

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA
For Thursday, January 27, 2011

- I. Call to Order** (7:00 p.m. at the CBJ Assembly Chambers.)
- II. Roll** (Tom Donek, Don Etheridge, Kevin Jardell, Cheryl Jebe, Eric Kueffner, Mike Williams, Bob Wostmann, Greg Busch and Jim Preston).

III. Approval of Agenda

MOTION: TO APPROVE THE AGENDA AS PRESENTED.

IV. Approval of Board Meeting Minutes:

Regular Board Minutes – December 2, 2010
Finance & Operations Joint Meeting Minutes – December 14, 2010
Committee of the Whole Minutes – December 16, 2010
Special Meeting Minutes – December 21, 2010

- V. Public Participation on Non-Agenda Items** (not to exceed 5 minutes per person, or twenty minutes total time).

VI. Items for Action.

1. Proposed Changes to the Waterfront Sales Permit Regulations- Public Hearing

Presentation by Operations Committee Chair

Board Questions

Public Hearing

Board Deliberations

MOTION: TO ADOPT CHANGES TO THE WATERFRONT SALES PERMIT REGULATIONS AS PRESENTED BY THE OPERATIONS COMMITTEE AND TO FORWARD THE REGULATIONS TO THE CITY ATTORNEY FOR PRESENTATION TO THE ASSEMBLY.

2. Resolution of Support to the U.S. Navy expressing Support for a visit by the USS Abraham Lincoln to the Capitol City.

Presentation by Operations Committee Chair

Board Questions

Public Testimony

Board Deliberations

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA (CONTINUED)
For Thursday, January 27, 2011

VI. Items for Action(continued).

MOTION: TO REQUEST THE CITY ATTORNEY PRESENT A RESOLUTION TO THE ASSEMBLY EXPRESSING CBJ SUPPORT TO THE U.S. NAVY FOR A VISIT BY THE USS ABRAHAM LINCOLN TO THE CAPITOL CITY.

3. Fisherman's Bend Marina Property Purchase.

Presentation by Finance Committee Chair

Board Questions

Public Testimony

Board Deliberations

MOTION: TO BE SUPPLIED BY THE FINANCE COMMITTEE AT THE MEETING.

4. Design Contract –Statter Harbor Renovation and Repairs

Presentation by CIP/Planning Committee Chair

Board Questions

Public Testimony

Board Deliberations

MOTION: TO REQUEST THE ASSEMBLY APPROVE A TIME AND MATERIALS CONTRACT WITH PND, INC. NOT TO EXCEED \$298,354 IN ORDER TO PREPARE BID DOCUMENTS FOR RENOVATION AND REPAIRS OF THE STATTER HARBOR MOORAGE FLOAT SYSTEM.

5. Planning Contract – Boatyard Planning and Study

Presentation by CIP/Planning Committee Chair

Board Questions

Public Testimony

Board Deliberations

MOTION: TO AUTHORIZE THE PORT DIRECTOR TO APPROVE A FIXED FEE CONTRACT WITH URS, INC. IN THE AMOUNT OF \$28,600 TO CONDUCT ADDITIONAL STUDY OF A HAULOUT AND BOATYARD FACILITY.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA (CONTINUED)
For Thursday, January 27, 2011

VI. Items for Action(continued).

6. Docks and Harbors FY12 CIP

Presentation by CIP/Planning Committee Chair

Board Questions

Public Testimony

Board Deliberations

MOTION: TO ADOPT THE DOCKS AND HARBORS FY12 CIP AS RECOMMENDED BY THE CIP/PLANNING COMMITTEE AND TO SUBMIT THE CIP TO THE CITY MANAGER FOR PRESENTATION TO THE ASSEMBLY.

7. Docks and Harbors FY12 Amended Budgets

Presentation by Finance Committee Chair

Board Questions

Public Testimony

Board Deliberations

MOTION: TO ADOPT THE FY12 AMENDED BUDGETS FOR DOCKS AND HARBORS AS PRESENTED BY THE FINANCE COMMITTEE AND TO SUBMIT THE BUDGETS TO THE CITY MANAGER FOR PRESENTATION TO THE ASSEMBLY.

8. Auke Bay Loading Facility Phase II Construction Bid Award

Presentation by CIP/Planning Committee Chair

Board Questions

Public Testimony

Board Deliberations

MOTION: TO RECOMMEND THE ASSEMBLY AWARD THE CONSTRUCTION BID FOR PHASE II OF THE AUKE BAY LOADING FACILITY (BID SUPPLIED AT MEETING)

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA (CONTINUED)
For Thursday, January 27, 2011

VII. Items for Information/Discussion.

1. Dehart's Marina Replacement

Presentation by Board Chair

VIII. Committee and Board Member Reports

1. Operations Committee Meeting – January 18, 2011
2. CIP/Planning Committee Meeting – January 20, 2011
3. Finance Committee Meeting – January 25, 2011

IX. PRAC Representative Report

X. Port Engineer's Report

Mr. Gillette's written report is in the packet.

XI. Harbormaster's Report

XII. Port Director's Report

XIII. Assembly Liaison Report

XIV. Committee Administrative Matters

1. Operations Committee Meeting – February 15, 2011
2. CIP/Planning Committee Meeting – February 17, 2011
3. Finance Committee Meeting – February 22, 2011
4. Board Meeting – February 24, 2011

XV. Adjournment

CBJ DOCKS & HARBORS BOARD
REGULAR BOARD MEETING MINUTES
For Thursday, December 2, 2010

I. Call to Order.

Mr. Preston called the Regular Board Meeting to order at 7:00 p.m. in the Assembly Chambers.

II. Roll Call.

The following members were present: Mr. Donek, Mr. Jardell, Ms. Jebe, Mr. Etheridge, Mr. Busch, Mr. Williams and Mr. Preston. Mr. Kueffner was absent.

The following member attended via teleconference: Mr. Wostmann.

Also present were the following: Mr. Stone – Port Director, Mr. Benner – Harbormaster, Mr. Gillette – Port Engineer, Ms. Danner – City & Borough Assembly Liaison.

III. Approval of Agenda.

Mr. Stone recommended that if a representative for Action Item #3, Fisherman's Bend/Andrew's Marina was not present to wait and discuss at another meeting when one could be present.

MOTION by MR. ETHERIDGE: TO APPROVE THE AGENDA AS PRESENTED BY THE PORT DIRECTOR AND ASK UNANIMOUS CONSENT.

The motion passed without objection.

IV. Approval of Previous Meeting Minutes.

Hearing no objection the October 28, 2010 Joint Meeting Minutes were approved as amended.

Mr. Preston said to add Mr. Doll to also present.

Mr. Wostmann said to add "limited" to Paragraph one page two before "parking". He also asked for a correction on page five, "Mr. Wostmann said with the currents and vessel traffic in that area, he feels the only practical public use would be activities from shore."

Hearing no objection the October 28, 2010 Regular Board Minutes were approved as presented.

Hearing no objection the November 18, 2010 Special Board Minutes were approved as presented.

V. Public Participation on Non-Agenda Items.

Bruce White, Juneau, discussed the shorepower at DeHart's. He said he has had a problem with his shorepower for some time now. His light on his boat came on indicating reverse polarity. He contacted the Harbor and they looked into it and they said it was his boat. He has done several tests, spent money on a new power cord, stanchion tester and he finally tested with a voltmeter and found out it is the Harbors problem. There is power through the neutral line. He said he talked to John Stone about four weeks ago and nothing has happened. He feels the Harbor should take responsibility and move him to another site.

CBJ DOCKS & HARBORS BOARD
REGULAR BOAR MEETING MINUTES

December 2, 2010

Page: 2

VI. Items for Action

1. Norway Point to Harris Harbor Planning Contract

Mr. Gillette reported this was discussed at the CIP meeting. There is a fee proposal in your packet and we need to have this approved so we can move forward. He would like to present this planning contract at the Assembly meeting on December 20.

Mr. Jardell said the pre-task had a significant amount of time on the area A bridge. Mr. Gillette said, he believed this was the work that was done for the bridge concept drawings that were already received. Mr. Jardell wanted to know if that was all right to do prior to getting the grant. Mr. Gillette said he would talk to Northwind Architects about that.

Public Comments

None

Board Comments

None

MOTION by MR. JARDELL: TO RECOMMEND ASSEMBLY APPROVAL OF A CONTRACT IN THE AMOUNT OF \$20,000.00 TO NORTHWIND ARCHITECTS FOR THE NORWAY POINT TO SOUTH HARRIS HARBOR PLAN – DIRECT MARKET FISHERIES FACILITY STUDY WITH ADDITIONAL LOOK FROM MR. GILLETTE CERTIFYING THAT ALL OF THE ATTRIBUTES IN THE PLAN ARE CORRECT AND ASK UNANIMOUS CONSENT.

Motion passed without objection

2. Archie VanWinkle Transfer

Mr. Gillette said in 1997 the memorial was installed at the Cruise Ship Terminal. A non-profit organization was formed for the memorial, and they have the memorial cleaned a couple times a year. For years now, Parks and Recreation has taken care of the landscape and Docks and Harbors keep the grounds clean. Mr. Carothers wants to pass this on to the City and Borough of Juneau. He would also be giving a contribution of one thousand five hundred dollars. When this was presented to the CIP Board, the only problem they had was with the wording that this would never be moved. Mr. Gillette talked with Mr. Carothers and suggested changing the wording on the document to the Boards recommended wording: if they had to move the memorial, it would be in a prominent location along the waterfront. Mr. Gillette explained that the Docks and Harbors does not foresee moving the monument, but it could happen in the future with all the changes going on. The process is to have a resolution by the Assembly to accept the memorial and an appropriations ordinance to accept the monetary contribution. Then we would take to the lands committee and then to the Assembly. Mr. Gillette is asking the Board recommend the Assembly approve the transfer as outlined.

CBJ DOCKS & HARBORS BOARD
REGULAR BOAR MEETING MINUTES

December 2, 2010

Page: 3

VI. Items for Action(continued).

Ms. Jebe wanted to make sure the language was changed on the final document that was signed. Mr. Gillette said it would probably be in a resolution form. If it is a contract, the law department will develop it, changing the wording.

Mr. Jardell wanted to know who would be signing the contract. Mr. Gillette said probably the City Manager. If it is a resolution, the Mayor will sign it. Docks and Harbors is involved because we manage the property.

Public Comments

None

Board Comments

Mr. Preston wanted to make sure any motion to be clear about the language change.

MOTION By MR. JARDELL: TO RECOMMEND THE ASSEMBLY APPROVE THE TRANSFER OF THE ARCHIE VAN WINKLE MEMORIAL TO THE CITY AND BOROUGH OF JUNEAU, CONSISTENT WITH THE NOVEMBER 22, 2010 MEMO FROM GARY GILLETTE, PORT ENGINEER, TO THE HARBOR BOARD THAT OUTLINES THE ITEM REGARDING "PERPETUITY" AND ASK UNANIMOUS CONSENT.

Motion passed without objection

3. Fisherman's Bend/Andrew's Marina

Rick Wolfenberger, Juneau, was present to represent the owners, so the Board decided to discuss this topic.

Mr. Gillette said there was an offer to CBJ to purchase the Marina for \$4 Million Dollars. The terms were a minimum of \$500,000 down payment and other terms and conditions to be determined.

Ms. Jebe wanted to know how Docks and Harbors got the Marina Purchase offer from the Lands Committee.

Mr. Preston said the Marina purchase was referred to us to deal with from the Lands Committee. He asked Mr. Wolfenberger why CBJ was offered the Marina at a discounted price. Mr. Wolfenberger said, the owners want to keep this site as a Marina.

Mr. Wostmann asked Mr. Wolfenberger, if the Board indicated an interest in this property to take a closer look at what this property will add to the Auke Bay area, would the owners give the Board additional time to investigate the purchase. Mr. Wolfenberger thought the owners would, but he would have to verify.

CBJ DOCKS & HARBORS BOARD
REGULAR BOAR MEETING MINUTES

December 2, 2010

Page: 4

VI. Items for Action(continued).

Public Comments

Mr. Dennis Watson, Juneau, said he knows city is still in the hole and does not have any money. He feels that CBJ should try to get a bond. He knows the Harbor is over extended with all the projects, but he feels this Marina would be a long term benefit. He thinks CBJ should make an effort to try to purchase this Marina.

Board Comments

Mr. Busch asked Mr. Stone if there was ever a plan to buy DeHart's and Fishermen's Bend.

Mr. Stone said there was never a plan for Fisherman's Bend that he knew of.

Mr. Jardell said he does not see taking on another old facility. He is not in favor of purchasing this Marina with all the other problems at the other Harbors at this time.

Mr. Etheridge agreed with Mr. Jardell that we have no money now to get all the improvements done that are needed in the other Harbors.

Mr. Busch agreed that other project costs were a priority and did not support such a purchase.

Mr. Donek said he does not know where Docks and Harbors would get the money for this purchase. Then, what do we do with the Marina after we get it. He feels there should be more public input on this, and would like more time to consider the idea.

Mr. Williams agreed that more information was needed. He would like to see what the Assembly thinks and have a public vote. He would also like to know maintenance costs and if the Marina pays for itself.

Ms. Jebe said that the timing is not good for this purchase. She would like more time and more public involvement.

Mr. Busch asked what would happen to the 205 boats in the Marina if the property was sold to a private firm.

Mr. Wostmann suggested no decision be made at this meeting. He would like more time to consider funding and to see if there is a way to incorporate this land with the other land we already have at Auke Bay. He said this offer warrants more consideration.

Mr. Etheridge asked how would the Board purchase this property and then maintain it. We will have to hire more staff. We are not able to pay for DeHart's now. We already took on a major project that we cannot afford.

VI. Items for Action(continued).

Mr. Preston asked Mr. Wolfenberger if the owners would give the Board two months to discuss this purchase. Mr. Wolfenberger said he would ask the owners.

Ms. Danner asked how much revenue does the Marina bring in. She would like to know what the staff feels the value might be and the deferred maintenance costs. What are the options for expansion, and the permits needed to address the eel grass? Mr. Wolfenberger said there are five acres out in front that could add another 100 plus slips to the DeHart's Marina. There is plenty of parking for the additional boat slips, and this was already permitted at one point by CBJ. Ms. Danner questioned how many stalls are at DeHart's now. Mr. Stone said sixty six. Mr. Preston said he is familiar with the proposal for putting the A and B float out there and moving the fuel dock further out and making a bigger fuel facility. Ms. Danner said she agrees with the board that we cannot afford to do this right now with the resources and the man power. She still feels she would like to know what the staff feels about the purchase and to find out if the revenue from the boat stalls would satisfy a revenue bond.

Mr. Etheridge wanted to know the average cost for a float.

Mr. Stone said it is figured to be about \$60,000 plus per stall to replace. He discussed additional costs, eel grass, and permit issues.

Mr. Williams would like the Board to look into this purchase more. He knows Docks and Harbors are over extended, but this should be looked at again.

Mr. Preston would like information from Mr. Stone on this offer for the next meeting. He would like Ms. Danner's question answered regarding revenue, and the possibility of getting a bond. Can the Marina bring in enough money to pay for the bond? Mr. Stone said he could get this information for the Board for the next meeting.

Mr. Wostmann would like to see if the Marina could support itself and the upgrades that would be needed.

Mr. Donek said he wanted to go look at the Marina, and Mr. Wolfenberger said he would be happy to give anyone a tour, and answer questions.

Mr. Preston suggested to move this purchase offer to another meeting, and have further information to answer the questions asked tonight.

VII. Items for Information/Discussion.

None

CBJ DOCKS & HARBORS BOARD
REGULAR BOAR MEETING MINUTES

December 2, 2010

Page: 6

VIII. Committee and Board Member Reports.

1. Operations Committee Meeting- November 16, 2010

Ms. Jebe reported five people testified on the Waterfront sales permits. The Board referred the regulations to the law department and will discuss the new regulations at the next meeting.

The Board discussed the conditional use permit at the Auke Bay Commercial Loading Facility float. The Board sent this to Community Development to get more information from them.

The Board approved the \$4,000 for the white crane repairs to help commercial fishermen.

The Board discussed the importance of getting the packets out so the Board has time to review them before the meeting.

Ms. Jebe commended the Harbor Master for the great report on the work that has been getting done. Mr. Etheridge also commended the Harbor Master and crew for working so diligently to get the maintenance caught up.

