

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

I. Call to Order.

Mr. Logan called the Regular Board Meeting to order at 5:30p.m. in the CBJ Assembly Chambers

II. Roll Call.

The following members were present: John Bush, Tom Donek, Bob Janes, Budd Simpson, Scott Spickler, David Summers, and David Logan.

Absent: Greg Busch and Mike Peterson.

Also present were the following: Carl Uchytel – Port Director, David Borg-Harbormaster, Gary Gillette – Port Engineer, and Jerry Nankervis – Assembly Liaison.

III. Approval of Agenda.

Mr. Uchytel asked to remove #2 under Items for Information. He said there is no new information at this time.

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

Motion was approved with no objection.

IV. Approval of Previous Meeting Minutes.

Hearing no objection, the March 26th, 2015 Regular Board Meeting Minutes were approved as presented.

V. Public Participation on Non-Agenda Items – None

VI. Consent Agenda -

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

- 1. Statter Harbor Funds Appropriation Ordinance - \$100,000 from ADOT/PF

RECOMMENDATION: TO ACCEPT THE ADOT/PF APPROPRIATION FOR \$100,000 AND FORWARD TO THE ASSEMBLY FOR ORDINANCE ACTION.

- 2. Regulation Change – Statter Harbor Parking Lot Fees (05 CBJAC 20.160)

New Launch Ramp Facility

- i. Rate

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

1. \$5/day
 2. \$1/hourly
 3. 10-day maximum in season
 4. Applies to either vehicles or vehicles plus trailers
 5. Limited number of monthly parking will be managed and issued by the Port Director or representative at \$100/month.
- ii. Off season discounted rate (Oct-April)
1. \$50/month

Existing Statter Harbor Office Parking

i. Rate

1. \$5/day
 2. \$1/hourly
 3. 10-days maximum in season
 4. \$100 monthly rate w/limited number of parking not over 20.
 5. No trailers
 6. Reserved Statter Harbor Moorage patrons will receive one year- round parking pass included in moorage cost. This does not guarantee parking.
- ii. Off season discounted rate (Oct – April)
1. \$50/month

RECOMMENDATION: TO APPROVED THE NOTED CHANGES AND COMMENCE 21 DAY PUBLIC NOTICE OF THE PROPOSED CHANGES.

3. Regulation Change – Staff Labor Fees (05 CBJAC 20.140)

\$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.

RECOMMENDATION: TO APPROVED THE NOTED CHANGES AND COMMENCE A 21 DAY PUBLIC NOTICE OF THE PROPOSED CHANGES.

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

VII. Unfinished Business – None

VIII. New Business

1. Proposed Restaurant Lease – Douglas Harbor Parking Lot
Mr. Uchytel said he was approached by a person with a restaurant interest to lease a portion of the Douglas Harbor parking lot area for a new restaurant construction. This has already been presented to the Operations/Planning Committee meeting and the Finance Committee

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

meeting and staff was directed to describe what the process is to move this forward.

Mr. Gillette said in the packet is a memo describing the process and issues for moving this forward.

1. The portion of the project site which is within the Dock Street right-of-way would need to be vacated. The street vacation process requires submittal of an application from the adjacent property owner (i.e. Docks & Harbors) to the CBJ Community Development Department and a decision by the Planning Commission. If approved, a survey and platting process would occur.
2. Prior to leasing Docks and Harbors property, a determination must be made as to whether or not a restaurant is a marine-related use.
3. Prior to leasing Docks and Harbors property, a 30-day public notice of property available for leasing must be issued.
4. If the property is eligible for leasing an appraisal must be performed to determine property value and lease rate.
5. Prior to an execution of a lease agreement, a survey must be performed to identify the exact lease area and any easements needed to serve the proposed use (sewer, water, access, etc.)
6. Once a lease agreement is negotiated it must be reviewed by the Docks and Harbors Board and approved by the Assembly.
7. The property is zoned Waterfront Industrial. The restaurant use requires a Conditional Use Permit approved by the Planning Commission.
8. If a lease is executed, it would be the proposer's responsibility to demonstrate to Docks and Harbors that all federal, state and local laws and ordinances have been met.
9. The subject property is included in the Douglas Harbor Master Plan (8A) which designates the area for truck/trailer parking for the launch ramp facility. The parking plan for this area needs to be revised to accommodate the restaurant project. A revised plan would show how the proposed restaurant project might impact the truck/trailer parking layout utilizing current parking stall six 12 X 50 and access aisle width standards of 32 feet as was used at the new Statter Harbor Launch Ramp facility.
10. Currently the sewage pump-out station at the end of the boat launch float ties into a sewer manhole within the Dock Street right-of-way. If the project goes forward this line would need to be relocated to maintain service to the pump-out station.

