CBJ DOCKS & HARBORS BOARD

REGULAR BOARD MEETING MINUTES

For Thursday, July 26th, 2012

I. Call to Order.

Mr. Williams called the Regular Board Meeting to order at 7:05 p.m. in the Assembly Chambers.

II. Roll Call.

The following members were present: Greg Busch, John Bush, Tom Donek, Eric Kueffner, David Logan, Budd Simpson, Scott Spickler, and Michael Williams.

Via telephone: Kevin Jardell

Also present were the following: Carl Uchytil – Port Director, Dwight Tajon - Harbormaster, Gary Gillette – Port Engineer, and Mary Becker – Assembly Liaison.

III. Approval of Agenda.

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

The motion passed without objection.

IV. Approval of Previous Meeting Minutes.

Hearing no objection, the June 28th, 2012 Regular Board Meeting minutes and July 12th Special Board minutes were approved.

V. Public Participation on Non-Agenda Items.

Budd Cook, Owner of the Pirate's Pride, Auke Bay, AK

He said he is here seeking relief from the 10 day rule that is currently in effect at Auke Bay. He said he has an 88 foot long, 22 foot wide tug without side thrusters. He said he drafts 13 ½ feet, so there is only certain places he can dock. He said he has been at the IVF dock with special consideration from the Board to allow to stay all last summer but waived the tourist fees to come on the boat. The money made versus the cost to stay at the IVF made it impossible to stay at the IVF again. He said he moved to Auke Bay, which is a deep water port, but there is a 10 day rule. Mr. Cook said the Pirate's pride is a special events tug, and a floating bed and breakfast. He said when he has to release from the dock and leave for six hours it makes it virtually impossible to get back on the dock, and that is killing his business. He said he can't compete with the small boats. Mr. Cook said his tug takes up 84 feet when he ties up to the dock, and he pays his dock fees. His tug needs 30 amp electricity, so there is only four or five place he can tie up and have power. He said his tug is equipped with camera's that can monitor the docks, and is also a fire tug. For any of these reasons, he is seeking relief of the 10 day rule so he doesn't have to be off the dock for six hours and then not be able to get back on the dock. He can't do business anchored in the middle of Auke Bay. He can't make money at the IVF dock. If he goes to Harris Harbor to slip six, on low tides he has to leave the dock because it is not deep enough for his tug. He has to lay off employees and he can't hire them back without knowing if he is going to be tied to the dock or not. He said he can't skiff clients out to the tug. Tomorrow night he has a special event with 30 people from the Mendenhall auto for a retreat between 6:30 and 8:30. They can not be skiffed out, and if it didn't happen on a day the tug was able to be on the dock, he would have to cancel the whole retreat because there is no guarantee that he will be on the dock. He said he would like to do this in a way that it does not affect all the other parts of the 10 day rule. He said he feels that he has special circumstances and is seeking help from the Board.

Mr. Kueffner asked what was the draw for the tug?

Mr. Cook said 13 ½ feet.

Mr. Kueffner asked if it was only the draft at Harris that was a problem, and not at Statter.

Mr. Cook said Statter Harbor is 120 feet.

Mr. Kueffner asked Carl or Dwight if the10 day rule was still in place.

Mr. Tajon said at Statter Harbor there is in place the 10 day non moving rule. After 10 days, the vessel has to leave the Harbor for approximately 6 hours. Downtown it is a 14 day rule, after 14 days, the vessel has to leave the Harbor for approximately 6 hours.

Mr. Logan asked if the outside of the breakwater at Statter Harbor was reserved moorage?

Mr. Tajon said there are portions of the outside and the inside of the breakwater that is reserved moorage. That reserved moorage is at a higher rate similar to the IVF moorage fees. The breakwater at Statter does not have any electricity that Mr. Cook is looking for, just fresh water.

Mr. Busch asked if Mr. Cook has talked to the Harbor staff on his issues with the 10 day rule.

Mr. Cook said he talked to staff, the Harbormaster, and the Port Director and now to the Board.

Mr. Simpson asked Mr. Tajon if the Board wanted to grant relief to Mr. Cook, what would be possible?

Mr. Tajon said for out at Statter Harbor it would be difficult because it is all transient moorage and Mr. Cook has been told he needs to move every 10 days.

