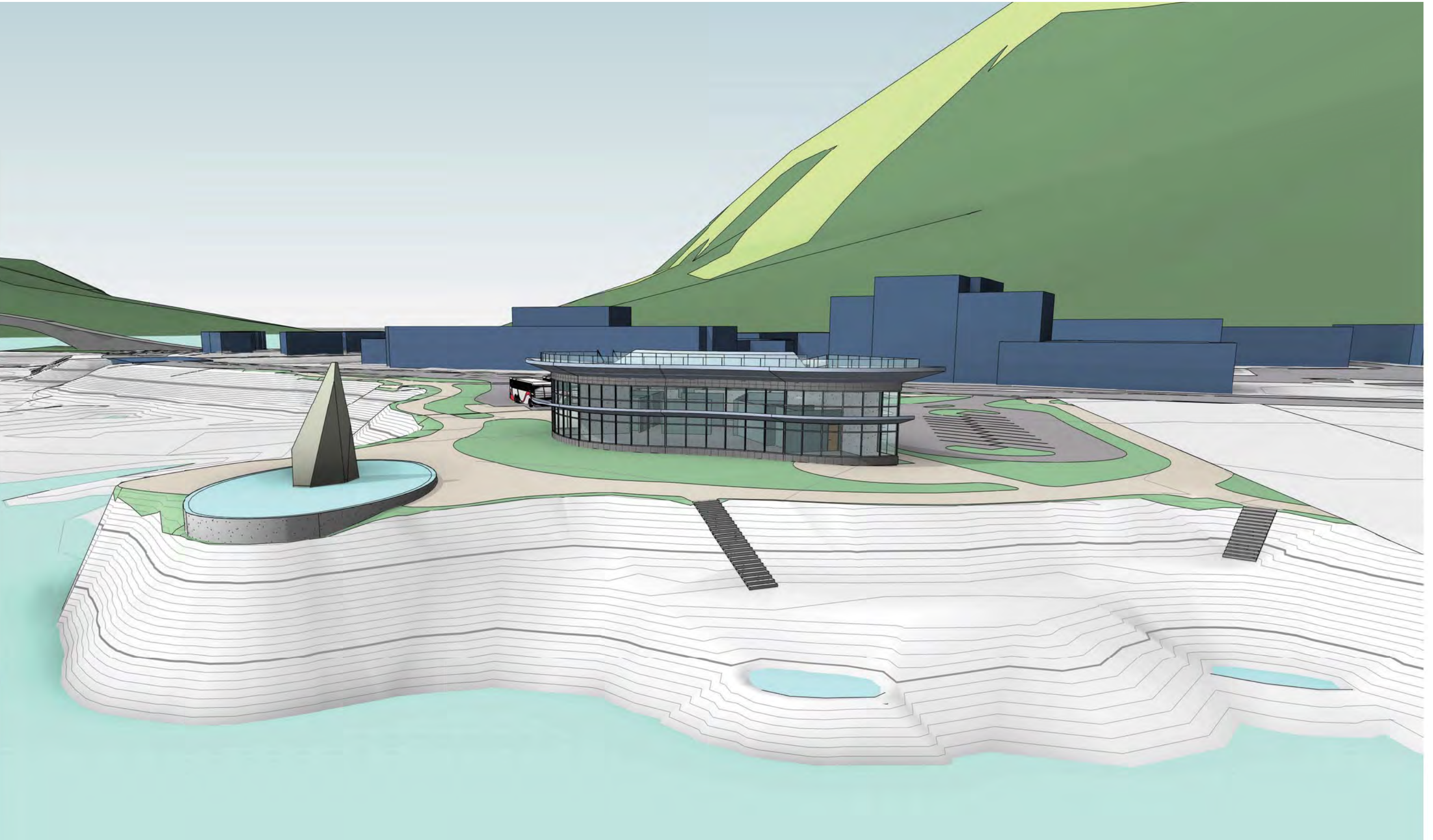
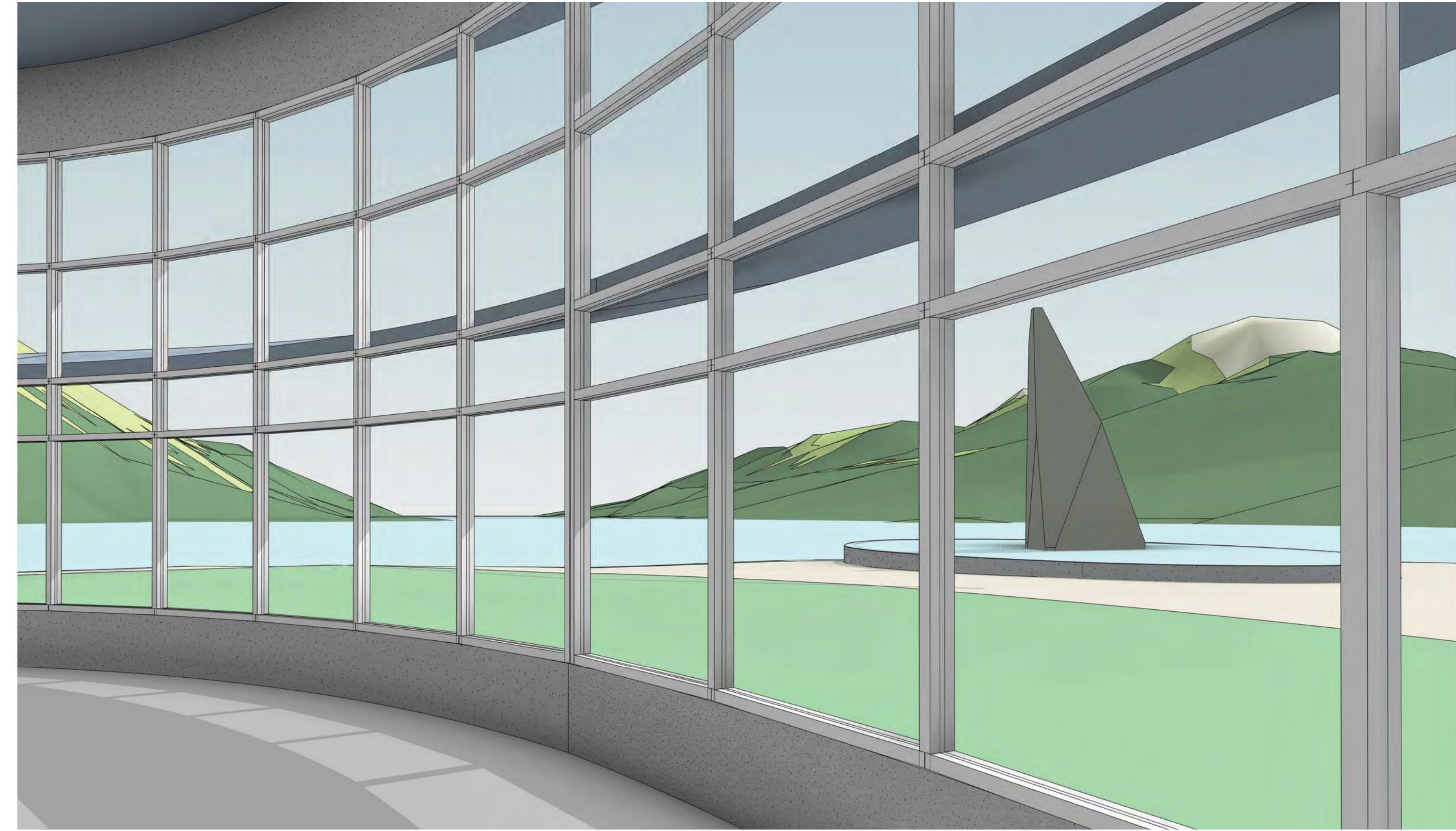