2. CIP/Planning Committee Meeting – November 18, 2010

Mr. Williams reported that the public commented on the issues with DeHart's Marina.

He said the Fisherman's Bend item that was discussed at the meeting, was covered here tonight.

Mr. Gillette was at the meeting and talked about the Norway Point to Harris Harbor Direct Seafood Marketing Plan professional services. The Board discussed the restrooms again. Mr. Gillette is moving ahead and looking for other options on restrooms. The Board is still concerned about the restroom facilities, better signage, and better locations.

Mr. Williams said at the Lands Committee meeting they are in the process of acquiring 6.6 acres of land. Some of it is wet land and some of it is buildable land. It was agreed to send to the Assembly. There is also a small parcel above the Juneau/Douglas Bridge on the Douglas side that was discussed. Heather Marlow gave a presentation on the Willoughby District planning for the next 50 years.

3. Finance Committee Meeting – Cancelled

IX. PRAC Representative Report

No Representative Present.

X. Port Engineer's Report

Mr. Gillette said his written report is in the packet. The Auke Bay Loading Facility Phase 2 is out for bid. The bid opening is scheduled for January 4, 2011. Channel Construction was awarded the Lehnhart building demolition bid, which will start next week. The port customs building project is under way and on schedule.

CBJ DOCKS & HARBORS BOARD
REGULAR BOAR MEETING MINUTES

December 2, 2010

Page: 7

XI. Harbormaster's Report

Mr. Benner said an electrical engineer is going to look at DeHart's and give us some ideas on the cost to redo.

He has two stray current monitors on order. He would like to see the plugs checked as a check in process.

Dennis Holloway was awarded the employee of the year award from Juneau Harbors. Mr. Stone was awarded the life time award and a life time membership to the Alaska Association of Harbor Masters and Port Administrators.

The boat auction went well. There was a few that did not go, and they will be crushed.

December 18th is our Christmas party.

Mr. Benner commended the Harbor staff. They do a great job!

XII. Port Director's Report

Mr. Stone reported he will be gone on Sunday and Monday to talk to cruise industry representatives. The Operations meeting is moved to December 14th with the Finance meeting. The main topic is the Waterfront Sales Permit Regulations. December 13th is an Assembly meeting on the under bridge park. December 16th is the Committee of the Whole to discuss the Statter Harbor Improvements. He is also working on the Douglas Harbor project.

XIII. Assembly Liaison Report

Ms. Danner reported that November 29th the Assembly Human Resources forwarded changes regarding the Docks and Harbors ordinance to the Assembly on its December 20 Meeting. The Assembly also approved the contract for PND for the Geotechnical and Geophysical work.

Ms Danner asked Mr. Stone how long does a float last? Mr. Stone said typically they last 25 to 30 years down south, but in Alaska the harbors are much older, and he went on to discuss this topic further. She brought up the question on what is the philosophy for the revenue stream to subsidize the Harbors? Mr. Stone said the rate structure is to pay for operations costs but the Assembly would not increase the rates to cover the capital costs. Ms. Danner wanted to know about the cruise ship tonnage. Mr. Stone said the cruise ship money is basically to be used on the cruise ship docks. Mr. Preston said that was another rate the Assembly did not want to raise. There was more discussion on the rates.

XIV. Committee Administrative Matters.

1. **Joint Meeting with Assembly – December 8, 2010**
6:00 p.m. in the CBJ Assembly Chambers
2. **CIP/Planning Committee Meeting – December 9, 2010**
5:00 p.m. in the CBJ Assembly Chambers
3. **Finance and Operations Committee Meeting – December 14, 2010**
5:00 pm at the Assembly Chambers
4. **Committee of the Whole – December 16, 2010**
7.00 p.m. in the CBJ Assembly Chambers

CBJ DOCKS & HARBORS BOARD
REGULAR BOAR MEETING MINUTES

December 2, 2010

Page: 8

XIV. Committee Administrative Matters(continued).

5. **Regular Board Meeting – January 27, 2011**
7:00 p.m. in the CBJ Assembly Chambers

XV. Adjournment.

MOTION By MR. ETHERIDGE: TO ADJOURN THE REGULAR BOARD MEETING.

The Regular Board Meeting adjourned at 8:27 p.m.

CBJ DOCKS & HARBORS
FINANCE & OPERATIONS JOINT COMMITTEE MEETING MINUTES

For Tuesday, December 14, 2010

I. Call to Order.

Cheryl Jebe (Operations Committee Chair) called the Finance & Operations Joint Committee Meeting to order at 5:00 p.m. in the Assembly Chambers.

II. Roll Call.

The following members were present: Don Etheridge, Tom Donek, Cheryl Jebe, Jim Preston, Greg Busch, Eric Kueffner, Michael Williams and Bob Wostmann.

The following member attended via teleconference: Kevin Jardell.

Also in attendance were the following: John Stone-Port Director, Phil Benner, Harbormaster and Ruth Danner-Assembly Liaison.

III. Approval of Agenda.

MOTION by Mr. Etheridge: TO ASK UNANIMOUS CONSENT TO APPROVE THE AGENDA AS PRESENTED.

The motion passed without objection.

IV. Approval of Previous Meeting Minutes.

Mr. Benner provided some corrections to the Operations Committee Meeting Minutes for November 16, 2010.

Ms. Jebe asked that the addresses provided by public participants be removed from the meeting minutes and kept confidential.

MOTION by Mr. Etheridge: TO ASK UNANIMOUS CONSENT TO APPROVE THE NOVEMBER 16, 2010 OPERATIONS COMMITTEE MEETING MINUTES AS AMENDED.

MOTION by Mr. Preston: TO ASK UNANIMOUS CONSENT TO APPROVE THE SEPTEMBER 28, 2010 FINANCE COMMITTEE MEETING MINUTES AS PRESENTED.

The motions Passed without objection.

V. Public Participation on Non-Agenda Items.

There was none.

FINANCE & OPERATIONS JOINT COMMITTEE MEETING MINUTES

December 14, 2010

Page 2

VI. Items for action.

1. Waterfront Sales Permit Regulation.

Mr. Stone said the Operations Committee took this issue up on November 16, 2010 after notifying permit holders that the Board would be looking at making changes based on feedback from the permit holders. Based on information provided during that meeting, the Committee directed staff to look at amendments to the Waterfront Permit Regulations.

Comments from Permit holders suggested they would like to see the following changes to the Regulations.

1. Restricting ownership of Waterfront Sales Permits to Juneau Residents only.
2. Restricting Permit holders to ownership or interest in only one Waterfront sales Permit at a time.
3. Enforcement to reduce abusive behavior or booth interference between competing Permit holders.

Mr. Stone also said the Permit auction is typically held in mid January, but he has placed the auction on hold pending the outcome of the process. He also recently received an email from Amy Mead in the CBJ Law Department concerning limiting the ownership of Permits to Juneau residents only, which indicated unless the restriction can be justified, it would violate several interstate commerce laws. To address the restriction of ownership or interest in only one Permit, Mr. Stone provided a new draft regulation to address some of the concerns previously addressed by Permit Holders. The Harbormaster and Port Supervisor plan to amend the sales permit to incorporate a procedure for responding to complaints and following through with enforcement when warranted.

Several Board Members had questions regarding the distinction between tour booth ownership and tour company coalitions where booths will sell each other's tours for a commission.

Mr. Stone clarified that a Booth owner may agree with other booth owners to have them sell their tours, but they can not have an ownership or interest in other booths.

Mr. Preston said if the regulation comes out of the Committee today, it would go to the full Board which would set the 21 day clock for two public hearings, one at the next Committee Meeting and one at the next Board Meeting and then it would go to the Assembly as a regulatory change.

Mr. Busch asked what problem the residency requirement would have solved if it had been permissible.

FINANCE & OPERATIONS JOINT COMMITTEE MEETING MINUTES

December 14, 2010

Page 3

VI. Items for action (Continued).

Mr. Stone said at one time the Cruise Ship Companies would also bid the on the Sales permits and the local venders were concerned they would not be able to get a sales booth.

Mr. Busch suggested that were a restriction to local ownership only is not allowed, that a local preference may be allowed.

Mr. Stone said it would be hard to allow a local preference when the booths are sold through an outcry auction. We would have to change the sales procedures to a sealed bid auction.

Public Comment

Caroline Pitts-Owner of Orca Enterprises

Ms. Pitts thanked the Harbor Board Members for listening to the concerns of the permit owners. She said for the most part she liked the changes that had been made to the Sales Permit Regulations, but what she would like to see is more prevention as far as not allowing vendors to bid on multiple permits instead of additional reporting mechanisms after the auction. She was also concerned about *Tour sales area rules (2)* A permit holder shall not have more than one representative selling tours at a booth. There needs to be an allowance for training new representatives. She said she would still like to see the permit sales limited to Juneau residents and she would like the permit to be affordable and the purchase process fair.

Mr. Wostmann asked if a vendor has already purchased a permit in an auction, can they continue to bid on other permits in an effort to drive the bid price up for other vendors.

Mr. Stone said once a vendor has won a permit in an auction, they are done bidding.

Ms. Pitts said there are tour companies purchasing booths and then allowing another tour company to manage their booth.

Frank Rich-MGT Tours.

Mr. Rich said under *tour sales area rules (4)* The permit holder may display one large sign on the Booth-this will not work for him. He has been using two signs for the past fifteen years and would like to continue using both signs.

Suparna-Last Chance Tours.

Suparna said in Ketchikan the booth holders have grandfather rights. In Juneau it is hard to plan for a tour business if you don't know if you will get your sales permit. The same tour companies are bidding against each other every year for their own permits.

VI. Items for action (Continued).

Public Comment

If the vendors were offered their permits on a agreed upon price for example \$25,000 per permit, that would be \$275,000 in guaranteed income for the City. This would eliminate the possibility of a long time Vendor being forced out of business when they don't win a permit.

Jim Suek-Best Tours

Mr. Suek said he did not see a need to require permit holders to be Juneau residents. With the exception of maybe one permit holder, all vendors appear to be Juneau residents. He also felt it was beyond the scope of Docks & Harbors to limit who can manage tours for a permit holder who has bid and paid for their permit.

Jeff Fanning-Liquid Alaska Tours

Mr. Fanning said he liked the changes made to the actively sell requirement although he felt it was unnecessary considering the cost of the permits. He wanted to know if the new enforcement process for this rule would be outlined in the new regulations. At a previous meeting the Board considered checking with the department of labor to determine if there were currently multiple interests in the Sales Permits. He asked if there was any new information from the Department of Labor.

Committee Discussion

Mr. Wostmann said he was still concerned about the possibility that a Vendor could come in and bid the price of the permit up for other vendors and then not purchase one.

Mr. Stone said we did have a problem several years ago with bidders coming in and bidding up the permits and then not actually taking the permit. We have since solved this problem by requiring a \$5,000 bond for each bidder. If the bidder does not take their permit, then they forfeit the \$5,000. We also require bidders to have a valid Alaska business license and be current with their CBJ taxes before they can bid.

Mr. Preston said he would like to see the regulation changes move forward with some revisions to section (c) *tour sales area rules* noted in tonight's meeting.

MOTION by Mr. Etheridge: TO RECOMMEND THE BOARD PROPOSE CHANGES TO THE WATERFRONT SALES PERMIT REGULATIONS AT THE NEXT BOARD MEETING AND ASK UNANIMOUS CONSENT.

The motion passed without objection.

VI. Items for action (Continued).

2. Auke Bay Loading Facility Conditional Use Permit Amendment.

Mr. Stone said Dennis Watson has addressed the Board on two occasions with an analysis of potential issues he saw at the Auke Bay Loading facility in relation to what the conditional use permit allows. Dale Pernula, Director of the Community Development Dept., reviewed Mr. Watson's analysis and recommended that we apply for an amendment to the conditional use permit if we plan to fuel vessels at the drive-down-float. I am recommending that we apply for the amendment to load fuel at the drive-down-float. Our current regulations do allow for this activity and we do charge a fee.

Mr. Stone said currently the Coast Guard is fueling at the loading facility which is better suited for this activity. They were previously fueling at the loading zone in Statter Harbor which is very disruptive during the summer when Statter Harbor can be very busy and tour boats are constantly using the loading zone.

Ms. Jebe asked if amending the use permit would expand the ability to sell fuel at the loading facility.

Mr. Stone said the vessels that would be fueling there would generally take on more than a truck load. This would not necessarily expand the ability to send fuel but it would allow it.

Public Comment

Dennis Watson

Mr. Watson mentioned to the Board that Kensington Mines submitted an application to have a fueling station at Cascade Point and were turned down by the Planning Commission. There was another request by Adlersheim and it was also turned down. The fueling puts the City in conflict with two other applications that have already been turned down. His concern was not the Coast Guard or Yachts fueling at the loading facility, but with the vessel owners that might show up after the Harbor staff has gone home and drive a 55 gallon drum down and attempt to fuel their own vessel.

MOTION by Mr. Etheridge: TO RECOMMEND THE BOARD AUTHORIZE THE PORT DIRECTOR TO APPLY FOR AN ADMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE SALE OF MOTOR FUELS FROM TANK TRUCKS AT THE DRIVE-DOWN FLOAT AT THE ABLF AND ASK UNANIMOUS CONSENT.

The motion passed without objection.

VI. Items for action (Continued).

3. Alaska Clean Harbor Certification

Mr. Stone said that Alaska has a Clean Harbor Certification Program much like other clean harbor programs throughout the country. It has been a pilot program for a number of years and has just come online in the last few months. Phil Benner has asked if Juneau can become the first certified clean marine system in the state of Alaska. We have already had an informal inspection done by the Alaska Clean Harbors representative. We are just asking for approval from the Board to go through the process of becoming certified.

MOTION by Mr. Busch: TO RECOMMEND THE BOARD AUTHORIZE THE PORT DIRECTOR TO APPLY FOR CERTIFICATION UNDER THE ALASKA CLEAN HARBOR PROGRAM AND ASK UNANIMOUS CONSENT.

The motion passed without objection.

4. Aurora Harbormaster Office Outside Wall Mural Repair.

Mr. Benner said he has noticed the artwork displayed at the end of the Aurora Harbor office is badly in need of some repairs and touch up paint. He contacted the original artist and she did not have an interest in returning to Juneau to fix the artwork.

Mr. Gillette talked with Commercial Signs & Printing and they gave us an estimate of \$5,037.77 to do the touch up work and repairs.

Mr. Kueffner mentioned the possibility of getting a sponsor for the artwork. There may be a marine related company that would be interested in being the sponsor for this artwork and we could put their logo on the piece.

Ms. Danner said the sponsor would be okay, but she did not think we would be able to ask for donations.

Mr. Etheridge mentioned that the Port Director did not need the Board's approval to spend this dollar amount.

VII. Items for Information/Discussion.

1. Harbormaster's Operations Report

Mr. Benner provided a memorandum of the fall/winter projects completed in the harbor. He said staff has spent a lot of time tracking a reverse polarity issue in Dehart's Harbor and a vessel belonging to Bruce White was moved over to Statter Harbor from DHD-15 until we can determine what is causing the problem.

VII. Items for Information/Discussion(continued).

Mr. Benner said we are going to start checking every electrical cord and outlet in every stall for electrical issues. When a boat requests a permanent stall assignment, before they plug into power, we will test their equipment. We have some electrical problems worse than Dehart's elsewhere in the harbors.

Mr. Etheridge said it is a good idea to have the testing done prior to plugging a vessel in because if there is a problem it can effect the vessels moored near by also. Sometimes it is just easier to install an isolation transformer than try and chase down electrical problems on a vessel.

Mr. Williams asked when a vessel plugs in who is responsible for the electrical system; where is the line between what the vessel owner is responsible for and what the Harbor Department is responsible for.

Mr. Stone said traditionally the Harbor Department's responsibility ends at the outlet.

VIII. Staff & Member Reports.

Ms. Danner said the Committee of the whole discussed the Under-Bridge Park area and the possibility that Docks & Harbors is also interested in a portion of that property. The Committee agreed unanimously to direct Docks & Harbors to move forward with their plan. Several Committee Members stressed the importance of incorporating some kind of Marine Museum as a tourist destination to justify using Marine Passenger funds for this project.

IX. Committee Administrative Matters.

1. Next Regular Board Meeting – December 21, 2010 in the Assembly Chambers. (New)
2. Next Operations Committee Meeting – January 18, 2011 at the Aurora Office.
3. Next Finance Committee Meeting – January 25, 2011 in CBJ room: 224.