Mr. Simpson wanted to know if there was any place else in any of the Harbors?

Mr. Tajon said there is one place in Harris that would work, but he said he is unsure if the tide depth will cause problems. He said he is also unsure about the Douglas Harbor tide depths being an issue as well.

Mr. Cook said the tide depths are an issue. On a -4 tide he will be high and dry, and on a -2 there will only be 2 feet of water under the vessel.
Mr. Cook said when he is on the dock, he is raftable. He has been more than willing to let multiple boats raft to his tug. He said last weekend there were four deep.

Mr. Spickler asked if this is a May to September business operation.

Mr. Cook said it is a year around, but he is in the midst of the charters right now. People come and stay on his boat and get on a charter the next morning, but right now he doesn't know when he will be there.

Mr. Jardell was no longer attending the meeting via phone

Mr. Busch asked if it would work to pick up the passengers in the passenger loading area at Statter?

Mr. Cook said as a bed and breakfast, passengers come at different times. As a special events that could possible work, but then you take them out of the Harbor, his classification with the Coast Guard would change from an attraction vessel to charters, and that is another whole set of rules.

Mr. Williams suggested to bring this up at the next Operations meeting.

Mr. Tajon said he has spoke with Mr. Cook in great lengths, giving him the ins and outs when the Harbors are doing inventory. He said he described to him what a significant move could be. Mr. Tajon said he has done all he can do without trying to set a precedence through all the other people.

Mr. Kueffner asked how long the 10 day rule has been in place?

Mr. Tajon said in the early 1990's. Before the 10 day rule was a three day rule on A float and a 10 day rule on the breakwater.

Mr. Kueffner asked if this policy has been working all this time?

Mr. Tajon said it has been working. With this policy more people are moving their boats and it opens up other areas for people to come and tie up.

Mr. Kueffner asked what the position of the Harbors on rafting out was?

Mr. Tajon said it is permitted as long as the person rafting out gets permission first, and the vessel has to be similar in size or smaller.

Mr. Simpson said he is sympathetic and would like to give some kind of relief. On the other hand, he is an infrequent Statter Harbor recreational boater user and he said when he goes to the facility he understands it is a transient facility. It is a first come first serve arrangement. If there is somebody that is there longer than they are suppose to be and taking up a spot he could get otherwise, that would upset him. He said there has got to be room for everybody, but he is not sure what the best solution is. Mr. Simpson would like Mr. Cook to work with the Harbormaster and figure out a solution that works for everyone.

Mr. Cook said he would be willing to move as often as needed to move, but sometime right at the 8, 9, or 10 day mark, when there is not a space to move to, it will not work. It may not happen until 14 days. He said he is willing to move throughout the summer, but can't be thrown off the dock.

Mr. Williams said the Board does not want to throw you off the dock, but you have an older tug and power issues. Juneau only has limited space and resources. The Board is trying to accommodate a fit for everybody. Mr. Williams referred this back to Mr. Tajon to work with Mr. Cook, but to not set a precedent.

VI. Items for Action

1. Elections(Board Chair, and CIP, Finance, Operations Committee Chairs)

Board Chair

Mr. Williams said he would like to nominate Kevin Jardell as Board Chair. Mr. Logan 2nd the nomination and all were in favor.

Board Vice Chair

Mr. Williams said he would like to step down from Vice Chair of the Board and nominated Greg Busch. Mr. Logan 2nd the nomination and all were in favor.

CIP Chair

Mr. Simpson nominated Mr. Williams to be Chair of CIP Committee. Mr. Logan 2nd the nomination and all were in favor.

Finance Chair

Mr. Williams nominated Mr. Kueffner to be Chair of Finance Committee. Mr. Donek 2nd the nomination and all were in favor.

Operations Chair

Mr. Williams nominated Mr. Busch to be Chair of Operations Committee. Mr. Logan 2nd the nomination and all were in favor.

Mr. Williams said he wanted to step down from being the lands liaison. No other member wanted to take on this position so Mr. Williams said he would continue. All were in favor.