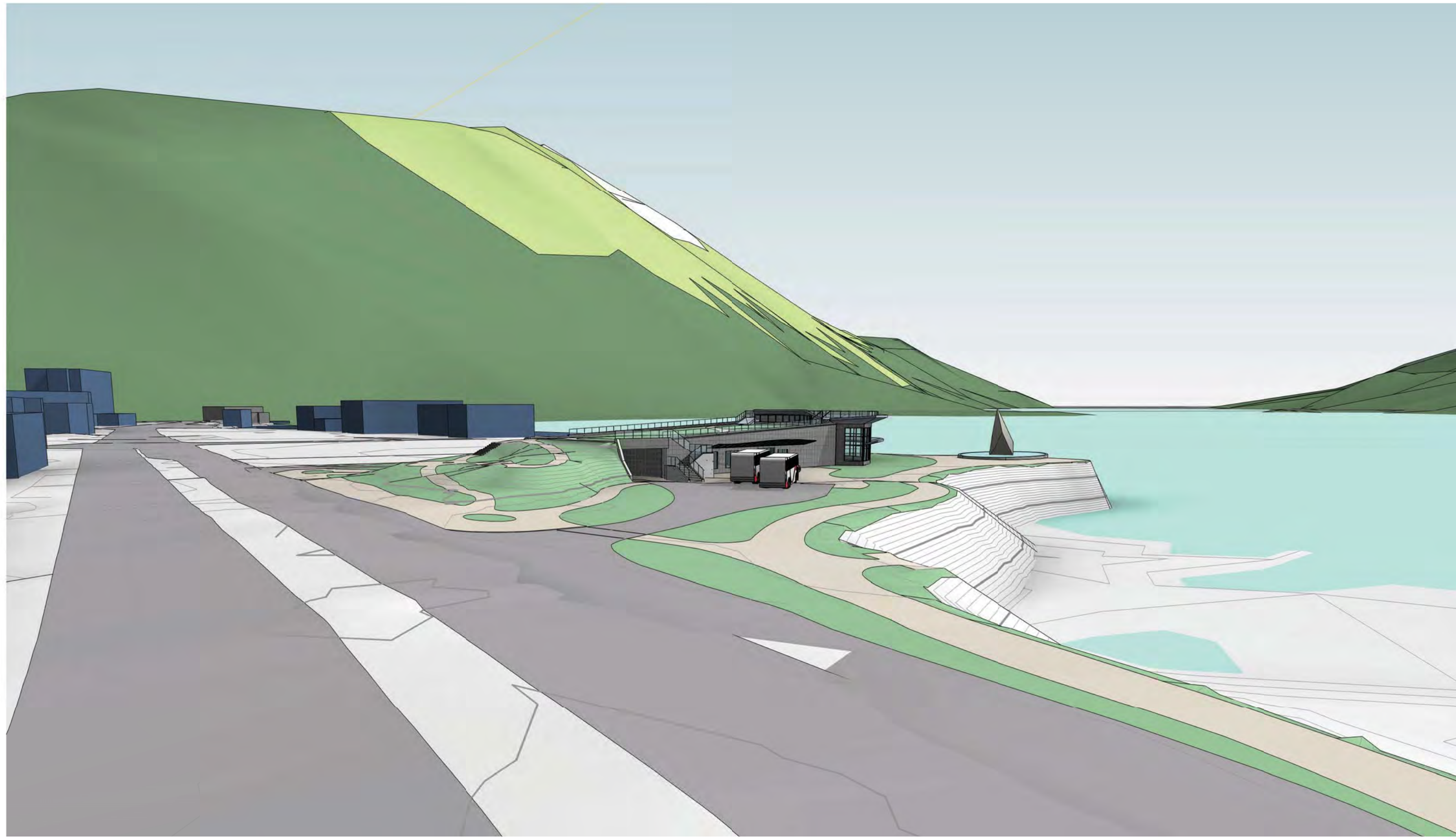
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0 4'

