

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, April 25th, 2013

I. Call to Order.

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

II. Roll Call.

The following members were present: John Bush, Tom Donek, Eric Kueffner, David Logan, Budd Simpson, Scott Spickler, and Kevin Jardell.

Absent: Greg Busch, and Michael Williams

Also present were the following: Carl Uchytel – Port Director, Gary Gillette – Port Engineer, Dwight Tajon – Harbormaster, Dixie Hood – PRAC Liaison.

III. Approval of Agenda.

Mr. Jardell asked to move the PRAC Liaison Report to after Public Participation on Non-Agenda Items.

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

Motion was approved with no objection.

IV. Approval of Previous Meeting Minutes.

Hearing no objection, the March 28th, 2013 Regular Board Meeting Minutes were approved as presented.

V. Public Participation on Non-Agenda Items

Howard Lockwood, Juneau, AK

Mr. Lockwood said he is here as the Manager of the Juneau Port Development LLC. He handed out an attachment with a copy of title 58 and some current work that is being done on the property. He said he is here to answer any questions on the handout.

Mr. Simpson asked what was the work being done in the picture?

Mr. Lockwood said it is a \$700,000 major snow storage and process system.

IX. PRAC Representative Report (moved per amended agenda)

Ms. Hood reported there were two main items at the last PRAC meeting. The first item was reviewing the regular agenda format and voted to adopt the new CBJ requirement which will have no information items at the meeting preceding the following month inclusion as an action item. The new format will have new business and old business. This will mean an item can

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be brought up for the first time and without advance public notice be voted on.

The second item is on Monday May 6th, the Committee of the Whole will take up the Auke Lake Management Plan. PRAC accepted the proposal by the Director of Parks and Recreation on the proposed limits of use unless additional funding was available for training, certification and enforcement.

VI. Items for Action

1. Public Hearing – Amendment of Title 05, Chapter 20 – Small Boat Harbor Fees and Charges – Moorage and Title 05, Chapter 40 Small Boat Harbor Moorage Management Regulations.

Mr. Uchytel said this is a public hearing required by CBJ Law to move this forward. Essentially this will harmonize the new floats at Statter Harbor from old DeHarts to the new Statter and make it consistent with the other aspects of the Harbor.

Board Questions- None

Public Comment –

Dennis Watson, Juneau, AK

Mr. Watson's recommended changes to the regulation;

- Page 1, 05 CBJAC 20.020(2) he would like the part taken out that reads "unless the docks and harbors board takes action to keep the fee the same as the previous year." Mr. Watson said the CPI needs to be applied to all of the rates. He said this is basically saying you may or may not charge more for skiffs. He said he doesn't have a problem with it, but in the past the Harbor Board appears to have not applied that throughout because rates haven't risen much since 2007 according to the revisions that Mr. Uchytel is proposing.
- Mr. Watson said there is also some confusion on the rates of the CPI. There appears to be inconsistency when it comes to the Harbors, but not so great inconsistency when it comes to the commercial users. He said if the CPI is going to be used as a calculator, it should be consistent throughout the document.

Mr. Jardell asked if he thought the CPI was being calculated wrong, or the commercial rates are not automatically CPI adjusted?

Mr. Watson said the commercial rates are not CPI adjusted, and that should be considered.

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- Page 5, 05 CBJAC20.80 (d)1 & 2. Under item one, he said figuring CPI calculator for this item for the last five years, the Harbor would have taken in an additional \$49,000 in revenue, and that is just one item. Adjusting these rates with the CPI would make it consistent with the other rates. 05 CBJAC20.80 (e) 1 – These rates have gone from \$7.00 to \$15.00 and that would have been more than the CPI adjustment.
- Page 6, 05 CBJAC 20.090 (c) 1 – Mr. Watson said again, if the CPI was used on an annual basis, the Harbors wouldn't be playing catch up. The CPI has raised about 13% since 2007, but the rates have not changed.
- Page 8, 05 CBJAC 40.045 "The assignee has 72 hours to respond." This would be difficult if an e-mail is sent out on a Friday and you give them 72 hours to respond. He thinks it would be appropriate to make that 3 business days.

Mr. Watson said his other comment is on rates. If there are special rates or non-rates for specific users, they should be part of the regulation. This is something the Board should keep an eye on to ensure all patrons are charged correctly. This comment is just a general comment and not directed to a particular part in this regulation.

- Parking rates talked about in the "moorage section" – Douglas, Harris and Aurora are free with a permit, he said it is time the non-permit holders are assessed a parking fee. At Statter Harbor, everyone has to pay for parking and that is understandable because of the lack of parking.