X. Adjournment.

MOTION by Mr. Kueffner: TO ADJOURN THE FINANCE & OPERATIONS JOINT COMMITTEE MEETING AND ASK UNANIMOUS CONSENT.

The meeting adjourned at 6:56 p.m.

DRAFT

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES
For Thursday, December 16, 2010

I. Call to Order.

Mr. Preston called the Regular Board Meeting to order at 7:00 p.m. in the Assembly Chambers.

II. Roll Call.

The following members were present: Greg Busch, Tom Donek, Don Etheridge, Kevin Jardell, Cheryl Jebe, Bob Wostmann, and Jim Preston. Eric Kueffner and Michael Williams were absent.

Also present were the following: Mr. Stone – Port Director, Mr. Benner –Harbormaster, Mr. Gillette-Port Engineer, Ms. Danner – City & Borough Assembly Liaison, Mr. Dick Sommerville – PND Engineer, Mr. Brandon Ivanowicz, and Mr. Andrew Schicht also at PND.

III. Items for Information/Discussion

Mr. Preston said the purpose of this meeting was to listen to the public on the Statter Harbor and DeHart's Marina Rebuild. The Board has not made any final decisions on the plan that is going to be presented here tonight. Mr. Preston said there has been misinformation put out by some people about what the board has already decided. He said the Docks and Harbors Board wants to make sure to abide by the terms and condition of the purchase of DeHart's that the patrons will be taken care of. There has never been any decision or discussion of this Board that the patrons would be cast out somewhere and Dehart's dismantled. The Board participates in a deliberative process and this meeting is one of the steps to that process. The Board is listening to you. He said he intends to have more meeting with the public before the final decision on what the plan for DeHart's is going to be.

1. Statter Harbor and DeHart's Marina Rebuild

John Stone gave a power point presentation. He talked about the Statter Harbor existing conditions and the Statter Harbor master plan that was adopted by the Board in 2005. He pointed out the parking lot and said it was enlarged in the late 1990's. He showed where the Statter Harbor office is located, and the Statter Harbor float system. The facility was built by the State of Alaska in the 80's. It was turned over to CBJ in 2003, as part of a program to relinquish State Harbor assets. He pointed out the launch ramp built by the state and showed where the DeHart's property starts. He talked about the boat yard, harbor gangway, fuel floats and travel lift. He said there is only one driveway entrance that serves many different adjoining private and business properties. This has presented a challenge for the parking lot managers because the other property patrons or owners use the Harbor parking lot. He showed where the Horton lot is located and said it is used for the overflow parking for cars and trailers that use the facility.

More recently as part of the launch ramp project Mr. Stone pointed out the property Docks and Harbors purchased from the Lehnhart's, to facilitate a launch ramp. The house was removed today. He showed the parcel of land CBJ purchased from Richey Harris back in the early 2000's. There has been a shelter installed on that property to use as a picnic shelter and some people camp there. The eel grass is considered essential fish habitat by the National Marine Fisheries Service and because of that has special protections and permit requirements.

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 2

III. Items for Information/Discussion(continued)

Mr Stone talked about and generalized the current conditions at Statter Harbor and DeHart's. Statter Harbor float system is in need of repairs. Primary objective is to preserve what is already there so it lasts longer over time. The parking lot and building are in excellent condition. The launch ramp is dilapidated and at the end of it's useful life. It could be considered a safety issue. The parking in general is severely undersized and causes conflicts. The DeHart's float system and travel lift are at the end of their useful life and need to be replaced.

Mr. Stone said the Docks and Harbors Board has been working on Auke Bay issues since 1984. He said there has been several hundred meetings on Statter Harbor since that time. In the early 2000's, the Docks and Harbors Board engaged in developing a master plan. The emphasis was the voters approved \$3.25 million dollar general obligation bond to build a commercial loading facility in Auke Bay, that came about from the fishermen in the community through the Fisheries Development Committee. Through the Board communicating with the users to gain a better understanding of what was needed, the best plan to provide for the different users was to separate the users out.

The Primary User groups were identified as moorage, recreational boat launching facility, commercial activity, passenger for hire activities, and public access. The challenge is to best meet the needs of all the user groups. Through that process, the Board decided to look for a separate parcel of land for the commercial loading facility. A parcel of land was found adjacent to Alaska Glacier Seafood, and that is where the loading facility was built.

Mr. Stone said shortly after the facility was put in, the owner of DeHart's contacted the Board that he would like to sell the Marina. The Board started looking at how that property could be incorporated into the planning efforts for the various users. That process resulted in the adoption of a master plan in 2005, similar to the one that was presented here tonight. The Master plan was to build a new launch ramp facility in the area of the Horton lot. There would be a new driveway entrance for a twin lane launch ramp adjacent to bay creek. This would contain all of the parking associated with the recreational launch ramp. The DeHarts floats would be removed and added to the Statter Harbor moorage system, so the Statter Harbor float system would become the moorage user facility. In Dehart's place, we would put a Whale Watching float to service the passenger for hire activity. The busses for passengers for hire would use the same driveway as the launch ramp and have their own turn around area at the top of the float. The boat yard would stay basically in its same position. Statter Harbor parking lot launch ramp trailer spaces would be reconfigured for moorage parking spaces.

The Docks and Harbors Board took this plan to the Assembly with a recommendation to buy DeHart's Marina, reasoning the purchase would benefit the municipality. The purchase price was \$2.6 million dollars; \$1 million was a down payment that came from marine passenger fees because Docks and Harbors was buying this property to use for a marine passenger facility. Docks and Harbors took out a 20 year loan to pay the balance. The loan is being paid for by Harbor operating funds. The Harbor Operating fund is comprised of three things, user fees, land leases, and 1 ½ % of fisheries business tax collected by the State. Within the sales agreement, it outlines what would happen when we move or decommission the Marina.

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 3

III. Items for Information/Discussion(continued)

The first provision, agreed the existing stall holders could stay in the Marina, verses CBJ taking it over and telling the existing stall holders they had to leave and put a different group of stall holders in the Marina.

The second provision was if CBJ builds a new moorage facility, CBJ consistent with harbor regulations, will make its best efforts to provide all existing stall holders with a new moorage space. This is the provision that Mr. Stone says has been misrepresented throughout the community to the extent we were going to boot stall holders out. He talked about how a patron's longevity gives them more moorage rights. The challenges the Harbor faces with the boats that were allowed to stay on during the purchase, to the ones that just came to the Marina in 2005. The plan is to move all the moorage patrons at DeHart's over to the new moorage facility plan at Statter Harbor.

Mr. Stone said looking at the master plan we are proposing to rebuild the head float and as part of that rebuild, to install two additional floats. That provides the same number of stalls as we currently have in DeHart's Marina. The fuel float will be relocated. The stall sizes are 32 and 42 feet. This should be better for the 50 year life of the float system. The plan is to build the boat yard, whale watching float, associated parking, launch ramp facility, replacement moorage, and some other repairs. The total plan is \$28.6 million. The launch ramp is about \$10.8 million, the Statter repairs to the float system and miscellaneous repairs is \$3.9 million. Replacement moorage and fuel float is \$6.8 million. The passenger for hire facility and parking is \$4.8 million. The boat yard, including a new trailer, is about \$2.3 million. The critical issue is, Docks and Harbors does not have \$28.6 million, and how do we come up with it to do the plan. Docks and Harbors currently has \$13.9 million, but some of that money has strings attached. Docks and Harbors has a \$5 million dollar State Harbor grant that was for the replacement of the previously owned State Harbor launch ramp and float system. The Alaska State Legislature gave us a grant for \$ 0.8 million from State passenger fees for a seawalk sidewalk along the perimeter of the facility. The marine passenger fees, the Assembly appropriated (\$ 0.5 million), is a down payment to start work on the area where the passenger float will be. Docks and Harbors received two CBJ Sales tax appropriations of \$6.7 million total, and a federal launch ramp grant for \$0.9 million. Mr. Stone believes the federal government will give us another \$3 million for the launch ramp construction.

Relooking at the costs, Docks and Harbors has funding for the launch ramp and Statter Harbor repairs. There is partial funding for the passenger for hire float and replacement moorage. The boat yard is unfunded. Docks and Harbors has a total revenue need of \$11.7 million with some likely funding sources. The launch ramp could possibly be on line by the summer of 2013. As soon as the Board gets the design, Statter Harbor repairs could proceed. Docks and Harbors has no funding for the boat yard projects, at this time.

Mr. Jardell asked if the \$6.8 million estimated to replace the moorage is a rough estimate.

Mr. Stone said it is a planning level estimate and the most resent conservative estimate. It is considered a conservative estimate because there is no final design yet.

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 4

III. Items for Information/Discussion(continued)

Public Comments

Drew Maples, Juneau, AK, said he wanted to make sure the letter that Rick and Lisa Currier wrote was read and he also had some questions.

1. On the letter dated September 23rd, he said he thinks all the patrons want to know is what is going to happen to DeHarts's knowing Docks and Harbors does not have enough money to rebuild the Marina. He said he has not heard that addressed through e-mails to Mr. Preston and Mr. Stone. The engineer firm has only addressed the rebuild costs. He wants to know what happens if the Marina falls apart. He suggested to build new floats in the existing location, that can be used in the new DeHart's design, and be dragged to the new locations when the time comes. He said he would have liked to see the whole packet on line earlier so he could have looked it over before the meeting.
2. He said on the website it says Docks and Harbors has funding for temporary repairs for Statter Harbor including the DeHart's Marina. He would like to know what that statement means.
3. He also wanted to know if there is a maintenance budget for DeHart's. His main concern is how to keep the Marina going if it falls apart before the new facility can be built.

Annette Smith, Juneau, AK, said she uses Statter Harbor and other launch ramps. She has looked at the plans presented tonight and it is clear that there has been a lot of thought put into this project. The plan does not solve all the problems that she sees with the area. In the old design, there is a lot of congestion through an area she calls the throat. This area is the launch ramp, fuel dock, and loading area of Statter. In the new design, you are moving the area, but you still have the throat. It appears, the activity in the throat will be increased, and cause more congestion. She said another user group that needs to be added is divers. There is no place for them to get out of the water. She said Sitka has pull down stainless steel ladders for the divers that do not get in the way of boats, and she would like to see something like that considered. The big concern she has with the plan is the throat area.

Suzanne Shea, Juneau, AK, said her first concern is the design for the DeHart's Marina. It is a plan to meet the needs of the tourism industry instead of improving the facilities and services for residences of Juneau. It is focused on how to make it convenient for large busses to drop off and pick up large number of tourists. She said she would like to see the focus changed to what is best for the boaters of Juneau. With that being said, she knows that accommodating large number of tourists in a small town is a problem. She said she thinks there are more desirable and cost effective solutions besides making DeHart's into a seasonal loading facility. For example, in Douglas Harbor there is already ample parking and turn around area for large busses. The Douglas Harbor is much closer to the cruise ships docking and making the trip shorter and less expensive. She said she sees that as an ideal place for tourist related businesses. Another suggestion is the expanded commercial use of Fishermen's Bend. That facility already provides a seasonal loading dock for whale watching businesses, a fuel dock, and an area zoned for retail. She said Fishermen's Bend could be purchased by a private business and used exclusively for the tourism industry. She said she is sure there are other ideas that do not require filling in the shoreline and building a mega parking lot that limits or removes needed moorage and boat yard facilities, as the Harbor Board plan indicates.

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 5

III. Items for Information/Discussion(continued)

She said her second concern is that DeHart's will not continue much longer as is. It needs to be maintained. She said the Harbor Board prides themselves on maintaining the Harbors, but they have done next to nothing with DeHart's in the five years since they purchased it. There are too many boats at DeHart's that need to be absorbed into the existing moorage at Statter Harbor. She said DeHart's should be maintained until assigned slips can be made available at Statter Harbor.

Ms Shea said when she looks at this plan, she sees a net loss of slips, less convenient parking for boat owners, more congestion for boaters and vehicles, no relief for trailer boaters, and less boat yard service. She said her conclusion is, this does not include anything for Juneau boaters and only compounds existing problems. She is hopeful that the plans will be changed to address these problems to benefit the residence of Juneau.

Mr. Jardell asked what she meant when she said it does not benefit trailer boaters. Ms. Shea said the Harbor has one ramp now. The Harbor is going to have one ramp in the new plan.

Bruce White, Juneau, AK, said he has been moved over to Statter Harbor from DeHart's and everything is working fine over there. He wanted to point out the conflicting statements and plans during the last three or four months. He said back in August, DeHarts patrons were told they were going to have a meeting with the Board on how the boaters were going to be accommodated, once DeHart's was pulled out. He was wondering if this was that meeting. He said according to the drawings put on the website, this plan replaces the DeHart's Marina with a boarding float and associated parking for tourism related whale watching activity. As a result, there will be a net loss of 90 boat stalls for the Juneau public. He said if funding is available and new floats are added to Statter Harbor, there will still be a net loss of 30 boat stalls. This is based on the drawings provided. He also said that one of the reasons for restructuring Auke Bay is to reduce the congestion in the Harbor, and thought that was one of the reasons the Auke Bay Loading Facility was built, to take the commercial loading users away from that area. He said in his mind building a whale watching float and associating parking right in the middle of Auke Bay will not reduce the congestion, but may increase the whale watchers to use the nice new boarding float. He said whale watchers are the major contributor to the boat traffic inside the Harbor. He suggested to move the base for the whale watchers to a different site or area out of Auke Bay. He said Douglas Harbor has a lot of parking and different activities for the tourists. There are fuel docks and vacant spaces at the downtown Harbors. He said that maybe North Douglas could have a launch ramp built to accommodate the whale watchers in the summer months and take out in the winter. The parking for the reduced stalls will be lost as well. Only having two launch ramps is not going to help the loading or unloading situation we have now. He said the parking lot in the plan is considerably oversized and is not necessary. It takes up four acres of land and almost the size of Walmart parking lot. He said according to the drawing presented tonight this will be for the benefit of whale watchers. Designating a large area in the center of Auke Bay for a seasonal tourist business is a bad idea. The downtown area is seasonal use now, and questions if Docks and Harbors wants to do that to Auke Bay too. He requests Docks and Harbor Board reexamine the plan and consider maintaining the DeHart's float system until a suitable replacement moorage is provided in Auke Bay.

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 6

III. Items for Information/Discussion(continued)

Mr. White would like to see four launch ramps added, reduce the size of the parking lot, and keep the boat yard the same size or larger. If floats are added to Statter Harbor for the DeHart's patrons, he wants designated parking for the assigned slips. If the plan stays as is currently, whale watchers will be the major beneficiaries. Juneau boaters will stand to lose loss of slips and also lose the opportunity to increase the amount of launch lanes to meet the current demand of trailer boaters, and congestion in the Harbor will be increased.

Todd Wicks, Juneau, AK, said he is the owner of Bear Track Charters, and he considers DeHart's a part of his business. He has been parked in DeHart's for 22 years, and he has molded his business around having a stall in DeHart's Marina. He said he is an independent charter business that books his own trips and takes out the people in the boat. He needs an area for a quick turn around, and DeHart's provides that.

Mr. Wicks said he does not have a van driver or buss. He needs to know he has a stall when he pulls into Auke Bay and also a place to park his truck. He requests with the new stalls to have parking spaces also. He wanted it known that he cannot have any disruption in his stall, so he can run his business out of there. His suggestions are;

1. Docks and Harbors moves the patrons in the winter time, when there are less boats.
2. Have a Harbor parking sticker.
3. Better security with cameras.
4. Keep the haul out.

Dennis Watson, Juneau, AK, said he wanted the public comments recorded in as much detail as possible. He said he concurs with the comments made here tonight on the Harbor and the floats, and it is extremely important to take a good close look at taking care of the citizens of Juneau first and not second. He is sure that it is not the intent of the Board to put Juneau boaters second, but that is what is occurring. With regards with confusion over what is happening in DeHart's, he believes that Mr. Preston explained the Boards position very clearly. However, the meeting he attended in August the interpretation was different. That is the reason he is attending all of the Docks and Harbors meetings to make sure there is no more confusion about the intent of the Board. He is still convinced what he heard at that first evening was in fact the intent. Although we addressed the long term Harbor patrons in DeHart's, where will the 36 patrons at DeHarts have moorage. They are going to have to go to Statter Harbor. This may not be viable for someone with a 30' long or longer boat, especially if you go out for the day and come back and not have a stall. That would mean you come back and have to raft up to somebody in the Harbor. Many of you have seen the congestion at Statter Harbor. It is not just about long term tenant patrons. It is also about the patrons that have not been there as long, but certainly pay premium price for a Marina spot.