Board Questions –

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

Mr. Donek asked who makes the determination if the restaurant is marine related use?

Mr. Uchytel said the language says “unless otherwise designated in advance by the Assembly by resolution, any lease of land shall be limited to Marine Related uses, and those uses accessory to tenancy on the Boat Harbor or use of the Port”. This is in Title 85 which is the Boards guiding ordinance.

Mr. Donek asked if it is this Board or the Assembly that actually decides if the restaurant is marine related use?

Mr. Uchytel said the Assembly would have final approval.

Mr. Janes asked if there was any informal parking surveys conducted at the Douglas Harbor parking lot?

Mr. Gillette said there was a windshield survey done when Fish & Game was asking for parking. He said he was there last weekend and he counted 44 trucks and trailers, however, that wasn’t a peak day. When staff was working on Statter Harbor parking lot, the recommended amount of parking spaces per launch lane is 50. Douglas Harbor parking lot is pretty full. It would probably be more efficient parking if it was paved and striped.

Mr. Simpson asked what the sequence to move forward with this request is?

Mr. Gillette said the parking issue should be addressed first. Figuring out the parking needs for Douglas Harbor would tell us if we could give up land.

Mr. Simpson said he was questioning when to put it out for public notice. If we don’t have a tenant there is no reason to move forward.

Mr. Gillette said if we did decide to go ahead and pave and stripe the Douglas Harbor parking lot, the plan needs to be looked at again because it is over 15 years old. When the plan is reworked, staff would know at that point whether Docks & Harbors had any land to offer to the public at all.

Mr. Janes asked if staff could make a quick assessment whether the restaurant will be considered as marine related use?

Mr. Uchytel said the first question before the Board is whether Docks & Harbors has sufficient space for parking in Douglas Harbor to be able to lease out a portion. The question whether the restaurant is marine related or not can be resolved at the Assembly level. The Assembly can say that the restaurant is not marine related, but they could approve it anyway. The

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

Board's role is to make sure all the Harbors needs are met in all our facilities.

Public Comment –

Greg Fisk, Juneau, AK.

He said that general end of the proposed site used to be a seafood processing site and is grandfathered in for that type of use. If someone wanted to open a seafood processing site, that would be a prime site.

Dennis Watson, Juneau, AK

He commented that the prior Port Director and a past Board member wanted to put a restaurant on the dock at Statter Harbor, and now the Board is worried about it being marine related use.

With a restaurant on the dock, if anything tragic happened and the building was a loss, the only way to rebuild it would be to rebuild on the same foot print. If they don't, they can't rebuild. If the Board is thinking this in unallowable, then they shouldn't be thinking about building a restaurant anywhere else on the docks. He doesn't see this as a problem. Douglas was looked at as an area that needed attention. This is the first time he has heard anyone wanting to do anything in Douglas. With this interest, there is a step forward for the community.

Board Discussion/Action

Mr. Simpson said this was brought up to the Ops meeting last week. From the Committee standpoint, he would like to look at the parking configuration because this will need to be looked at for the work being done in the Douglas Harbor anyway. It has always been part of the plan to pave and stripe the Douglas Harbor parking lot as we got money. This would be a good time to look at it and use that information for this proposal's determination to move forward or not.

Mr. Logan asked if Mr. Gillette should provide an example what will happen with parking if this is built and what will happen with parking if this isn't built.

Mr. Simpson suggested to look at the existing plan from 2000 and draw out what would be an ideal configuration with the larger sizes and what happens when the property is offered for some kind of commercial use.

Mr. Donek suggested to throw out the 2000 plan. He wants to go back to PND to come up with a parking plan with the new sizes, then redo that plan with the restaurant so we can see how many spaces we will be losing.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

Mr. Bush asked if the windshield surveys showed the parking lot was overloaded twice a year?