Mr. Uchytel said he doesn't dispute anything Mr. Watson is saying, but this change to the regulation was to harmonize the regulation moving forward to the new Statter Harbor. Mr. Uchytel said Mr. Watson brought up questions on rates. He said in 2007 for some reason the Board elected to link certain moorages to the CPI and not others. Mr. Uchytel said Mr. Watson did raise questions on the 72 hour and parking issues also, but the change being proposed tonight to the regulation was just to expedite the change from DeHarts to the new Statter Harbor regulation. Mr. Uchytel suggested at some point to re-look at the rates and other recommended changes made by Mr. Watson.

Board Discussion/Action

Mr. Jardell asked if after this public hearing would it move forward.

Mr. Uchytel said yes.

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Mr. Logan asked if this does not move forward tonight if there would be a problem with charging rates?

Mr. Uchytel said no, he was hoping to have a clean set of regulations in place by the ribbon cutting ceremony.

Mr. Jardell recommended to send this regulation to the Finance Committee to look into the comments made by Mr. Watson and make suggestions.

Mr. Simpson said the purpose of this public testimony is to hear input and act on that input. Mr. Watson's comments deserve further looking into. He said he would like this to go to the Finance Committee and come back with further suggestions. He does not see a rush to act on this tonight.

Mr. Donek said the changes being proposed tonight is just one piece of this regulation and other areas need to be looked at. His concern is he doesn't want to bog the process down.

Mr. Jardell said this regulation will be sent back to the Finance Committee to put some more time and effort into this change.

NO MOTION

2. Public Hearing – Amendment of Title 05, Chapter 15 – Fees and Charges.

Mr. Uchytel said this is an administrative matter. A resolution was passed years ago for the current fees of \$3.00 per passenger, but the regulation was never updated. This needed to go through a formal process to make this change. This is just to bring the regulation up to date with the current fees that are being charged now.

Board Questions- None

Public Comments – None

Board Discussion/Action

MOTION By MR. KUEFFNER: TO ADOPT THIS REGULATION AND ASK UNANIMOUS CONSENT.

Motion Passed with no objection.

3. Corrected FY14 Moorage Rates

Mr. Uchytel said in going over the regulations, staff realized that certain moorage rates are rounded per regulation, and reservation rates are not

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linked to CPI adjustments. In your packet is the corrected moorage rates that were adopted in February.

Board Question -

Mr. Jardell asked if this needed to be adopted by the Board?

Mr. Uchytel said no, but the Board has the option to take action.

Mr. Jardell asked if no action is taken, will these rates be in place?

Mr. Uchytel said that is correct.

Public Comment – None

Board Discussion/Action

No Action – New Moorage rates are in place.

VII. Items for Information/Discussion.

1. Update on Loading Zone

Mr. Tajon said there was a meeting at the Valley Public Library on the proposed loading zone area at Statter Harbor. This was well attended by the charter boat operators. He received comment cards with the following;

- *Leave the 2nd gang ramp in place.*
With doing this, PND said there would need to be substantial reinforcement on the floatation under the float. As is, the float cannot withstand the weight of the gangway. If this 2nd gangway is left in, and reinforce the bottom of the float, it would cost approximately \$600,000. It would be better to just build a brand new float.
- *Staff have flexibility to set the overnight moorage time.*
Mr. Tajon talked to Statter Harbor staff and they concluded that 9 p.m. to 8 a.m. for open moorage would work.

Mr. Donek said leaving the second gang ramp in was a good idea that just won't work.

Mr. Logan asked if it is the live load that PND is concerned with or the weight of the ramp?

Mr. Tajon said the live load.

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Mr. Logan said when you pull the gangway, there will still be a large live load because that is the new passenger for hire loading area. Can the float withstand this weight or is there a bigger liability issue?

Mr. Tajon said it is capable of holding a live load without the gangway on it.

Mr. Donek said he went and looked at the float and noticed the float is in bad condition.

Mr. Bush said he went and looked at the float also and he recognized it was in bad shape.

Mr. Kueffner said he went to look at the float also, he wanted to know what will the gang ramp be used for if not here?

Mr. Tajon said it will be used on the Douglas breakwater so people can access the breakwater from the shore side

2. Aurora Harbor – South Approach Dock – Condition Assessment

Mr. Uchtyl said this dock has been condemned for vehicular traffic. The engineers were doing the assessment for the Aurora Harbor phase I and determined this dock should not be driven on.

Mr. Jardell asked if this dock was in one of the phases for the Aurora Harbor rebuild?

Mr. Uchtyl said it is in Phase I. The most impacted company would probably be Nordic Tug.

3. Thanks to M/V MORGAN ANNE

Mr. Uchtyl said M/V Morgan Anne helped out when a vessel broke way in a gale and the Morgan Anne took care of it before staff could get there. He just wanted to recognize them for their rapid and confident action.