Mr. Watson said there should be an increase on fixing what is broken, rather than starting new projects. This has been a concern of his for quite awhile. Docks and Harbor has three projects right now, the building by the Tram, one at the Aurora Harbor, and now the proposed under the bridge project. He says that does not show good financial responsibility and providing the services that is needed for the local people.

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 7

III. Items for Information/Discussion(continued)

Mr. Watson asked if there is a solid plan to relocate the fuel dock. Has the EPA, or NOAA or any other state agency that is required for permitting been contacted? He said Mr. Stone had commented in the past that stretching fuel lines across the bottom of the Harbor takes time. He said it is quite possible that all these other things could be accommodated, but still not have a fuel dock in the Harbor. Is it the intent of the Leasor to pay for the relocation of the fuel dock, or is the cost of redeveloping the commercial dock and the new location of the tenants part of that expense? This is unclear to him, and he would like an answer.

Mr. Watson said there was a comment made about parking. In Mr. Stone's original numbers, he used in a meeting not too long ago, there were 55 slips in the Harbor. Now, after Mr. Stone did a reconciliation, the numbers are a little higher. Currently, a monthly parking permit in Statter Harbor is \$75.00 dollars. He assumes that if there is no additional parking available for the new patrons, at minimum, \$75.00 per month should be discounted from the bill.

Mr. Watson said his next question is more mathematical. When you build the commercial dock, or whale watching boat float, the cost is going to be \$4.3 million. He said if Docks and Harbors gets a \$5 million dollar bond at 4.5% interest over a 15 years period, principal and interest payments will be about \$450,000 dollars a year. He does not know how that would be covered unless Docks and Harbors raises the passenger rate. He said, with the passenger rate fee for dropping off being \$1.10 per passenger, it will take a long time to pay off \$450,000 dollars a year with 30,000 to 35,000 passengers.

Mr. Watson said when DeHart's was purchased, at one of the presentations, it was said that the rates would be increased to cover the cost of the Marina. The rates did go up, and with a lot of discussion, they did come down a little. He said he is assuming that there is a financial plan for what you are going to charge to get this new facility. If you are going to build something, you need to figure out how to pay for it in the way of revenue.

Mr. Watson said he has a concern with whale watching. They are probably running about 30 trips a day out of the Statter Harbor during the summer months. He does not think the congestion is going to get better by moving the whale watching float from one location to the other. He said Docks and Harbors should look at how many trips are going in and out of the Harbor.

Mr. Watson said he talked to a former CBJ planner and he said that he has never seen a master plan for all of Auke Bay. Auke bay does include the inner and outer Harbor and should include Fishermen's Bend.

Mr. Watson requests that the Harbor Board eliminate the dedication for the Fisherman's Wharf, or the intention of dedicating it to the Statter Harbor location at this time. He said this was brought up in the Public Works meeting he attended on Monday and one of the desired locations was Statter Harbor. There already is a problems with moorage and the availability of space now, Docks and Harbors does not need to dedicate space for another business. This adds another challenge to the Harbor.

Mr. Preston asked if he was talking about the Fisherman's Memorial. Mr. Watson said it was the Fisherman's Wharf and the desired location was said to be Statter Harbor. Mr. Preston said the Board would look into it.

COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 8

III. Items for Information/Discussion(continued)

Bob Janes, Juneau, AK, said he is a commercial operator out of Auke Bay. He said there are issues and conflicts and basically the area has been out grown. Over the past 15 years personal and commercial use has increased, moving the commercial loading facility was a tremendous help. He said this plan, in retrospect, will probably come up to be a great decision. Mr. Janes said there are still some issues that need to be addressed. He said two launch ramps are not going to be sufficient for future growth. He understands that Docks and Harbors probably wanted four lanes to start with, but with the environmental problems, it was cut back to two. He would hate to see a plan of this magnitude come into place without taking into account potential growth in the personal launch ramp use. It is an important issue to look at. He said the commercial use footprints looks like it takes up about 20% of the upland space, and considering all the commercial use through Auke Bay, it looks like it will work well. He knows parking is a problem in Auke Bay, and does not know if this is too much. However, if personal use grows, this parking would probably be appropriate. He said transient moorage needs to be addressed better. In the summer months, boats are tied up two or three across. Upland development needs to coincide with the development of the space on the dock. He does not see the room for moorage growth. He has five boats he keeps in transient moorage all year and runs several thousand people through Auke Bay every year. He knows that conflicts exist, and does his best to deal with them, and realizes the stress on that area. He has had special boats built to be able to pick up customers off the beach in North Douglas to help alleviate the congestion times at Auke bay. He hopes that this will not cause any issues in the North Douglas area because they will not be using the dock. He said he thinks North Douglas could have a reconfiguration of parking and a commercial dock built, which would help to relieve the overflow at Statter Harbor. He thinks this should be considered in the big picture and feels time is of the essence. He said he runs about 20,000 people out of Auke Bay each year and has a feel for the operation.

Mr. Wostmann asked if the quality of whale watching was the same from Downtown to North Douglas. Mr. Janes said he does not see any future in downtown whale watching operations. Douglas is a great area in terms of parking and space but not a good area in terms of distance to travel and does not think it would be used. North Douglas is a possibility and that is what he is going to try this year.

Mr. Etheridge asked if he had to get permitting or go to public meetings to operate in North Douglas. Mr. Janes said he has had an already existing permit for years issued by Docks and Harbor. He has had the permit for probably 8 years and maybe when he first obtained the permit there was a public hearing.

Louis Juergens, Juneau, AK, said at first glance to this master plan it is beautiful. He said the biggest issue at Statter Harbor is moorage issues. At times the boats are four across trying to find space. He said this \$20 million dollar plan does not help that. The parking looks great. If there is a need to load or unload to relieve the pressure out of the Harbor, North Douglas is a possibility, or maybe the commercial loading facility with that huge parking lot. The other comment was, this facility is being used by people in the valley and downtown. It is interesting that the rates at DeHart's are substantially higher than down town users that had major remodels. He thought it should be considered to have the same moorage rate all across the board.

LouAnn McVey, Douglas, AK, said she has a 32' bay liner in DeHart's that has been there a long time. She would like to see the focus go beyond moorage and onto the safety on the docks. A couple of times she said she was walking from the boat to the car and fell in a hole on the dock. She said the safety issues need to be fixed. Someone could fall into the water. She likes the idea Mr. Maples had about the

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 9

III. Items for Information/Discussion(continued)

rebuilding the floats in DeHart's now and then using them in the new Marina. She said the plan should have less parking, more moorage and better safety for the local people that use the docks.

Michael Scott, Juneau, AK, said he is all the user groups that Mr. Stone said in his presentation. He is also a diver and has lived in the area for 35 years. He has even worked on the facility at Auke Bay. He said he spends about 105% of his income locally. A simple experiment is to equalize moorage rates. Put a dedicated moorage rate in Auke Bay, and that place would be packed year round. He said he knows people now that have moorage on boats in different communities and fly there because it is cheaper. Auke Bay is an incredible resource. The uplands are incredibly small, incredibly expensive, and the patrons cannot afford to lose this. Docks and Harbors cannot afford some of the grandiose plans. The talk about partially funding permanent moorage there is unacceptable. Years ago there were plans all over the Auke Bay area and down in Fritz Cove. The patrons know that new Harbors are not going to be constructed there, and it is not going to happen anymore. The people of Juneau cannot lose the Harbor. It is incredibly important to be able to have a place to park a vehicle and park a boat in Auke Bay, where the beautiful scenery is.

Mr. Wicks read a letter from Richard Yamada. In the letter Mr. Yamada states he has operated Shelter Lodge and his sister has operated Anchor Point Lodge on Shelter Island. They currently have seven slips at DeHart's Marina. They accommodate 500 guests each summer and make daily runs to and from Auke Bay for groceries and provisions.

Part of the success over the years has been the ability to offer their guests the experience of being at a remote out of town location, without having to pay additional transportation fees (such as one would need to charge if a floatplane was involved) and the ability to get guests out to the lodge in a quick and efficient manner. The location of the DeHart's parking lot to the boat slips, the location of our slips at the bottom of the boat ramp, and available parking for our vehicles in the DeHart's parking lot have made transportation out to Shelter Island convenient, safe, and time saving. The availability of parking is very important to our business and as remote island residents.

I urge the board to consider the impact any loss of slips would have on all the patrons of DeHart's Marina. For these reasons, we would appreciate your consideration of the following:

1. Provide DeHart's patrons with uninterrupted slip usage in plans for new facilities.
2. Provide parking for DeHart's patrons. We would be willing to pay a reasonable fee for this privilege.
3. Provide as reasonably as possible, a convenient location to the ramp from the parking lot as current DeHart's patrons possess.

Board Comments

Mr. Wostmann said he appreciated all the feed back and he wrote a lot of notes he intends to follow up on.

Ms. Jebe said she appreciated the time the public has spent here, and as a North Douglas resident she can see the benefits that North Douglas has to offer to the community.

CBJ DOCKS & HARBORS BOARD
COMMITTEE OF THE WHOLE MEETING MINUTES

December 16, 2010

Page: 10

III. Items for Information/Discussion(continued)

Mr. Jardell said DOT and the school have given them information that the Harbor patrons are no longer going to be able to park in the School parking lot, and up the road. They are willing to give Docks and Harbors a couple of years to work on the master plan, but those parking spots are no longer going to be available. That is one of the reasons for the parking in the master plan. The throat is a problem, but the breakwater is only so big. We are trying to accommodate the largest demand that we have supply. It is hard to find a way not to have that congestion.

Mr. Etheridge said the reason the whale watching float was put in the plan was because people that tie up on the Statter Side had problems with the amount of traffic going up and down Statter Harbor Dock. The ramp was always congested. That was the reason the Board wanted to separate the whale watching float off in a separate area. The parking area for the busses for the whale watching were moved because of the people that use the launch ramp were complaining the busses were blocking the launch ramp at Statter Harbor.

Mr. Busch said he is also a DeHart's patron and share a lot of the concerns and anxieties brought here tonight. This is the first of several meeting we will be having over the next year or so and he hopes there will be a plan in place to just go from one slip to another without having to go through a down period. If there is a down period, he would like to have it in the winter time, where it will have as little impact as possible.

Mr. Preston said he did send a letter out. At that time some people had received or seen copies of a memo to the Board about the things to think about if the Marina was shut down. That was when the Board directed the Port Director to notify the DeHart's patrons that the Board wanted to have a meeting with them. Docks and Harbors does not have a plan yet. The board does not have anything to discuss at this time in terms of a plan, other than the conceptual ideas that has already been out there and presented. Mr. Preston said he has seen different versions of the master plan with different moorage numbers, and he thinks each and every one on the Board would like to maximize the moorage. The Board would like to see as many patrons as possible into permanent stalls and the docks safe. The Board spends a lot of time listening about the activities that the Harbormaster is doing at DeHart's and at Statter. Everything takes time and it is not a matter of the Board not wanting to fix the problems at DeHart's for the patrons. Docks and Harbors just cannot do this today. He said the patrons will be invited again to a meeting when the Board has something more substantial to discuss.

Ms. Danner said nothing is as simple as it could be. The Board could do endless things with endless funding. In the meantime, while Docks and Harbors does not have endless funding, they need the public's willingness to participate in the process and come forward and really say what you want.

IV. Adjournment.

The Committee of the Whole meeting adjourned at 8:42 p.m.

CBJ DOCKS & HARBORS BOARD
SPECIAL MEETING MINUTES
For Tuesday, December 21, 2010

I. Call to Order.

Mr. Preston called the Special Board Meeting to order at 5:00 p.m. in the CBJ Assembly Chamber.

II. Roll Call.

The following members were present: Tom Donek, Kevin Jardell, Cheryl Jebe, Michael Williams, Bob Wostmann, and Jim Preston.

The following members were absent: Eric Kueffner, Don Etheridge and Greg Busch.

Also present were the following: John Stone – Port Director, Gary Gillette – Port Engineer, Ruth Danner – Assembly Liaison

III. Approval of Agenda.

Seeing no objection the Agenda was approved as presented.

IV. Public Participation on Non-Agenda Items.

Bruce White, Juneau, AK, said it was an action item back in the August meeting to have a meeting arranged with the DeHart's patrons and the Board. He wanted to know if the Board was still planning on having that meeting.

Mr. Jardell asked what he would like to see happen?

Mr. White said he would like to see a meeting with the DeHart's patrons and the Board, in anticipation of where the DeHart's patrons would be distributed to, in the event DeHart's Marina closes down. He would like to know what would be available and where the temporary moorage would be.

Mr. Jardell said he encourages Mr. White, and any others, to send an e-mail to Mr. Stone with suggestions on meeting agenda items. He said to be specific with their issues, and the Board would try to address them.

Mr. Preston said he did already make a statement at the Committee of the Whole meeting regarding the meeting with DeHart's patrons. There is not a plan to discuss at this time.

V. Items for action.

1. Waterfront Sales Permit Regulations

Mr. Stone said the proposed regulation changes in the packet came from the work done by the Operations Committee done in November, and the Operations and Finance Joint meeting last week. The action would be to propose the changes for public comment. There would be two public hearings to follow the proposed regulation changes, one on January 18, 2011 at the Operations Committee hearing, and a final public hearing on January 27, 2011 at the Regular Board Meeting.

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES

December 21, 2010.

Page: 2

V. Items for action(continued)

Mr. Stone said Docks and Harbors will accept written comments from interested persons during that period of time. On January 27, 2011, right after the public hearing, the Board would take final action on the Regulation.

Mr. Jardell asked Mr. Stone to clarify on the bottom of page one, (c) (2) which says a permit holder shall not have more than one representative selling tours at any of their booths. He wanted to know what is trying to be prevented with that regulation.

Mr. Stone said the small booth does not allow for more than one person, and in the past, if there was more than one representative, one was out running people down for their tour.

Public Comments

Dennis Watson, Juneau, AK, asked about page one, item (3), about no person shall have ownership. Is there a reason it does not say person or corporation?

Jeff Fanning Juneau, AK, owner of Liquid Alaska Tours. He said he gave the Board some documents that shows specifics on what Ketchikan has done at their auction process and how they regulate the regulations. He said he knows in the past meetings there has been an issue on a couple of the regulations and how to regulate them. There has been a lot of discussion on the regulation that states you may not own interest in more than one permit. He said he likes the language and what he has seen in the memos and some of the terms. One of the terms says CBJ requires the actual vendors must submit a list of employees, this shows payroll that the employee is only working for one company. This regulation could be an even broader issue than what has been talked about. He said outside larger corporations could possibly buy up all the permits.

Ms. Suparna, Juneau, AK, owner of Last Chance Tours. She said she agrees with what Mr. Fanning said, and she likes that the Board asked the permit holders for ideas for the regulations. The Ketchikan regulations are great ideas brought to the Board that are working for Ketchikan, and this is similar to what Juneau waterfront vendors are doing.

Board Discussion/Action

Mr. Wostmann said on the top of page 2 of the regulations proposal, the wording needs to be corrected.

The permit holder shall provide the port director with a list of all individuals that will documentation, booth staffing schedules, and other documentation necessary sell tours at its booths and, if requested, staff identification to demonstrate the permit holder complies with this requirement.

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES

December 21, 2010

Page: 3

V. Items for action(continued)

Mr. Stone said it should read,

The permit holders shall provide the port director with a list of all individuals that will sell tours at the booths and, if requested staff identification documentation, booth staffing schedules, and other documentation necessary to demonstrate the permit holder complies with this requirement.

Mr. Jardell said he appreciates the language and the specifics in the regulation proposal. The Board still has two more opportunities to look at the proposal at the public hearings. He clarified Mr. Watson question. He said we do not need to signify corporation because under the code a person includes a corporation. Mr. Jardell said he supports this proposal and thinks it is a good attempt to improve things.

Mr. Preston said to address Mr. Watson's query, this definitely does go through the law department and it his understanding that a corporation is considered a person. With the additional public hearing on the proposed regulations, it will give the Board a chance to go over the documentation given to the Board tonight.