Mr. Gillette said that was for Statter Harbor during Salmon Derby weekend and the weekend after Salmon Derby weekend. We may have information on Douglas, but he will have to check.

Mr. Spickler said he would like this to happen.

Mr. Janes said he would like staff to also provide with the two parking plans a survey on one or two days in the summer with number of vehicles and lengths so there is something to go by.

MOTION By MR.DONEK: TO SEND THIS BACK TO OPERATIONS/PLANNING COMMITTEE TO WORK WITH MR. GILLETTE TO FIGURE OUT IF THIS PROPOSAL WOULD WORK AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

2. 1% For Art Panel Recommendation – New Cruise Ship Berths Project

Mr. Gillette said Docks & Harbors projects are required to provide 1% for art. The Cruise Ship Berth project has a large budget and a large budget for art. There were nine people on the selection Committee that went through the 1% for art process. Back in October the Committee received 28 different art proposals by eight different artists. In December the Committee decided on four that they wanted to further consider. One of which was an out of town artist that they invited to come to Juneau in January. He talked about the things that inspired him after seeing Juneau, then came back with a proposal. On April 20th the Committee met and reconsidered the four artists and selected Cliff Garten as their recommendation to move forward to the Assembly. Mr. Gillette showed a power point presentation showing how Mr. Garten came up with his design. Mr. Garten's design is stainless steel sculpture including the fluke of a whale, ribs like in the 700 year old fish trap, horizontal pieces that are reminiscent of a lighthouse lens, a pole reminiscent of the totem pole(contemporary), and the sculptures light up reminiscent of the northern lights. Part of his inspiration was the whale fluke and the eagles. These sculptures would be mounted on top of the old mooring dolphins. There will be a series of eight to ten of these sculptures. The Committee would like 10 and they would be located on every other mooring dolphin about 120' apart. As you walk along the dock, these sculptures would be on the edge marking the edge where the water meets the land. At night the sculptures would be lit and they could change colors. The selection Committee felt this would attract more people downtown and

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

to the waterfront. This art is very new and different to Juneau. Mr. Gillette asked the Board to consider the project and if approved pass on to the Assembly who will have the final approval.

Board Questions

Mr. Spickler asked what was the cost?

Mr. Gillette said the 1% for art budget is \$540,000. Keeping some contingency money and administrative money, the budget for the actual art pieces is \$452,000. This is the only proposal that used the complete budget amount. At this time his proposal is within the budget, however, there are still electrical and other minor things that need to be worked out that the contingency amount set aside should cover. Mr. Gillette said a good thing about this proposal is if it does go over budget, we could decrease the amount of sculptures to nine or eight instead of ten.

Mr. Spickler asked if the electrical was added into the budget?

Mr. Gillette said the lights and the controllers for the lights are included, but getting the power out to each of the mooring dolphins is not included.

Mr. Logan said he was the Docks & Harbors representative on the panel. He said this was the only project that ran the entire ½ mile down the dock. This is year around art that will be seen during the winter months.

Mr. Janes said he likes the sculptures and they add value to the community.

Mr. Bush suggested to put picnic tables or something on the mooring dolphins that won't have a sculpture.

Mr. Gillette said just leaving them will keep the maritime flavor.

Public Comment- None

Board Discussion/Action

Mr. Simpson thanked the people on the Committee. He said these sculptures are cool looking, but he would not be supporting this. He said when the Board found out they needed to spend 1% of their budget on art, they said they wanted to see something that was integrated into the project that was like a welcoming entry way to the community for passengers that were disembarking. He does not see these sculptures doing that.

Mr. Donek said he does not see these fitting downtown.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

Mr. Janes said he thinks they are beautiful and feels they are an invitation to our City.

MOTION By MR. JANES: TO APPROVE THE 1% ART PROJECT AND MOVE IT FORWARD TO THE CBJ ASSEMBLY.

Motion passed 5 Yes/2 No.

IX. Items for Information/Discussion

1. Merchant's Wharf Facility Plans

Reecia Wilson said she is here to publically state the Merchant's Wharf is very interested in moving forward with the City on the Seawalk which is a very critical component to the Seawalk puzzle. She said she has not had any serious negotiations with the CBJ Engineering Department since 2012. In 2012 there was a little bit of a stand still with negotiations due to some deferred maintenance issues with the Wharf building and coming to terms with the evaluations she was faced with. The letter she wrote on behalf of Merchant's Wharf was thanking Rorie Watt and his staff for their continued efforts for the design concept for the continued Seawalk in front of Merchant's Wharf and she read the letter.