4. Impound – AK8400M

Mr. Uchtyl said this is just showing that staff is trying to be more proactive on derelict vessels and this boat will actually be impounded on Saturday. There is approximately \$5,000 in moorage fees for this vessel and staff has been unable to locate the owner.

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5. Update on HB131 – Abandoned and derelict vessels

Mr. Uchytel said after the Governor signs this bill, Docks and Harbors staff will have more authority to act on derelict vessels on any State waters and not just waters governed by CBJ.

6. Statter Ribbon Cutting Ceremony

Mr. Uchytel said there is a formal ribbon cutting ceremony on May 15th at noon. This will be in conjunction with Docks & Harbors annual customer appreciation day.

7. Employee of the Quarter Recognition

Mr. Uchytel said the City Manager has money that can be used to recognize superior employees. A plaque and a \$100 award will be given to the selected employee. Staff and Board members can nominate employees for this prestigious award.

VIII. Committee and Board Member Reports

1. Operations Committee Meeting – April 16th, 2013

Mr. Logan reported the Committee discussed the following;

- Port-a-potties at Statter Harbor, and the Harbormaster was authorized to put three in if needed.
- Arrow Refuse provided garbage weights for the different harbors and the Committee is trying to figure out how much of that is rain weight?
- The second gangway was discussed
- The Committee decided to move ahead with live-aboard regulation.

2. CIP/Planning Committee Meeting – Cancelled

3. Finance Committee Meeting – Cancelled

4. Member Reports –

Mr. Kueffner said he was approached by a Docks & Harbors patron when he was on the dock at the Harbor and this patron was complaining about multiple people living on boats. Mr. Kueffner explained to the patron that live – a-boards were charged based on people living on the boat and the harbor staff polices the docks. Mr. Kueffner indicated the patron said his concern was how many people were living on the boat and that the patron wanted to remain anonymous.

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X. Port Engineers Report

Mr. Gillette said the Statter Harbor project is moving forward and is still scheduled to complete on time. The ribbon cutting ceremony is on May 15th. The Cruise Ship terminal phase I is moving along and will be completed by the time the first ship arrives on May 2nd.

The bid opens next Tuesday for the Fisheries Dock project.

The Taku dock modification documents are at 100% and bid ready. As soon as the Fisheries dock bids are finalized, staff will send out a request for bids for the Taku dock modifications.

The Cruise ship staging area phase II will go out for bid in mid to late May for the project to start in October.

Staff is waiting for the final drawings on the cruise dock project and then that will go out to bid in July or August.

XI. Harbormaster's Report –

Mr. Tajon said a vessel inside one of the float houses on G float sank. This vessel has been raised by Juneau Marine Services. The reason it sank was because a through hole fitting froze and broke.

Mr. Jardell asked about the plan for the North Douglas gravel?

Mr. Tajon said the ramp should be scrapped tomorrow morning.

XII. Port Director's Report

Mr. Uchytel said he is working with Mr. Tajon and H.R. to create a new position from the seasonal Operations Maintenance Supervisor position. This new position will be a Senior Harbor Officer with the idea that this person would be in charge of the seasonal dock personnel and revert back to working for an Operations Maintenance Supervisor in the winter. He is hoping to have this approved with H.R and have a hire within CBJ in the next couple of weeks.

The lease for the Coast Guard Cutter Liberty has been completed and finally collecting rent. Staff is looking at other Government agencies to make sure they are paying for use of Docks & Harbors facilities as well.

Mr. Uchytel said there is currently no waiting lists for Aurora, Douglas, or Harris harbors.

At the next CIP meeting there will be a public meeting to discuss a plan or improvements for the North Douglas launch ramp. Harold Moeser, who is Docks & Harbors part time employee, has been working on this project.

Mr. Uchytel said he received a call from a TV network Discovery. They have a show called "Buying Alaska" that they want to film in the harbors.

Mr. Uchytel said he speaks on "Action Line" every month and he is inviting a board member to speak with him.

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- XIII. Assembly Liaison Report- Mr. Jones was absent
- XIV. Committee Administrative Matters
- a. Operations Committee Meeting – Next meeting is May 21st, 2013 at the Aurora Harbor at 5:00 p.m.
 - b. CIP/Planning Committee Meeting – Next meeting is May 23rd, 2013 in CBJ Room 224 at 5:00 p.m.
 - c. Finance Committee Meeting – Next meeting is May 28th, 2013 in CBJ Room 224 at 5:00 p.m.
 - d. Board Meeting – Next meeting is May 30th, 2013 in the Assembly Chambers at 5:30 p.m.
- XV. Adjournment
- The regular Board Meeting adjourned at 6:24 p.m.