MOTION by Mr. Wostmann: TO PROPOSE CHANGES TO THE WATERFRONT SALES REGULATIONS SET OUT IN 05 CBJAC 10 AS RECOMMENDED BY THE JOINT OPERATIONS AND FINANCE COMMITTEE, TO HOLD PUBLIC HEARINGS ON JANUARY 18, 2011 AT THE OPERATIONS COMMITTEE AND ON JANUARY 27, 2011 AT THE REGULAR BOARD MEETING, TO ACCEPT WRITTEN COMMENTS ON THE CHANGES UNTIL THE JANUARY 27 REGULAR MEETING, AND TO TAKE FINAL ACTION ON THE REGULATIONS IMMEDIATELY AFTER THE PUBLIC HEARING AT THE JANUARY 27, 2011 REGULAR MEETING AND ASK FOR UNANIMOUS CONSENT.

Motion passed without objection.

2. Auke Bay Loading Facility Conditional Use Permit Amendment.

Mr. Stone said Docks and Harbors is applying for an Amendment to the conditional use permit to allow the sale of fuel by tank truck at the drive down float at the commercial loading facility. Docks and Harbors will submit an application. The application will then go in front of the planning commission, and Docks and Harbors should know if it is accepted in a couple of months.

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES

December 21, 2010

Page: 4

V. Items for action(continued)

Public Comments

None

Board Discussion/Action

None

MOTION by Ms. Jebe: TO DIRECT THE PORT DIRECTOR TO APPLY FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE AUKE BAY LOADING FACILITY ALLOWING FOR THE LOADING OF FUEL TO VESSELS BY TANK TRUCKS AT THE DRIVE DOWN FLOAT AND ASK UNANIMOUS CONSENT.

Motion Passed without objection:

3. Docks and Harbor FY 12 Marine passenger Fee Request.

Mr. Stone said CBJ collects \$5.00 per passenger, and the way those funds are appropriated, the City Manager request applications from anyone in the community to present ideas on the use of that money. He reviews the list, and based on his review and direction from the Assembly over the past several years, he prepares a recommended list of projects for use of that money. The City Manager then submits the list to the Assembly for their consideration. Docks and Harbors is providing candidate projects for consideration when the City Manager is doing deliberation of his list. Based on the last CIP meeting, Docks and Harbors is looking for a capital improvement program. Mr. Stone said he put two requests in.

1. Cruise Ship dock replacement project. Mr. Stone said he did not ask for a specific amount of funding because this will be figured out in the spring.
2. The Statter Harbor Passenger for Hire Facility. This is part of the master plan for Auke Bay. Mr. Stone said he requested for half of the cost estimated for this project in the amount of \$2,173,244. He recommends the Board submit this project to the Assembly. The funding can be altered as the Board sees fit. Mr. Stone said there will probably be \$4.5 million in appropriations this year. In past years, the Assembly has appropriated about \$3 Million in operating expenses for various entities throughout CBJ. That leaves \$1.5 Million for capital projects. He said the amount he requested would consume all of that money, and he does not see Docks and Harbors receiving the full amount. This request at least indicates what Docks and Harbors need is. A far more likely scenario would be the Assembly over time will give Docks and Harbors enough money for the project.

**CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES**

December 21, 2010

Page: 5

V. Items for action(continued)

Public Comments

Dennis Watson, Juneau, AK, he said he sent Mr. Stone an e-mail early this morning and wanted to make sure the Board read it. He said the main reason for the e-mail is his concern about what Mr. Preston said, that there may be an increase in the moorage rates for the new docks, and the replacement docks at DeHart's is one.

The other concern goes back to when the original motion to purchase DeHart's was made by Mr. Knapp. Mr. Knapp said the facility had to try to pay for itself, and that was the reason the rates went up. That comment leads Mr. Watson to believe that the Board has a strategy for the new facility, and there must be some kind of a business module for the various docks. What is the Board's business module for the new facility?

Docks and Harbors has a little over \$300,000 dedicated for utilities in the request for marine passenger fees discussed earlier this evening. Mr. Watson wants to know how Docks and Harbors came up with that much money. What does Docks and Harbors do with a dock that is strictly for loading? The facility is going to stay empty, more months than it will be occupied. He is assuming the Board has run the numbers, so he can understand how the facility is going to pay for itself.

Where is the revenue stream coming from for the other seven months? Does Docks and Harbors have plans to rent the facility to the specific user groups, by the day, week, month, or year? Mr. Watson said he is hoping that this has all been figured out and Docks and Harbors is not just building a facility for \$4.2 million with anticipated passenger fees figured in to pay for the facility. He will be looking for an answer in the future.

Bob Janes, Juneau, AK, distributed a letter he tried to e-mail Mr. Stone, and he got the e-mail address wrong, and it was sent back to him. He is very supportive of the Auke Bay project and knows it is not perfect, but he thinks it is going to go a long way to help solve the conflicts and issues in that area. At the Committee of the Whole meeting he said North Douglas might relieve some of the congestion during the day in the busy parts of the season, but Statter Harbor will always be the focal point for boating in the northern waters of Juneau.

Paul Swanson, Juneau, AK, wanted to know if the Dehart's patrons moorage rates are going to go down because the parking costs were figured into the moorage rates. He does not think the DeHart's patrons should still have to pay the \$75.00 per month for parking. He is one of the few with the six month moorage, and wanted to know where the moorage is going to move to at the new facility.

Board Discussion/Action

Mr. Wostmann said he thinks it would be foolish for Docks and Harbors not to put a request in for the marine passenger fee money.

Mr. Jardell said he sees the marine passenger fee money as the only way that Docks and Harbors can accommodate the DeHart's patrons, in the most expedient manner. Making sure we have somewhere to move the loading facility, will help us move forward quicker. He thinks it is a great idea.

Mr. Preston asked Mr. Stone to clarify the separate passenger fees uses.

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES

December 21, 2010

Page: 6

V. Items for action(continued)

Mr. Stone said the Board directed him to go to the Assembly a few years ago and show that part of the operations at the port that was not paid for by public use of the port. The Assembly did agree and started giving Docks and Harbors \$154,000 in marine passenger fees to help with the dock operating budget. This enabled Docks and Harbors to move \$154,000 of lease revenues to the harbor enterprise to help with the harbor budget.

Ms. Danner asked Mr. Stone to explain the difference in the marine passenger fees (\$5.00, \$5.00 and \$3.00) and why he is not applying for the other passenger fees available.

Mr. Stone said his understanding is that the \$5.00 portion of the marine passenger fees are the only applications being accepted right now. The other \$5.00 portion is coming from the State as a result of changes with the legislature last session, and the Assembly has not given any indication on what is happening with that yet. He said there is a \$3.00 development fee that the Assembly has just reauthorized, and these fees are limited to projects just for the downtown port. That will be used for Dock funding improvements.

MOTION by Ms. Jebe: TO SUBMIT MARINE PASSENGER FEE REQUEST AS PRESENTED BY THE PORT DIRECTOR WITH THE INCLUSION OF THE \$154,000.00 FOR THE PORT OPERATING COSTS TO THE MANAGER FOR CONSIDERATION BY THE ASSEMBLY IN THE FY 12 BUDGET AND ASK FOR UNANIMOUS CONSENT.

Motion passed without objection

VI. Adjournment.

MOTION by Mr. Donek: TO ADJOURN THE SPECIAL BOARD MEETING AND ASK FOR UNANAMOUS CONSENT.

Motion passed without objection

Meeting adjourned at 5:32 P.M.

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Adoption of Title 05, Chapter 10 Waterfront Sales Permits

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD IS PROPOSING TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

Section 1. Authority. These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 85.02.060, 85.02.100, and 85.20.010.

Section 2. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended by the repeal and replacement of subsection 05 CBJAC 10.030(f) (3); and the amendment of subsections 05 CBJAC 10.040(c) (2), (3), (4), and (5); reading as follows:

City and Borough of Juneau Administrative Code Title 05: Docks and Harbors Chapter 10: Waterfront Sales Permits

05 CBJAC 10.030 Permit duration, reissuance options, transferability, refunds, actively sell requirement, eligibility, number of permits available.

Repeal 05 CBJAC 10.030(f)(3) in its entirety and readopt as follows:

(f) *Permit Eligibility and requirements.*

- (3) ~~No person shall have an interest in more than one permit. As used in this section, "interest" means an equity interest in a permit or in a legal entity owning the permit, which interest is held by the person or a spouse, minor child, dependent, or a regular member of the person's household, but does not include the financial relationship between the permit holder and a tour provider for whom the holder sells tours. This subsection only applies to tour sales and tour broker permits.~~

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No person shall have an ownership interest in more than one tour sales or tour broker permit, meaning the person shall not pay for the operation of another permit holder's sales booths, direct or manage the activities of another permit holder's sales booths, or in any way financially contribute to the purchase of more than one permit. A permit holder that operates tours may have its tours sold by another permit holder, provided the permit holder operating the tour does not direct the activities of the other permit holder's sales booths or obtain any financial benefit from the other permit holder's sales booth other than that provided by the sale of the tour.

05 CBJAC 10.040 Tour sales permits.

Repeal 05 CBJAC 10.040(c)(2), (3), and (5) and readopt as follows:

(c) *Tour sales rules*

- (2) A permit holder shall not have more than one representative selling tours at ~~a booth, expect when training new employees and then for no longer than necessary to adequately train the employee.~~ A permit holder shall *make their best effort* to maintain a presence at its booth during all hours when cruise ship passengers are likely to purchase tours in a sales area. *The permit holder shall provide the port director with a list of all individuals that will sell tours at its booth, and, if requested, staff identification documentation, booth staffing schedules, and other documentation necessary to demonstrate the permit holder complies with this requirement.*
- (3) The permit holder shall provide the port director with a list of all tours sold by the permit holder *pursuant to their permit, including the name of the company providing the tour.*
- (4) The permit holder may display ~~one~~ two large signs on ~~the~~ a booth provided the signs does not extend beyond the front profile of the booth. The permit holder may also display a one-foot by one-foot sign for each tour the permit holder sells. These signs may not extend more than six inches beyond the front profile of the booth.
- (5) The permit holder or their representatives shall not engage in *hawking or disruptive behavior* nor interfere with the operations of other sales booths.

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Section 3. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on December 22, 2010, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: _____

John M. Stone, P.E.
Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) The existence of code authority and the correctness of the required citation of code authority following each section; and

(3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: _____

John W. Hartle
City Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____

Laurie J. Sica, Clerk

Filing with Clerk

I certify, as the clerk of the City and Borough of Juneau, that the following statements are true:

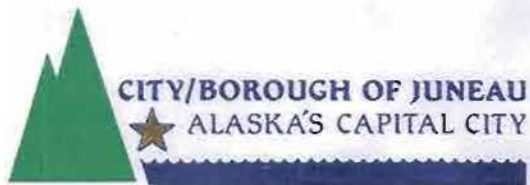
These regulations were accepted for filing by the office of the clerk on the ____ day of _____, _____.

A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.

Effective date: _____.

Date: _____

Laurie J. Sica, Clerk



City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

Port of Juneau

To: Docks and Harbors Patrons
CC:
From: John M. Stone, P.E. Port Director
Date: December 21, 2010
Re: Proposed Changes to Waterfront Sales Permit Regulations

The Docks and Harbors Board is proposing to amend the waterfront sales permit regulations listed in 05 CBJAC 10. The Board is proposing changes to sections of the regulation dealing with the prohibition of owning more than one permit, the section dealing with allowable signage on the sales booths, and the section dealing with behavioral conduct of persons selling tours at the booths.

Interested persons may obtain a copy of the proposed regulations at any of the harbor offices, at the CBJ libraries, at the CBJ Clerk's Office, and online at www.juneau.org/harbors/proposed_regulations.php

The Board is holding public hearings on the proposed changes on January 18, 2011 at 500 p.m. in the Aurora Harbor Office and on January 27, 2011 at 7:00 p.m. in the CBJ Assembly Chambers. Written comments may also be submitted to the Port Director's Office by fax at (907) 586-0295, by hard copy at 76 Egan Drive, and online by web form at the above web address.

The Board intends to take final action on the regulations immediately after the public hearing on January 27, 2011. This action is not expected to cause an increased appropriation of general funds.

Interested persons may obtain more information by calling Port Director John Stone at 586-0294.

Attachment

Chapter 03.30

CODE ENFORCEMENT*

* **Charter References:** Penalty for ordinance violations, § 3.17.

Cross References: Enforcement agents, CBJ Code ch. 03.45; building code, CBJ Code ch. 19.03; uniform housing code (UHC) adopted, CBJ Code § 19.05.010; plumbing code, CBJ Code ch. 19.06; mechanical code, CBJ Code ch. 19.07; electrical code, CBJ Code ch. 19.08; fire code, CBJ Code ch. 19.09; penal code, CBJ Code tit. 42; sewer code, CBJ Code ch. 75.02.

State Law References: District court jurisdiction to hear violations of municipal ordinances, AS 22.15.060, 22.15.120(a)(7); fines distribution, AS 22.15.250, 22.15.270.

Article I. Authority

03.30.010 Administrative assistance to district court; fine schedule.

Article II. Procedure

03.30.015 Appearance plea.

03.30.025 Citations; procedures.

03.30.030 Warning citations.

03.30.035 Citations, warrants and complaints; disposition.

03.30.040 Illegal cancellation of citations.

03.30.045 When citation deemed lawful complaint.

03.30.050 Citation; failure to appear.

Article III. Fines

Division 1. Traffic

03.30.051 Traffic fine schedule.

Division 2. Boat Harbor

03.30.052 Boat harbor fine schedule.

Division 3. Health and Sanitation

03.30.053 Health and sanitation fine schedule.

Division 4. Animal Control

03.30.054 Animal control fine schedule.

Division 5. Woodsmoke Control

03.30.055 Woodsmoke control fine schedule.

Division 6. Parks and Recreation

03.30.056 Parks and recreation fine schedule.

03.30.057 Fire code fine schedule.

Division 7. Alcoholic Beverage Control

03.30.058 Alcoholic beverage control fine schedule.

Division 8. Airport

03.30.059 Airport fine schedule.

Division 9. Lands

03.30.060 Lands fine schedule.

Division 10. Streets and Sidewalks

03.30.061 Streets and sidewalks fine schedule.

Division 11. Commercial Passenger Vehicle

03.30.062 Commercial passenger vehicle fine schedule.

Division 12. Land Use

03.30.063 Land use fine schedule.

Division 13. Building Code

03.30.064 Building code fine schedule.

03.30.065 Penal code fine schedule.

ARTICLE I.

AUTHORITY

03.30.010 Administrative assistance to district court; fine schedule.

(a) The chief of police shall designate an employee of the police department to assist the district court with the clerical work of City and Borough code enforcement cases.

(b) The City and Borough assembly shall adopt a fine schedule for certain offenses, which schedule shall designate the specified offenses under the laws of the City and Borough with respect to which payment of a fine may be accepted in satisfaction thereof, and which schedule shall specify the amounts of such fine for first, second, and subsequent offenses; provided, such fine amounts must be within the limits of applicable fines declared by law.

(c) The City and Borough assembly may adopt fine schedules for certain municipal offenses, which schedules shall designate the specified offenses under the laws of the City and Borough with respect to which payment of a fine may be accepted in satisfaction thereof, and which schedules shall specify the amounts of such fine for first, second, and subsequent offenses; provided, such fine amounts must be within the limits of applicable fines declared by law.

(Serial No. 79-7, § 2, 1979; Serial No. 87-58, § 2, 1987)

State Law References: Authority to adopt schedule of traffic fines, AS 28.05.151(a).

ARTICLE II.

PROCEDURE

03.30.015 Appearance plea.

(a) Any person charged with an offense for which payment of a scheduled fine may be made shall have the option of paying such scheduled fine within the time specified in the notice of violation or by mail received at the police department upon entering a plea of nolo contendere and upon waiving appearance in court; or upon appearance in court and after entering a plea of not guilty shall be given a trial date and shall post such bail as the court may order.

(b) The payment of the scheduled fine shall be deemed an acknowledgment of conviction of the alleged offense.

(Serial No. 79-7, § 2, 1979; Serial No. 87-58, § 3, 1987)

State Law References: Disposition of scheduled offense, AS 12.25.195.

03.30.025 Citations; procedures.

Except when authorized or directed to immediately take a person before a district court judge for the violation of any City and Borough laws, a police officer or enforcement agent who cites a person for such violation other than for the purpose of giving him or her a warning notice and does not take such person into custody under arrest, shall take the name, address, the operator's license number of such person, if a driving offense is involved, the registration number of the motor vehicle involved, and such other pertinent information as may be necessary, and shall issue to him or her in writing on the form provided by the City and Borough, a citation containing a notice to answer to the charges against him or her in the district court at a time specified in the citation.