"There is consent from the partnership to move forward with negotiations in the spirit of long term urban planning for Juneau's waterfront. The partnerships intent is to reach a deal that will allow Merchant's Wharf to generate enough funds to address known structural issues with the parking lot and be in a financial position to redesign for safety and efficiency. We are most interested in the idea of selling additional tidelands so long as valuation allows us to reach the long term goals for the property".

Ms. Wilson said she wanted to bring this to the Board now because she has recently received several phone calls regarding the Whale project and why the Wharf has not been considered to house the Whale project. She said she spoke with Rorie Watt today and told him the Wharf would like to house the Whale project. Having the Whale at the bridge will drive people away from downtown, and downtown merchants, and at the end of the day affect the sales tax.

Mr. Janes asked if she was visualizing the Whale project preempting the Seawalk to the bridge? He asked if the cost for the whale being located by the Wharf is close to the \$10M that is the proposed amount for the island and the whale being located by the bridge?

Ms. Wilson said she has done some rough numbers, the known parking lot structural problems will run from \$3M to \$4M. At this point, she is willing to sit down with the City and discuss the parking lot becoming part of the Seawalk. This project could come under the cost of having the Whale located

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

by the bridge. The City needs this area to continue the Seawalk. She said the Wharf is ready to be a part of Juneau's long term urban planning.

Mr. Summers asked if the Wharf property would entertain some form of crossing or bridge over Egan Drive.

Ms. Wilson said in 2011 Goldbelt wrote a letter to the City and stated they were not interested in having the Seawalk go in front of their building. At that time, the Engineering Department was trying to figure out how to get around that building. She showed a diagram on a concept to cross the street. She said the timing is right to enter into discussion.

Mr. Spickler asked if she has talked to the Cruise Industry, the Whale Committee or Goldbelt?

Ms. Wilson said she talked to Jim Clarke today who is on the Whale Committee. She has not yet talked to the new CEO with Goldbelt. She said she will probably call tomorrow. The Committee's biggest concern is timing. She would like the Whale in a more practical place and not by the bridge. The Wharf is willing to make some accommodations and considerations to make this a reality.

Mr. Spickler asked if she has had dialogue with the cruise lines?

Ms. Wilson said she talked to Mike Tibbles and he was going to talk to John Binkley. She said she is in the process of getting the dialogue going to see where they stand? She asked Rorie Watt if he thought timing was the biggest issue? She suggested to wait for a year.

Mr. Janes said he did know one of the concerns from the cruise lines was safety. One of the reasons there has been support in the widening of sidewalks and the Seawalk is getting people away from the street. Have you looked at the plan closely enough to have an elevator inside your building to take people to a level they could then cross over the road.

Ms. Wilson said she has not looked at that yet, but she does have it as a concept to discuss.

~~2. Aurora Harbor Rebuild Project—Installation of Phone & Cable TV~~
No New Information

X. Committee and Board Member Reports

1. Harbor Fee Review Committee Meeting – March 31st, and April 15th, 2015.
Mr. Simpson said the Committee spent time on two items on the consent agenda tonight and the Committee will be moving onto moorage fees next.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

2. Operations/Planning Committee Meeting – April 22nd, 2015
Mr. Simpson said the Committee heard a presentation from Abby's Kitchen about the proposal for Douglas Harbor.
3. Finance Committee Meeting – April 23rd, 2015
Mr. Spickler said the Committee heard the items on the consent agenda tonight. The Committee had a brief discussion about the antenna problem in Douglas Harbor, and no action was taken. Cruise Line International-Alaska came and talked and discussed their concerns.
4. Docks Fee Review Committee Meeting – April 23rd, 2015
Mr. Logan said the Committee discussed parking permits for the downtown area and Statter Harbor and there was no consensus. It is tabled until fall.
5. Member Reports – none

XI. Port Engineers Report –

Mr. Gillette said his written report was handed out tonight.