MRV ARCHITECTS PC

1420 GLACIER AVENUE #101
JUNEAU, ALASKA 99801

907-586-1371
mrv@mrvarchitects.com





PORT ENGINEER'S PROJECT STATUS REPORT

Gary Gillette, Port Engineer

Project	Status	Schedule	Contractor	Notes
Boat Yard at ABLF				
Boat Yard Design and Construction	Planning		MRV	Working on site layout
Auke Bay Loading Facility - Phase II				
Reporting	On-Going	Quarterly	Staff	Next report due Jan 31 - (Oct, Nov, Dec)
Old Douglas Harbor Reconstruction				
Phase II - ACOE Dredging Period	In Progress	10/12/15 - 3/1/16	Western Marine	Army Corps project
Phase III - Final Bid Documents	In Progress		PND	
Phase III - Bid Period		1/5/16-2/2/16		
Phase III - Contract Award - Board Approval		2/25/16		
Phase III - Contract Award - Assembly Approval		2/29/16		
Phase III - Float Procurement and Installation		3/12/16 - 10/12/16		
Statter Harbor Launch Ramp				
Construction	In Progress	July 31, 2016	Miller	
Port of Juneau Cruise Berths				
1% for Art	In Progress		Garten	Completing final design
Prefabrication and Procurement	In Progress		Manson	
Submittal Review and Fabrication Inspection	In Progress		PND	
South Berth-On-Site Construction	In Progress	9/16/15 - 5-6-16	Manson	
Vibration Monitoring Services	In Progress		AS&E	No issues reported to date
Phase II On-Site Construction	Hold	9/20/16 - 5/6/17		
DNR Tidelands Survey	Hold			Awaiting survey instructions from DNR
Cathodic Protection Replacement				
Final Engineering and Design	In Progress		Tinnea	Bid with Engineering
Aurora Harbor Re-Build - Phase I				
Project Close-Out	In Progress		NCS	Negotiating final change order
Bridge Area - SeaWalk Planning				Coordination with Engineering Dept
Phase I	Bidding		TBD	Engineering Dept Project
Alaska Marine Services Center	Hold			Address in Master Plan
Statter Master Plan Update	In Progress		PND	Public Meeting in January 2016
Weather Monitoring System	In Progress		MXAK	Awaiting Phase 3 scope of work and cost
Periodic Maintenance Plan	In Progress		Staff	Working with MIS for program entry
Archipelago Property Improvements	Planning		Staff	Awaiting Board Direction
Archipelago Property Procurement	Planning		Staff	Awaiting funding

PORT ENGINEER'S PROJECT STATUS REPORT

Gary Gillette, Port Engineer

Statter Ramp Deck Improvement	In Progress		Staff	
Statter and Aurora Safety Ladders	In Progress		Staff	Awaiting fabrication completion
Amalga Harbor Fish Cleaning Station	In Progress		Staff	Finalizing Report
Aurora/Harris Harbor Master Plan	Hold			Proposals Due Jan 26, 2016
Fritz Cove Beach Access	Hold		Staff	Awaiting Board Direction
Port Security Camera Project	Complete		Anchor	
Taku Harbor Conditions Assessment	In Progress		PND	Awaiting Report
Cruise Berth Shore Tie Power Study	In Progress		PND	Awaiting Report
Statter Tidelands Survey	Hold		TBD	Preparing Bid Documents
Aurora Harbor - Dredging on A Float	Hold			Awaiting funding
Aurora Harbor - Annodes on Piling	Hold			Awaiting funding