(Serial No. 79-7, § 2, 1979)

03.30.030 Warning citations.

Police officers and enforcement agents are authorized to issue tickets and endorse thereon an "X" in the warning box, if there is such a place upon the citations, and otherwise shall mark the word "warning" across the citation wherein exceptional cases in their opinion the best interests of justice are thereby served. Such warning shall be scrupulously given and only in such cases where there is no deliberate, continued or flagrant violation and where there are appearances which indicate that the violation might be unavoidable.

(Serial No. 79-7, § 2, 1979)

03.30.035 Citations, warrants and complaints; disposition.

(a) Every police officer or enforcement agent upon issuing a citation to an alleged violator of any provision of any laws of this City and Borough, shall deposit the original and such copies of the citation as required by the court with the chief of police or the chief of police's designee who shall cause the original and duplicates to be made available to the district court.

(b) Upon filing of such citations in the district court as aforesaid, the citation may be disposed of only by trial in the court or by other official action by or as authorized by a judge of the district court, including forfeiture of bail or by payment of fine.

(c) The chief of police shall also maintain or cause to be maintained a record of all warrants issued by the district court on minor violations charges or charges of failure to appear, which are delivered to the police department for service, and of the final disposition of all such warrants.

(d) It is unlawful and official misconduct for any member of the police department or other officer or public employee to dispose of, alter or deface a citation, meter ticket or any copy thereof, or the records of the issuance, or the disposition of any citation, complaint, or a warrant, in a manner other than is required in this title.

(Serial No. 79-7, § 2, 1979)

03.30.040 Illegal cancellation of citations.

It is unlawful for any person to cancel or solicit the cancellation of any citation or meter ticket in any manner other than as provided by this title. A citation issued for violation of a vehicle equipment requirement may be voided upon proof within a period specified on the citation that the violation has been cured.
(Serial No. 79-7, § 2, 1979)

03.30.045 When citation deemed lawful complaint.

In the event the form of citation includes information and is sworn to as required in respect to a complaint charging commitment of the offense alleged in the citation to have been committed, then such citation when filed in the court having jurisdiction shall be deemed to be a lawful complaint for the purpose of prosecution under this Code.
(Serial No. 79-7, § 2, 1979)

03.30.050 Citation; failure to appear.

(a) It is unlawful for a person who has been personally cited for a violation of any law in this Code, or the owner of a vehicle to which a citation was affixed in accordance with the provisions of section 72.22.045, who has not made satisfactory arrangements with the clerk of the district court prior to the specified appearance date for a different court appearance, or who has not paid the applicable fine in accordance with the provisions of section 03.30.015, or fails to appear in court at the time specified on the citation, or any person who has made arrangements for a different appearance date to fail to appear in court on the date specified or scheduled.

(b) A person cited or released under the provisions of this Code who knowingly fails to appear before a court or judicial officer as required by the citation or court order shall incur a forfeiture of any security that was given or pledged for the person's release, and, if the person was cited, released, or ordered to court in connection with a charge of misdemeanor, is guilty of a Class B misdemeanor.
(Serial No. 79-7, § 2, 1979; Serial No. 2007-09, § 2, 3-5-2007, eff. 4-5-2007)

ARTICLE III.

FINES*

* Cross References: Fees, citations, and penalties, CBJ Code ch. 08.50.

DIVISION 1.

TRAFFIC*

* Cross References: Fees, citations, and penalties, CBJ Code ch. 08.50; traffic, CBJ Code tit. 72.

72.16.050(b)	Driving through parade	100.00 (no MCA)
72.16.050(c)	Parking on posted parade route	25.00
Chapter 72.17:	Street Closure Permits	
72.17.010	Unlawful street closure	100.00
Chapter 72.18	Special Permits	
72.18.035	Parking in violation of a residential parking zone regulation	50.00
Chapter 72.24:	Snow Removal	
72.24.010	Parking in violation of snow removal prohibition	55.00
72.24.075	Placing snow in public ways	55.00

"MCA" in the fine schedule means mandatory court appearance; fine schedule not applicable.

"Corr/MCA" in the fine schedule means mandatory court appearance unless violation is corrected and citation is dismissed; fine schedule not applicable.

(Serial No. 87-59, § 2, 1987; Serial No. 88-19, §§ 2, 3, 1988; Serial No. 90-39, § 2, 1990; Serial No. 91-24, § 2, 1991; Serial No. 92-12am, § 3, 1992; Serial No. 92-52, § 2, 1992; Serial No. 94-38, § 2, 1994; Serial No. 98-14, § 3, 1998; Serial No. 99-24, § 2, 1999; Serial No. 2000-49, § 2, 12-18-2000; Serial No. 2001-27am, § 4, 7-16-2001; Serial No. 2001-48, § 3, 11-5-2001; Serial No. 2002-12, § 2, 4-1-2002; Serial No. 2003-05, § 2, 2-10-2003; Serial No. 2003-22, § 2, 6-9-2003; Serial No. 2003-28am, § 2, 6-23-2003; Serial No. 2003-32am, § 2, 7-14-2003; Serial No. 2004-02, § 3, 1-12-2004; Serial No. 2004-05, § 2, 1-26-2004; Serial No. 2004-16, § 3, 5-24-2004; Serial No. 2004-19, §§ 2, 3, 5-24-2004; Serial No. 2004-18, § 3, 8-9-2004; Serial No. 2005-50, § 2, 1-30-2006; Serial No. 2010-21, § 2, 7-19-2010)

DIVISION 2.

BOAT HARBOR*

* Cross References: Marine passenger fee, CBJ Code ch. 69.20; waters and harbors, CBJ Code tit. 85.

03.30.052 Boat harbor fine schedule.

Pursuant to sections 03.30.010--03.30.015 of this chapter, those of the following boat harbor offenses which are amenable to disposition without court appearance may be disposed of upon payment of the fines listed to the municipal clerk of the court. If a person charged with one of these offenses appears in court and is found guilty, the penalty imposed for the offense may not exceed the fine amount for that offense listed in the following schedule:

BOAT HARBOR FINE SCHEDULE

CBJ	Offense	No. of Offenses	Fine
85.10.050(k)	Violate posted parking	Any	\$25.00
85.20.030(a)	Boat launch ramp fee and permit required	Any	75.00

85.25.010	Fail to register	Any	25.00
85.25.020	Fail to identify vessel	Any	25.00
85.25.030	Fail to equip vessel	Any	25.00
85.25.040	Fail to apply for space	Any	25.00
85.25.050	Commercial operations	1st	20.00
		2nd	50.00
		3rd	100.00
		4th	MCA
85.25.070	Persons under age of 16 on floats	Any	25.00
85.25.080	Duties--fail to perform	Any	25.00
85.25.090(1)	Violate speed or wake regulations	1st	50.00
		2nd	100.00
		3rd	MCA
85.25.090(2)	Reckless operation	Any	MCA
85.25.090(3)	Negligent operation	1st	75.00
		2nd & subseq.	MCA
85.25.090(4)	Unsafe operation or obstruction	1st	20.00
		2nd	30.00
		3rd	MCA
85.25.090(5)	Violate posted sign, sales permit, loading permit, commercial use permit, etc.	1st	50.00
		2nd	100.00
		3rd	250.00
		4th and subseq	MCA
85.25.090(6)	Unsafe and unattended fire on vessel	1st	50.00
		2nd	MCA
85.25.090(7)	Loose dog on floats	Any	25.00
85.25.090(8)	Cargo on floats	Any	25.00
85.25.090(9)	Tamper or interfere with utilities, etc.	1st	25.00
		2nd	50.00
		3rd & subseq.	MCA
85.25.090(10)	Posting without permission	Any	25.00
85.25.090(11)	Unauthorized advertising	Any	25.00
85.25.090(12)	Deface signs, etc.	1st	25.00
		2nd	50.00
		3rd & subseq.	MCA
85.25.090(13)	Obstruct access to harbor	1st	25.00
		2nd	50.00
		3rd	MCA
85.25.090(14)	Unauthorized bumpers, etc.	Any	25.00
85.25.090(15)	Commercial and repair	1st	20.00
		2nd	50.00
		3rd	100.00
		4th	MCA
85.25.100	Aircraft and vessels not to interfere	1st	50.00
		2nd	MCA

;oh3a;Chapter 10/WATERFRONT SALES PERMITS

05 CBJAC 10.010 Policy.

05 CBJAC 10.020 Prohibitions.

05 CBJAC 10.030 Permit duration, reissuance options, transferability, refunds, actively sell requirement, eligibility, number of permits available.

05 CBJAC 10.040 Tour sales permits.

05 CBJAC 10.050 Reserved.

05 CBJAC 10.060 Loading permits.

05 CBJAC 10.070 General operating requirements.

05 CBJAC 10.080 Enforcement and penalties.

05 CBJAC 10.090 Definitions.

05 CBJAC 10.010 Policy.

These regulations are intended to implement the following policies:

- (a) To provide desirable commercial services to cruise ship passengers.
- (b) To provide for orderly administration by the department of appropriate vending in the downtown waterfront area.
- (c) To ensure that vending uses shall remain incidental to the principle uses of the downtown waterfront area. The principle uses are pedestrian, vehicular, and recreational access to the docks and waterfront. The director may order the suspension of vending activities as necessary to avoid conflict with the principle uses.
- (d) To collect revenues in support of management of and improvements to City and Borough harbor and waterfront facilities.
- (e) To assure fair treatment of persons wishing to sell tours in the downtown waterfront area.
- (f) Establish a system of tour sales and tour brokerage permits in order to effectuate the purposes listed above. The administration of such system shall be for the benefit of the general public, and the grant or denial of a permit, or any act or omission by the city with respect to such permit is not intended to regulate the private business relationships or to protect the business interests of one party against the other. It shall be the individual responsibility of the permit holders and their clients to enforce their rights and liabilities through civil actions or such other private relief as may be available.

(01/19/98)

05 CBJAC 10.020 Prohibitions.

(a) A person shall not conduct any commercial activity within the downtown waterfront area except as authorized by a permit issued under this chapter by the director. Except as authorized by a permit, a person shall not within the downtown waterfront area:

- (1) Sell or offer to sell goods or services,
- (2) Construct, maintain, or use any structure, or

(3) Use any loading zone.

(b) Solicitation, advertisement, sales, use of loading zones or any other commercial activities without a permit issued pursuant to this chapter is a violation of CBJ 85.25.090 (11).

(c) A person delinquent in the payment of fines, taxes, judgments or other monies owed to the city may not receive a permit.

(d) No permit may be issued or reissued to any person whose prior permit hereunder was revoked.
(01/19/98)

05 CBJAC 10.030 Permit duration, reissuance options, transferability, refunds, actively sell requirement, eligibility, number of permits available.

Permits may be issued by the director. Permits are valid only for the dates, times, areas, and activity specified.

(a) *Duration.*

(1) Tour sales, tour broker, and loading permits shall be valid only from May 1 through October 15 of each permit year.

(2) No permit may be issued for a period in excess of one calendar year.

(b) *Reissuance.* Permits may be reissued only as authorized by these regulations. A reissued permit shall be subject to the regulations in effect for the year in which the permit is used. Permittees and option holders assume the risk that changes in regulations could affect their business through reduced revenues, increased costs, or both; that the number, location and rules for permits may be changed from year to year without liability to the city, compensation to permittees or option holders, and that municipal regulation hereunder shall be immune from liability pursuant to AS 09.65.070 and other applicable law.

(1) Reissuance options.

(A) A reissuance option entitles the holder to apply for and receive a permit for the tour season designated in the option, provided that the holder meets all the requirements for permit applicants and holders in the year the reissued permit will be operated.

(B) The fee for any permit issued pursuant to a reissuance option shall be the same as the fee paid for the original permit.

(C) The holder of a reissuance option shall notify the director of its intention to seek reissuance. Written notice must be received by the director no later than December 1 preceding the year in which the reissued permit will be operated. If

the notice is not so received, if application is not made, or if for any other reason the permit is not reissued, the director may consider the permit, including any remaining reissuance periods, as forfeit and either available for issuance to others or withdrawn from any issuance.

(D) Reserved.

(E) These regulations apply to any permits and reissuance options authorized by 05 CBJAC 10.010--10.090.

(c) *Transferability.*

- (1) A permit, other than a limited loading permit, may be transferred, together with any reissuance options, provided that such transfer includes the transferor's entire business interest in activities conducted under the permit. The transferor's business interest includes all assets used in the business conducted under the permit.
- (2) No permit may be leased or rented, nor may the permittee allow the permit to be used by any person who is not an employee of the permittee.
- (3) A transferred permit is not valid until it has been approved and reissued by the director.

(d) *Refunds.* No permit fees shall be refunded after the issuance of a permit.

(e) *Reserved.*

(f) *Permit eligibility and requirements.*

- (1) To be eligible to bid on a tour sales or tour broker permit, the permit applicant must:
 - (A) Hold a current Alaska business license, and
 - (B) Maintain a place of business under the name on the Alaska business license within the boundaries of the city and borough.
- (2) Any person holding a permit must maintain a year round place of business and mailing address in the City and Borough of Juneau, Alaska, and must designate a single individual by physical address, mailing address and phone number in Juneau upon whom service of notices and legal proceedings may be made. Service of any notice concerning the permit to that person shall be legal and sufficient notice to any of the holders, owners or any other with an interest in the permit. The director must be notified in writing no less than ten days before there is a change in the name, address or phone number of the designated person for a permit. Failure to timely notify the director shall be considered a violation of the permit conditions.
- (3) No person shall have an interest in more than one permit. As used in this section,

"interest" means an equity interest in a permit or in a legal entity owning a permit, which interest is held by the person or a spouse, minor child, dependent, or a regular member of the person's household, but does not include the financial relationship between a permit holder and a tour provider for whom the holder sells tours. This subsection only applies to tour sales and tour broker permits.

- (4) Tour sales permit holders and tour broker permit holders must actively sell during the tour season. "Actively sell" means that the permit holder either derives a significant portion of its income from sales made through a tour sales or broker's permit, or that the permit holder is making substantial use of the permit.

- (g) *Number of permits available.* The director shall publicly announce the number, type and schedule for application for permits.

(01/19/98; Amended 5-2-2000, eff. 5-16-2000; Amended 6-26-2010, eff. 7-29-2010)

05 CBJAC 10.040 Tour sales permits.

A tour sales permit authorizes the solicitation and sale of tours and experiences.

- (a) *Application process and permit award.*

- (1) *How to apply.* No later than December 1, of each year, the port director will publicly announce an application period for tour sales permits. The notice will include a description of how to apply for a permit, the number and type of permits available, and the process that will be used to award the permits. Persons must apply on an application form provided by the port director and must include all required information and attachments.
- (2) *Application review.* The port director will review each application to determine if it is complete. The port director will reject incomplete applications. The port director will review complete applications to determine if the applicant meets the permit eligibility requirements set out in 05 CBJAC 10.030(f).
- (3) *How the permits are awarded.* The port director will award the permits by public outcry auction. The minimum bid for a permit is \$5,000.00. Applicants meeting the permit eligibility requirements set out in 05 CBJAC 10.030(f) will be allowed to bid on a permit provided the applicant posts a \$5,000.00 bid bond payable to CBJ. The applicant must agree to forfeit the bid bond in the event the applicant does not honor a winning bid on a permit.

- (b) *Permit requirements.* The port director may issue permits and require permit holders to comply with stipulations as necessary to assure compliance with applicable requirements of this chapter and the Maritime Transportation Security Act of 2002. Permit holders shall also comply with the prohibitions set out in 05 CBJAC 10.020, the tour sales area rules set out in 05 CBJAC 10.040(c), and the general operating requirements set out in 05 CBJAC 10.070.

(c) *Tour sales area rules.*

- (1) A permit holder shall only sell tours in a booth provided by the port director. The port director will provide booths at the Steamship Wharf Plaza, the Visitor's Center Lot, and the Columbia Lot sales areas. The port director reserves the right to relocate or close booths as required for public safety, security, or other good cause. The booths at each sales area will be assigned by lot. In order to assure equitable exposure for each permit holder, the port director will cause the permit holders to shift one booth on each day of operation. A permit holder shall only occupy the booth assigned by the port director.
- (2) A permit holder shall not have more than one representative selling tours at a booth. A permit holder shall maintain a presence at its booth during all hours when cruise ship passengers are likely to purchase tours in a sales area.
- (3) The permit holder shall provide the port director with a list of all tours sold by the permit holder.
- (4) The permit holder may display one large sign on the booth provided the sign does not extend beyond the front profile of the booth. The permit holder may also display a one-foot by one-foot sign for each tour the permit holder sells. The signs may not extend more than six inches beyond the front profile of the booth.
- (5) The permit holder shall not engage in hawking nor shall the permit holder interfere with the operations of other sales booths.