- The Aurora Harbor project is getting completed, and they were working on paving today. The decking has all been secured except the ones that could be for future communication lines. Plumbing and Electrical are being finalized. This is looking good and still on schedule.
- Statter Harbor has a lot of rock being moved and all the wick drains are in place.
- Douglas Harbor Phase I was awarded to Trucano Construction.

Mr. Logan asked where the redesign of Douglas is at, and wanted to know if it was ready to take to Operations/Planning Committee?

Mr. Gillette said staff met with PND and discussed the things they wanted to look at and staff recommendations. PND has direction on what staff is looking for and they are developing a fee proposal.

Mr. Uchytel said staff is working with the Corp of Engineers to relocate the GCI fiber-optic cable to the north side of the channel so it doesn't interfere with the dredge spoils dumping. We are waiting for DNR to approve.

XII. Harbormaster's Report –

Mr. Borg reported

- The Marine Park new gangway cover is here and will be installed tomorrow.
- All the Harbors and Port areas have been pressure washed.
- Had a good turnout and feedback at three separate meetings with Vendor Booth permit holders, loading zone permit holders, and Operations at Statter Harbor.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

- The Harbors are filling up sooner than anticipated, and so far so good on accommodating everyone.
- Staff is processing four impounds which will be finalized by the middle of the month. Two more will be impounded in the next few days for non-payment.

Mr. Summers asked if the spaces in Aurora Harbor North were rented seasonally? If they are rented, how does someone rent them?

Mr. Borg said this is storage for marine use and live-a-boards. A lot of the seasonal's are returning and getting their gear ready for the season.

Mr. Janes asked Mr. Borg if he had an update on the Juneau Marine Services fire?

Mr. Borg said they are cleaning it up and putting more gravel down.

XIII. Port Director's Report –

Mr. Uchytel said a company called APARK is what Docks & Harbors has been using for their parking system for downtown and Statter Harbor, which is the same company the rest of the City was using and sued a couple of years ago. APARK had a separate contract with Docks & Harbors and has now filed bankruptcy. We are working to find a short term work around, and another solution by mid summer. We collect approximately \$100,000 between the two lots.

He said he and the Harbormaster are providing coffee and doughnuts tomorrow morning from 7:30 to 9:00 at the Yacht Club.

The contractor inadvertently cut down several trees at the Dick Deems house, which is causing a lot of problems.

There is the blessing of the fleet on Saturday and the Harbor guys have pressure washed the fisherman's memorial and cleaned the area for the memorial. This is something Docks & Harbors is not obligated to do, but we do for good intentions.

The Maritime Festival is May 9th.

There is a meeting with Industry on Tuesday about the Meteorological sensing data.

The first cruise ship of the season arrives on Monday May 4th.

There will be a ribbon cutting ceremony for Aurora Harbor and customer appreciation on June 5th.

He said he is working with law to get a Confession of Judgement (COJ) for a derelict vessel at the IVF. With this document the owner agrees to pay to dispose of the vessel.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 30th, 2015

XIV. Assembly Liaison Report

Mr. Nankervis said everything from Docks & Harbor has been passed through the Assembly.

He asked what the maintenance would be on the 1% for Art proposal?

Mr. Logan said the artist said the sculptures would just need to be pressure washed.

Mr. Nankervis commented at the Assembly Finance meeting where Mr. Uchytel presented Docks & Harbor budget, one of the Assembly member asked if Docks & Harbors has a budget surplus that they are rolling over why don't they give it to the rest of the City to help balance the budget. He said the member was educated quickly that is not how these Boards work.

XV. Board Administrative Matter

Mr. Logan recommended encouraging qualified people to apply for Board positions.

- a. Harbor Fee Review Meeting – Next meeting is May 6th, 2015 at noon.
- b. Operations/Planning Committee Meeting – Next meeting is changed from May 20th to May 28th, 2015 in the Assembly Chambers at 5:00 p.m.
- c. Docks Fee Review Meeting – Next meeting is Wednesday May 20th, 2015.
- d. Finance Committee Meeting – Next meeting is changed from May 21st to May 20th, 2015 in CBJ Room 224 at 5:00 p.m.
- e. Board Meeting – Next meeting is changed from May 28th to May 21st, 2015 in the Assembly Chambers at 5:30 p.m.

XVI. Adjournment - The regular Board Meeting adjourned at 7:04 p.m.