Board Questions - None

Public Comments- None

Board Discussion/Action- None

2. Assignment to Committees

Board Questions - None

Public Comments - None

Board Discussion/Action- None

MOTION By MR SIMPSON: TO DEFER ASSIGNMENTS OF THE COMMITTEE'S TO WHEN THE CHAIR IS PRESENT IN PERSON AND INDIVIDUALS CAN APPLY FOR AN APPOINTMENT TO THEIR PREFERRED COMMITTEE'S AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

3. Juneau Maritime Center

Mr. Gillette said this is a programming study and site plans for a new Maritime Center at the former site of the public works building at the end of the bridge. The project is to develop a Maritime Center which would house a Maritime Interpretive Center on the first floor, public restrooms serving the park, public meeting room that could also be used as an incident command center, a Port Director's office, and the offices of the Marine Exchange of Alaska. The plan will also include the northerly terminus of the sea walk. It would feature an open park area and has been recently approved by the whale committee as

their favorite site location for the whale sculpture. Adding the Maritime Center to the area will provide a presence in the area that would discourage undesirable activities. The Marine Exchange of Alaska is open 24 hours, 7 days a week.
Parks and Recreation and the Engineering Department have embarked on a series of planning concepts for various things that might go on at this site. The idea of a building at this level of planning was approved by the Assembly to move forward. Mr. Gillette went over the different building ideas and the different locations the building could be located on the site. The building size is just under 10,000 square feet. Docks and Harbors interest in this project since its inception was to have this building that we could have the Port Director's office in and Marine Exchange of Alaska's office space. With this site being the preferred location by the whale sculpture committee, and interpretive center, there could more of a interest for tourists, so bus parking areas were discussed.
North of the Bridge is Docks and Harbors land, under the bridge and the old site has not been designated to anyone at this point, but there has been long talked about a park and a building. Everything will dove tail together. Docks and Harbors will work with Parks and Rec and the whale committee for a nice area. Parks and Rec can move forward with the park and leave space for the whale sculpture and Docks and Harbors can move forward when they have funds for the building portion of this project. Staff will be taking this to the Parks and Rec Advisory committee next month. Any action tonight would be that the Board approve this concept and reserve our right to develop that piece of the property for our use and allow Parks and Rec to move forward with their piece.

<u>Board Questions</u>
Mr. Donek asked if Parks and Recreation Advisory Board (PRAC) have agreed with this concept?

Mr. Gillette said the Parks and Rec staff (director and project manager), and Engineering staff(director and project manager)are supportive of this concept. This was an information item at Parks and Rec's last meeting and will be an action item at their next meeting.

Mr. Uchytil said Mr. Wilson (PRAC Chair) has been briefed on this concept and is supportive of this project.

Mr. Kueffner asked what the direct market sales in that location is talking about?

Mr. Gillette said the direct market sales for fish sales is reserved on the Harris Harbor side of this project at the terminus of the sea walk.

Mr. Kueffner wanted to know about the bus parking?

Mr. Gillette said Docks and Harbors hired North Wind Architects who used a sub consultant called Tetra-Tech, Civil Engineers to see if busses could get in and out of this location. A computer program called auto turn was used with the exact lines of the road way that determined that the busses could get in and out of this location. It is unsure how much of an attraction this area is going to bring. There is only room for two motor coaches at a time. The hope is that the people will walk to this site on the sea walk which will someday all be connected.

Mr. Spickler asked if the Harbor is currently leasing any space to other business? What price per foot is Marine Exchange going to be charged for rent?

Mr. Gillette said he is not aware of leasing any space, but Docks and Harbors does lease land. Right now Docks and Harbors is unsure where the funding for the building is going to come from.

Mr. Uchytil said the building itself is about 10,000 square feet with an approximate cost of $5 million to build.

Mr. Williams said Docks and Harbors Board was given direction from the Assembly to work with Parks and Rec on this site to come up with a working plan in order to move forward with options. Docks and Harbors does not have any funds for the building at this time, but hope to in the future.

Public Comments - None

Board Discussion/Action

MOTION By MR. KUEFFNER: RECOMMEND THE ENGINEER DEPARTMENT MOVE FORWARD WITH THIS CONCEPT AND ASK UNANIMOUS CONSENT.