(01/19/98; Amended 5-2-2000, eff. 5-16-2000; Amended 1-7-2008, eff. 1-15-2008)

05 CBJAC 10.050 Reserved.

Editors Note: Regulation adopted January 7, 2008, effective January 15, 2008, repealed 05 CBJAC 10.050, which pertained to tour broker permits.

05 CBJAC 10.060 Loading permits.

No person shall operate, park, stand, or stop a commercial vehicle, or cause or direct the same, within the designated loading zones in the downtown waterfront area except as authorized by a permit issued hereunder. Vehicular use of designated loading zones for commercial purposes without a permit is a violation of CBJ 85.25.090(11).

(a) *Application process.*

- (1) Application forms for loading permits will be available at the Harbor office between April 1 and October 15.
- (2) Applications must be made on the form provided by the department, and must be complete, including all required attachments. Any incomplete application will not be considered for a permit.

(b) *Permit requirements and conditions of operations.*

- (1) The port director is authorized to designate loading zones in the downtown waterfront area and establish rules to assure safety, security, and efficiency of operation.
- (2) The port director may issue loading zone permits and require permit holders to comply with stipulations as necessary to assure safety, security, and efficiency of operation. Permit holders shall also comply with the loading zone rules set out in 05 CBJAC 10.060(c) and the general operating requirements set out in 05 CBJAC 10.070.
- (3) An applicant for a loading zone permit must show that use of the permit will be limited to transportation of passengers and/or crew to or from cruise ships. If the applicant will be transporting passengers, the showing must consist of at least one of the following:
 - A. A tour sales permit in the applicant's name;
 - B. A contract for the sale of tours onboard a cruise ship;
 - C. A contract with a cruise ship for the transportation of passengers;
 - D. A contract for the sale of tours with a tour sales permit holder. An applicant may enter into a contract with one tour sales permit holder only; or
 - E. If the applicant sells tours without the aid of the cruise lines, a cruise ship, or a tour sales permit holder, the applicant must show that it will only transport persons who have purchased tours directly from the applicant, and the applicant shall, upon request, provide the port director with a daily manifest showing the names of passengers to be transported.

(c) *Loading zone rules.*

- (1) No signs are allowed in the loading zone.
- (2) Loading zone permits shall be prominently displayed in the lower right corner of the front windshield of the vehicle, or as specified by the director.
- (3) No person shall sell or solicit the sale of any goods or services in any loading zone.
- (4) Goods and passengers shall be staged at loading zones so as to minimize vehicular standing time. No vehicle shall be present in a loading zone except as reasonably necessary for loading or unloading goods or passengers.
- (5) The driver of a vehicle must remain in the driver's seat unless assisting in the loading or unloading of passengers or luggage in the immediate vicinity of the vehicle. No driver may leave a vehicle unattended in a loading zone for any period of time.
- (6) "A" loading zones.

- (A) Vehicles containing 18 or more passenger seats may be operated only in loading zones marked "A."
- (B) Permittees using "A" loading zones shall submit a schedule of all cruise ships they will be meeting. For each meeting, permittees must use the "A" loading zone closest to the terminal or lightering dock designated on the schedule. Permittees may not depart from the schedule unless approval is obtained from the director at least 24 hours in advance. Approval shall be contingent upon the impact of changes upon other permittees, users of the park, and traffic conditions.
- (7) "B" loading zones. Vehicles containing fewer than 18 passenger seats may be operated only in loading zones marked "B."
- (8) A vehicle without the appropriate permit may use a loading zone as necessary for a health or safety emergency. Such use shall be the minimum necessary to resolve the emergency.
- (d) *Limited loading permits.* A person may apply for a limited loading permit for designated vehicles to provide services in a designated loading zone to a cruise ship or cruise ship passengers for occasional or off-peak-hour use. Application must be made to the director no less than one business day in advance of use.
 - (1) *Nonpassenger vehicles.* If the vehicle will be left standing in a loading zone for any amount of time, or if the driver will not remain with the vehicle for any period of time, the applicant must schedule that time with the director so as not to interfere with the efficient use of the loading zone by other permittees. The permittee must conduct all business efficiently so as to minimize any standing in the loading zone.
 - (2) *Passenger vehicles.* All requirements of subsection (c) of this section apply to vehicles providing passenger services to a cruise ship pursuant to a limited loading permit.
- (e) *Fees.*
 - (1) The fee for a loading permit shall be established at least annually by the docks and harbors board.
 - (2) The fee for a limited loading permit shall be \$15.00 per vehicle for each permit day or \$250.00 per year, whichever is less.

(01/19/98; Amended 1-7-2008, eff. 1-15-2008)

05 CBJAC 10.070 General operating requirements.

- (a) Permittees are responsible for complying with all state, federal, and local laws applicable to their activities.
- (b) Permittees shall police the area immediately around their vending area and shall properly dispose

of all litter accumulating there during the course of their activities.

(c) Permittees shall reimburse the City and Borough of Juneau for any damage to municipal property caused by the permittee's activities, including the cost of litter abatement.

(d) No permittee may store equipment or supplies in the downtown waterfront area except as approved by the director in advance.

(e) Permittees shall prominently display the permit issued pursuant to these regulations, as well as all other required permits and licenses, at all times during their activities hereunder.

(f) Permittees may not engage in hawking or make an unreasonably loud noise. Written information may be distributed to interested parties only when requested.

(g) Permittees, as a condition of receiving a permit, shall execute an instrument under the terms of which the permittee shall agree to indemnify, defend, and hold harmless the City and Borough of Juneau from any and all claims for injury or damage to persons or property suffered in connection with the permittee's activities unless such injury or damage is caused by the gross negligence of the City and Borough of Juneau.

(h) Prior to issuance of a permit, the prospective permittee must provide the department with a broker's certificate of insurance showing that the permittee has obtained at least \$500,000.00 or, in case of courtesy vehicles, \$300,000.00, of public liability insurance. The certificate must establish that the City and Borough is named as an additional insured on such policy, and that the insurer thereof shall notify the City and Borough if the policy is modified, canceled, or terminated. Vehicles operated under and in conformity with CBJ Chapter 20.40 are exempt from the requirements of this subsection.

(i) Permit holders are responsible for compliance with permit conditions. Any entity or person listed on a permit issued to a partnership, joint venture or other form of association or joint ownership, shall be deemed to be jointly and severally liable for any violations of these regulations by any person operating under the permit.

(01/19/98)

05 CBJAC 10.080 Enforcement and penalties.

(a) The port director may summarily suspend a permit issued under 05 CBJAC 10 without a hearing for a period not to exceed ten days if any activity conducted under the permit presents an immediate danger to the public health, welfare, or safety.

(b) The port director may suspend a permit, revoke a permit, deny a permit, deny the reissuance of a permit, or deny the ability to bid on a permit under 05 CBJAC 10 after an informal hearing before the port director and upon written findings that the permittee or applicant has violated these regulations, engaged in fraud or gross negligence, or misrepresented the nature and substance of a tour product.

(c) The port director shall conduct the hearing called for in 05 CBJAC 10.080(b) as follows:

(1) The permittee or applicant shall be provided with at least ten days notice of the hearing. The

notice shall include a brief statement of the facts giving reason for the proposed suspension, revocation, or denial.

- (2) The permittee or applicant shall have an opportunity to be heard at the hearing and shall have the right to call or cross-examine witnesses.
- (3) Relevant evidence may be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of a common law or statutory rule that makes improper the admission of the evidence over objection in a civil action. Hearsay evidence may be used to supplement or explain direct evidence, but is not sufficient by itself to support a finding unless it would be admissible over objection in a civil action.
- (4) The hearing shall be recorded by audio tape.

(d) The port director shall issue a written decision. The permittee or applicant may appeal the port director's decision to the docks and harbors board by filing a notice of appeal, setting forth the reasons for the appeal, with the port director within ten days of the director's decision.

(e) A permittee whose permit is revoked loses all rights and privileges under that permit, shall deliver copies of the permit to the port director, and may not apply for a new waterfront sales permit for a period of one year after the revocation. In addition, for a period of one year after revocation, no application for a waterfront sales permit shall be approved for an applicant who was an owner, operator, partner, director, manager, officer, assignor, or transferor, of any operation or business which required a waterfront sales permit, regardless of its form of legal entity, if the waterfront sales permit for that operation or business was revoked.

(f) Failure to follow any permit condition is a violation of CBJ 85.25.090, and may carry a fine of up to \$300.00 for each instance of a violation.
(01/19/98; Amended 4-24-2006, eff. 5-2-2006)

05 CBJAC 10.090 Definitions.

As used in this chapter:

"Courtesy vehicle" means a vehicle owned or operated by a business and used to transport passengers without additional charge, where such transportation is provided in conjunction with and in furtherance of a related primary business purpose or enterprise of that person.

"Department" means the City and Borough of Juneau Docks and Harbors Department.

"Director" means the port director or the port director's designee.

"Downtown waterfront area" and "facility" means that property owned by the City and Borough of Juneau located adjacent to the city cruise ship wharves, which is under the regulation of the Docks and Harbors Department and/or the Parks and Recreation Department. This includes all public spaces, loading zones, parking areas, and any wharves or trestles or portions thereof designated for enforcement hereunder by

resolution of the harbor board.

"Employee" means a person who provides services at the direction and under the control of another. An employee is an integrated part of the employer's business, is hired, supervised and paid by the employer for hours set by the employer, and the employer furnishes tools and materials for the employee's use. For purposes of this chapter, drivers operating vehicles pursuant to CBJ Chapter 20.40 shall be considered the employees of the holder of that certificate.

"Hawking" means the loud or continuous audible solicitation of business by a permittee to the general public.

"Permittee" [and] "permit holder" [and] "holder" mean the business entity or its authorized representatives conducting activities in the downtown waterfront area according to a permit issued under these regulations.

"Person" means a natural person, partnership, corporation, association, or other legal entity.

"Tour season" means May 1 through October 15 of one calendar year.

"Tours and experiences" means tours, transportation, transfers, entertainment, meals and services sold to customers and includes all services provided whether or not incidental to, advertised with, or specifically offered in the sale. All transportation provided to a customer by a permittee, or arranged by a permittee is considered a part of the tour or experience.

"Vehicle" means a device in, upon or by which a person or property may be transported or drawn including devices moved by human, animal, mechanical or other power source.
(01/19/98; Amended 5-2-2000, eff. 5-16-2000)

22 December 2010

From: Harbormaster
To: Operations Committee

Subject: USS ABRAHAM LINCOLN

Attachments: Email Correspondences with Capt Lins of USS ABRAHAM LINCOLN

1. I wish to encourage the Docks and Harbors Board to write a letter of encouragement to the Chief of Naval Operations for a port visit to Juneau for not only this year but for years to come.
2. This will let the Navy know that Juneau would encourage visits and would standby to help with logistics in any way we could.
3. I have attached a sample letter to be sent to the CNO.
4. Any questions please call 586-5255.

current rates. If the rates drop, the operations picture changes. I would also like to point out that there are a whole bunch of other issues that need to be addressed if the marina changes from private to public ownership, as we have learned from the purchase of Dehart's Marina.

Notwithstanding these concerns, it would be a tragedy if the property were lost for boating access. Viewed over the long term (say 50 to 100 years), it only makes sense to purchase the property and keep it in the public domain in perpetuity for boating access.

The Board should consider asking the Assembly to place the purchase on the ballot so the community can decide if it wants to keep this part of Auke Bay open to the public for boating access. If the Assembly desires to move in this direction, we can get into the details of a purchase.

Call me at 586-0294 if you have questions.



January 10, 2011

102069.01

John Stone, P.E.
Port Director
CBJ Docks & Harbors Department
155 South Seward Street
Juneau, Alaska 99801

Subject: Statter Harbor Deferred Maintenance
Design Phase Engineering Services Proposal

Dear Mr. Stone:

At your request, PND Engineers, Inc. has prepared the attached fee proposal for design and bid phase services for the Statter Harbor Deferred Maintenance project. PND will utilize Haight and Associates to provide the required electrical engineering services.

Scope of Deferred Maintenance (Phase 1) Construction Improvements

Attached is a general improvements site plan, engineer's preliminary cost estimate and detailed fee proposal describing the scope of improvements included in this proposal. In general, the improvements consist of the following:

- New Headwalk Float, approximately 365 LF. Tie in location along existing Headwalk Float and float type to be determined
- Anchorages for new floats, anchors with chains and/or pipe piling to be determined
- New Gangway Landing Float
- Modify & refurbish existing gangway
- Deferred Maintenance items on existing moorage and Breakwater floats including float connection refurbishment, transition plate refurbishment and concrete repair. Final scope of deferred maintenance items to be finalized following additional consultation with CBJ D&H
- Power & Lighting on new Headwalk, feeder reconfiguration and repower existing services. Infrastructure for future moorage floats to be provided in Phase 1
- Domestic water system, non-insulated summer time only use
- Utility and structural accommodations for future moorage expansion

Scope of Deferred Maintenance (Phase 1) Engineering Services

PND proposes to perform the work per the attached fee proposal on a Time and Expenses reimbursable basis for \$298,345. We will not exceed this amount without written authorization from the CBJ. This

proposal includes the preparation of bid ready plans, technical specifications, engineer's cost estimate, State & Federal permit applications, bidding and contract documents for the listed Deferred Maintenance and moorage improvements. Unless otherwise instructed, PND will rely upon available pile driving and anchor installation records provided by the State of Alaska for the design of the float anchorages. As such, no additional geotechnical investigations are proposed under this initial phase of improvements. Additionally, we will rely on previously gathered topographic and bathymetric survey information and augment this data with in-house surveys as required.

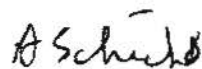
Deferred Maintenance (Phase 1) Design and Construction Schedule

We understand that the City wishes to complete the on-site construction by spring 2012. With this in mind, PND proposes to provide design and bid phase assistance services per the following schedule:

1. Site visit and field verification of existing conditions. Meet with City to confirm final scope of Deferred Maintenance improvements	Within 3 weeks following NTP.
2. 65% design review documents including plans and engineer's cost estimate	6 weeks after item 1
3. City review comments on 65% design documents:	1 week after item 2
4. 95% design documents including plans, specifications and engineer's cost estimate:	5 weeks after item 3
5. City review comments on 95% design documents:	1 week after item 4
6. Stamped bid ready documents:	2 weeks after item 5
7. Advertising period:	4 weeks
Total time NTP to Bid Opening	22 weeks
On-site Construction Schedule	October 01, 2011 – May 01, 2012

We appreciate the opportunity to assist the Docks and Harbors Department with the refurbishment and development of Statter Harbor. Feel free to call me or Dick Somerville if you have questions regarding this proposal or if you wish to revise the scope of services in any way to better serve your needs.