VII. Items for Information/Discussion.
None

VIII. Committee and Board Member Reports.

1. Operations Committee Meeting- July 17th, 2012

Mr. Busch said the Committee had one action item. The Harbormaster is working on sending a letter out to the DeHart's Harbor patrons. Patrons who had a slip since before 2005 should expect to receive a letter before the end of July regarding new slip assignments, and would be given the opportunity to provide input. Around September 1st, DeHart's patrons who have enjoyed a slip assignment since 2005 will receive a similar letter regarding slip assignments. The Committee had several information items including the Harbormaster report, no wake zones in Auke Bay and Downtown, and web forms that are coming into the Port Director. The web forms will be available to view at the Port Director's office. There was also another injury with a dumpster. Staff is looking at a safer dumpster design.

2. CIP/Planning Committee Meeting – July 19th, 2012

Mr. Williams reported that Mr. Gillette and Mr. Uchytil presented the under the bridge concept that was brought to the Board tonight.

3. Finance Committee Meeting- July 24th, 2012

Mr. Kueffner reported there was an information item on the budget for FY12 and FY13. CBJ's accounting system is very difficult to conform with Docks and Harbors revenue's and expenses. The Committee is still unsure about the current balances, but Mr. Uchytil is keeping a close watch on this.

4. Member Reports - none

IX. PRAC Representative Report – Ms. Hood was absent

X. Port Engineer's Report.
Mr. Gillette's report was in the packet.

Mr. Kueffner asked about the Douglas Harbor dredging project?

Mr. Gillette said there is going to be a meeting on August 6th with the Corps of Engineers (Anchorage), HDR, and PND. This meeting will determine who is responsible for what, in terms of designing PND has been hired to work on the design and drawings that will become part of the bid package provided Docks and Harbors does get a permit. Since this project has been five years at 95% complete, PND will need funds to finish the package. They will go over the choices that were made five years ago, and make sure everything is still to move forward with and a current cost estimate.

Mr. Uchytil said Alaska District - Civil Works personnel are helping with the permitting costs with everything leading up to the construction of the dredging project.

XI. Harbormaster's Report.
Mr. Tajon said he had nothing to report.

XII. Port Director's Report.
Mr. Uchytil said he was unaware that Mr. Cook was coming to the Board tonight. The Board always has authority to give consideration due to economic circumstances. Hearing the will of this Board, the Harbormaster is to try to find some accommodations for Mr. Cook, and come back next month and have a motion from the Board to support the accommodation.
Mr. Uchytil said he will be out of the office for the next two weeks.
Mr. Uchytil gave an update on 16B. The conditional use permit was granted at the June 26th planning commission meeting. An appeal was received, and the Assembly will take this up at the August 13th meeting. At this meeting the Assembly will decide to hear that appeal.
Mr. Uchytil said the City Attorney would like to change the Marine Passenger Fees to apply to vessels with accommodations for 20 and above to pay the $5 fee. This would provide the equal protection under the law.

XIII. Assembly Liaison Report
Ms. Becker reported that at the August 13th Assembly meeting there will be Docks and Harbors ordinances that will be brought before the Assembly, Nowell Ave/Trucano lease, Aurora Harbor DOT matching grant, and Legislative grant of $1.5 million for Statter Harbor. At the July 16th Assembly meeting, the PND proposal for construction administrative services, and Trucano Construction bid for the Cruise Ship Staging area phase I were approved.
Ms. Becker explained the difference between the 1% sales tax and the proposed bond. The 1% has $1.3 million for Statter Harbor and the Bond has $7 million for Aurora Harbor. The Assembly will also vote on accepting the appeal on the 16B project conditional use permit.

XIV. Committee Administrative Matters.

1. Operations Committee Meeting – August 21st, 2012
5:00 p.m. at the Aurora Harbor Office
Mr. Busch said he will be absent.

2. CIP/Planning Committee Meeting – August 23rd, 2012
5:00 p.m. in the CBJ Assembly Chambers
Mr. Williams said he will be there.

3. Finance Committee Meeting –August 28th, 2012
5:00 p.m. in CBJ room 224.
Mr. Kueffner said he will be there.

4. Regular Board Meeting – August 30th, 2012
7.00 p.m. in the CBJ Assembly Chambers

XV. Adjournment.

The Regular Board Meeting adjourned at 8:13 p.m.