Sincerely,
PND Engineers, Inc. Juneau Office



Andrew Schicht, P.E.
Senior Engineer

Enclosures

PND Engineers, Inc.
 Statter Harbor Deferred Maintenance & Phase 1 Moorage Improvements
 Professional Engineering Services Time & Expenses Fee Proposal - January 10, 2011
 Final Design & Contract Documents
 PND Project No. 0102069.02

Scope of Services

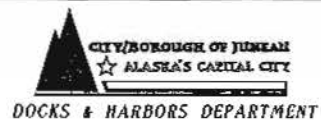
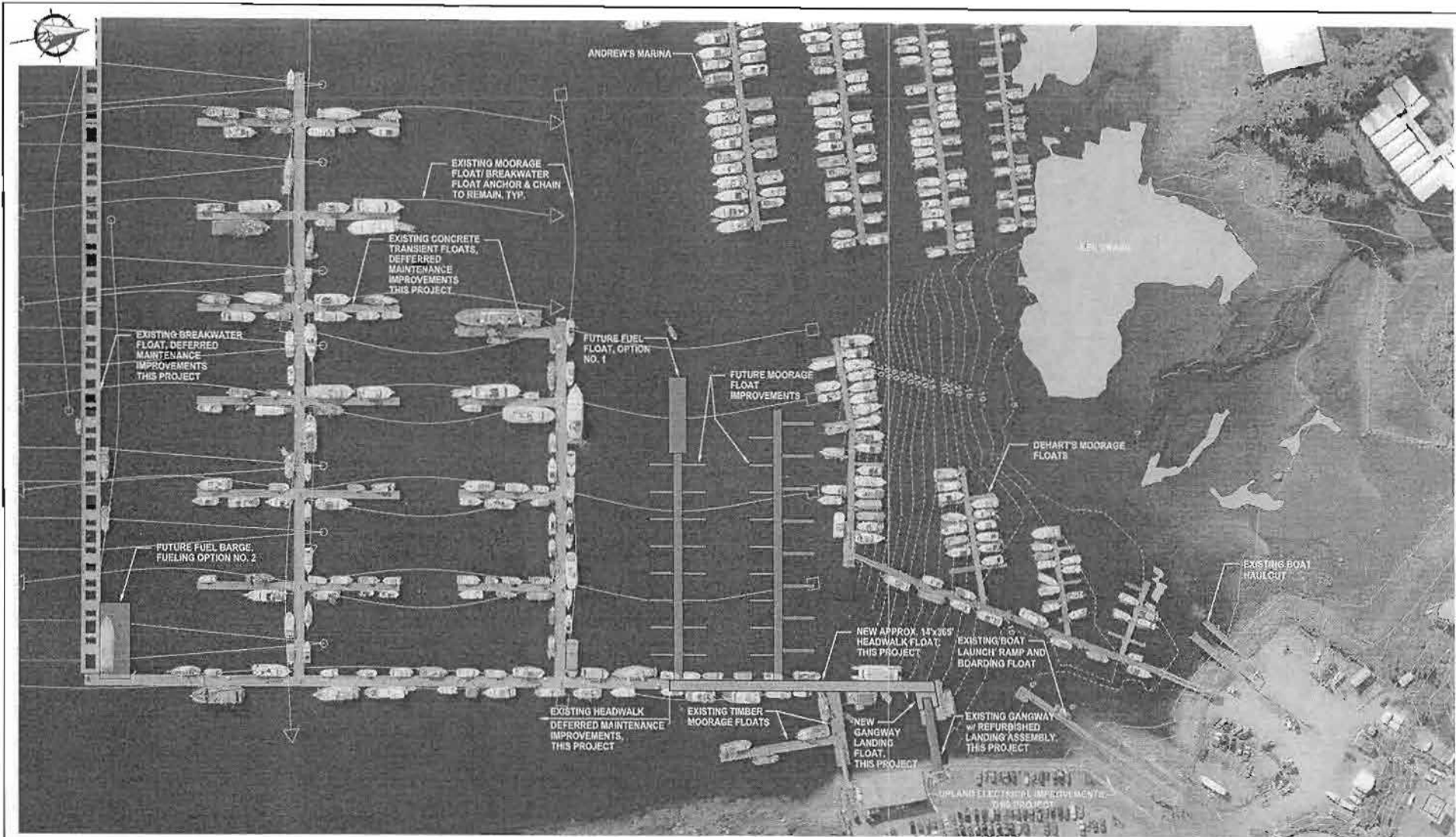
	PND Senior Engineer VII	PND Senior Engineer VI	PND Senior Engineer II	PND Staff Engineer V	PND Staff Engineer IV	PND CAD Designer V	H & A Principal Engineer	H & A Project Engineer	H & A CAD Designer	H & A Clerical / Admin	Line Item Costs	Task Subtotal Costs
	\$160.00	\$160.00	\$120.00	\$100.00	\$95.00	\$90.00	\$160.00	\$150.00	\$95.00	\$75.00		
Task 1: Design Development -65% Design Completion												
1.1 Demolition plans, summaries & schedules	2		8	12		4					\$2,840	
1.2 Deferred Maintenance items on existing floats including float connection refurbishment, transition plate refurbishment, & concrete float shell repairs	12	4	40	40		24					\$13,520	
1.3 Site plan - moorage improvements, deferred maintenance, uplands & utilities layouts	2		32	32		24					\$9,520	
1.4 Headwalk float	12	16	100	120		60					\$33,880	
1.5 Gangway landing float	4	8	32	32		16					\$10,400	
1.6 Existing gangway modifications including new landing assembly & electrical conduit routing accommodations	2		16	12		4					\$3,800	
1.7 Float anchorage system design & geotechnical research	12	12	60	48		16					\$17,280	
1.8 Domestic water system hydraulic calcs, piping plan & details - floats & uplands	2		32	16		16					\$7,200	
1.9 Life Safety Equipment			4	4		6					\$1,420	
1.10 Planning & accommodations for Phase 2 Moorage Improvements including considerations for fuel lines, domestic water, structural float connections, power & lighting design	8	16	48	48		12		12	12		\$18,420	
1.11 Temporary pedestrian access during construction	4	2	8	12		8					\$3,840	
1.12 Upland electrical	2		8	4		2		20	12	2	\$6,150	
1.13 Electrical & lighting w/structural supports - new floats	4		12	12		4		20	16	2	\$8,310	
1.14 Deferred maintenance electrical	2		4					12	12	2	\$3,890	
1.15 Repower existing float electrical	2		2					8	8	2	\$2,670	
1.16 Coast Guard electrical service			2					4	4	2	\$1,370	
1.17 Temporary electrical during construction			2					8	6		\$2,010	
1.18 Federal & State permit applications	2		6	4	40	12					\$6,320	
1.19 65% Cost estimate	4		12	4				8			\$3,680	
Total Estimated Task 1 Manhours	76	58	428	400	40	208		92	70	10		\$156,520

Scope of Services

[illegible]

TOTAL ESTIMATED FEE ALL TASKS 1-3

\$298,345



REVISIONS					
REV	DATE	DESCRIPTION	OWN	CHK	APP

PND
ENGINEERS, INC.

DESIGN: AHS
DRAWING: DES
CHECKED: DES
APPROVED: DES

5500 Glacier Highway Ste 100
Juneau, Alaska 99801
Phone: 907-586-2045
Fax: 907-586-2049
www.pnd-inc.com

SCALE: SCALE IN FEET
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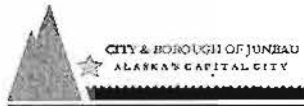


STATTER HARBOR MOORAGE IMPROVEMENTS

PHASE 1: DEFERRED MAINTENANCE & PHASE 1 MOORAGE IMPROVEMENTS

FIELD PROJECT NO. 102069.91 OWN. FILE.

1
SHEET
OF 1



**STATTER HARBOR DEFERRED MAINTENANCE PHASE 1
PRELIMINARY BUDGET**
Prepared By: PND ENGINEERS, INC.
December 16th, 2010

Item	Item Description	Units	Quantity	Unit Cost	Amount
1	Mobilization	LS	All Req'd	10%	\$57,500
2	Replace cylindrical fenders & steel mounting hardware at Breakwater float module connections, (2) units total	LS	All Req'd	\$100,000	\$100,000
3	Repair broken intermediate tensioning unit structural connections, (2) modules	LS	All Req'd	\$50,000	\$50,000
4	Provide & install floatation billets	LA	100	\$600	\$60,000
5	Repair damaged concrete float shells & module edges, multiple locations	LS	All Req'd	\$200,000	\$200,000
6	Electrical Cable chafe protection	LS	All Req'd	\$20,000	\$20,000
7	Replace connecting steel, hardware & cylindrical fender associated w/ Breakwater to Headwalk float flexible float connection	LS	All Req'd	\$20,000	\$20,000
8	Miscellaneous minor electrical & lighting upgrades including breaker replacement	LS	All Req'd	\$100,000	\$100,000
9	Replace/refurbish float transition plates	LS	All Req'd	\$25,000	\$25,000
10	Demolition & Disposal, includes existing Statter Harbor Headwalk & Gangway Landing Float	LS	All Req'd	\$200,000	\$200,000
11	Refurbish Existing Gangway & Landing Assembly	LS	All Req'd	\$50,000	\$50,000
12	Gangway Landing Float, 24' x 28'	LS	All Req'd	\$120,000	\$120,000
13	Headwalk Float, 14' x 345'	SF	4830	\$180	\$869,400
14	Float Anchorage System	LS	All Req'd	\$300,000	\$300,000
15	Temporary pedestrian access during construction of new Headwalk Float	LS	All Req'd	\$70,000	\$70,000
16	Temporary Electrical to harbor during construction of new Headwalk Float	LS	All Req'd	\$50,000	\$50,000
17	Electrical System including new lighting & power for new Headwalk Float, reroute primary feed down refurbished gangway and repower existing system south of new Headwalk Float	LS	All Req'd	\$500,000	\$500,000
18	Reconfigure Coast Guard Electrical Service	LS	All Req'd	\$15,000	\$15,000
19	Domestic Water System (Summer Use)	LS	All Req'd	\$60,000	\$60,000
20	Existing to New Float Transition Assemblies	LS	All Req'd	\$35,000	\$35,000
21	Life Ring & Fire Extinguishers	LS	All Req'd	\$10,000	\$10,000
22	Construction Surveying	LS	All Req'd	\$15,000	\$15,000
ESTIMATED CONSTRUCTION BID PRICE					\$2,926,900
SCOPE & CONSTRUCTION CONTINGENCY (15%)					\$439,035
FINAL DESIGN, PERMITTING, CITY ADMINISTRATION, CONTRACT ADMINISTRATION, INSPECTION & OTHER INDIRECT COSTS (18%)					\$526,842
TOTAL RECOMMENDED PROJECT BUDGET					\$3,892,777



January 13, 2011

Mr. John Stone, Port Director
City & Borough of Juneau
155 S. Seward Street
Juneau, AK 99801

Re: CBJ Marine Facilities Study, Phase 2

Dear Mr. Stone:

URS appreciates the opportunity to complete the work on the CBJ Marine Facilities Study, bringing to closure the 2006-07 conceptual development study (formerly by Tryck Nyman Hayes, TNH.) We propose the following scope of work and associated fee to complete the work as outlined below:

PROJECT BACKGROUND & UNDERSTANDING

Phase 1 of the project began in late 2006 with a siting study that considered six (6) potential sites for the development of marine facilities in Juneau (nominally, a 150T boat launch and associated boatyard). A Public Involvement Process (PIP) led to the short-listing of two sites: the University Property, across from Juneau-Douglas High School, and Norway Point, for which conceptual layouts and opinions of probable construction cost (OPCC) were developed. A subsequent value engineering (VE) analysis and PIP considered the relative benefits and challenges of each site. When the PIP was unable to reach a consensus site, the study was truncated at around 75-percent completion in mid-2007 with approximately \$31,000 remaining in the project budget. TNH's contract was extended and subsequently TNH was acquired by URS Corporation (URS) in 2008.

Recently, two new sites have arisen for consideration: the former DeHart's Haulout Facility (DeHart's) now owned by CBJ, and the new Auke Bay Loading Facility in Auk Nu Cove (Auk Nu). Phase 2 of the project will address these sites by providing conceptual layouts and supporting OPCC in order that the new sites may be compared to those considered in Phase 1, and so that CBJ may move forward with plans to develop these facilities as part of an overall waterfront master plan effort. URS approached CBJ late in 2010 regarding their interest in resuming the study to include these sites. URS provided a project update to the Docks & Harbors Board on December 7, 2010 and subsequently met with CBJ Harbors to discuss the proposed scope of work for Phase 2.

CBJ Harbors desires to work closely with URS to develop viable conceptual plans (one per site) with associated OPCCs to include: a dedicated 45-75T hydraulic trailer and launch ramp, a washdown facility, and upland boat storage. The 150T Marine Travelift considered in Phase 1 is no

longer under consideration. CBJ Harbors does not wish to expand the uplands to expand the site footprint beyond that shown on the existing site plans (by others). Public input will be solicited during the draft concept phase, in the form of a presentation delivered by URS at the scheduled April 21 CIP Committee meeting. Public comments will be summarized and included in a letter report. CBJ Harbors does not wish for the previous sites (University Property and Norway Point) to be revisited, with the exception of updating the Phase 1 OPCCs to 2011 construction dollars for comparison to the Phase 2 concepts.

SCOPE OF WORK

URS will prepare one concept for each site, in AutoCAD format, working closely with CBJ Harbors staff to prepare up to three iterations for each concept, based on feedback from CBJ and select stakeholders that may be identified, and the Public at large. Deliverables include the following:

1. Two (2) conceptual level site plans (one per site), in AutoCAD and PDF format, will be developed for Public presentation. These will be based on existing AutoCAD base plans for each site to be provided by CBJ Harbors. URS will meet with CBJ Harbors staff at appropriate junctures in the work to refine the concepts under development. Up to three (3) iterations of each plan are anticipated.
2. Powerpoint presentation for the April 21 CIP Committee meeting (by Matthew Sill and Shaun McFarlane.)
3. Letter report to document Phase 2 include discussion of the permits required for each site, accessibility, availability of utilities, overall public comments, and any other site-specific information that could influence a siting decision.
4. OPCCs for DeHart's and Auk Nu sites (2011 construction dollars) with construction contingency appropriate to the preliminary level of conceptual development.
5. OPCCs for the University Property and Norway Point sites updated from 2007 to 2011 construction dollars.

PROJECT TEAM

Shaun McFarlane, the Project Manager for Phase 1 of the project, will serve in the same role in Phase 2, overseeing and working closely with Matthew Sill, EIT, who will in turn work directly with CBJ Harbors staff. Other staff may be assigned to the project as required. Mr. McFarlane and Mr. Sill will jointly present the results of the Phase 2 study to the CIP Committee.

SCHEDULE

URS proposes the following schedule to complete Phase 2 of the project, based on receiving Notice to Proceed (NTP) by January 28, 2011:

<u>Item</u>	<u>Delivery Date</u>
Draft concepts (final iteration) to CBJ for review	March 18, 2011
Final concepts to CBJ Harbors for review	April 8, 2011
Final concepts & Powerpoint presentation to CBJ Harbors	April 15, 2011
Present Concepts at CIP meeting (Sill/McFarlane)	April 21, 2011
Final draft based on Public feedback to CBJ for review	May 13, 2011
Final letter report to CBJ Harbors	May 27, 2011

PROJECT FEE

URS proposes to undertake the work as outlined above for a fixed fee of **\$28,600**. This will retain approximately \$2,400 in CBJ's original project budget for additional services as may be directed.

URS proposes to undertake the work as proposed above as an extension to our existing Professional Services Contract. If this proposal meets with your approval, kindly execute below and return to my attention. This will serve as NTP for the work. Please contact me if you have any questions.

Sincerely,

Accepted:

URS ALASKA, LLC

CITY & BOROUGH OF JUNEAU



Shaun G. McFarlane, PE
Engineering Manager



John Stone
Port Director

(Date)

**MEMORANDUM OF AGREEMENT
BETWEEN THE ENGINEERING DEPARTMENT AND
THE DOCKS AND HARBORS DEPARTMENT
FOR COORDINATION OF CAPITAL IMPROVEMENT PROJECTS**

CBJ code and Assembly policy conveys to the Docks and Harbors Board and the Engineering Department the authority to administer design and construction projects. Both agencies desire to plan, administer, and develop CBJ capital projects in a consistent and efficient manner. Both agencies desire to coordinate and integrate construction projects along the downtown Juneau waterfront.

Basis of Agreement

The authority of Docks & Harbors and Engineering to administer CIP projects is found in CBJ code:

85.02.060 General powers.

(a) Subject to state laws and City and Borough ordinances, the City and Borough Docks and Harbors Board shall generally exercise all powers necessary and incidental to operation of all port and harbor facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board shall:

- (6) Shall administer the design and construction of all capital improvements on lands managed by the docks and harbors board unless otherwise specified by the Assembly by resolution. The board may propose capital improvement projects to and apply for funding from state and federal agencies; provided, that such requests shall be subject to prioritization by the Assembly with other municipal capital improvement funding requests prior to application for funds. The board shall, no later than November 30 each year advise the assembly of its recommendations for capital improvements to be included in the six-year capital improvement plan prepared by the manager.

03.10.052 Engineering department.

The engineering department shall be responsible for:

- (1) The design and construction of all municipal capital projects, including rehabilitation and major repairs, without regard to whether the facility is

under the control of a board or a different department unless the assembly by motion or resolution authorizes the board or another department or agency to assume responsibility for a specific project, whether owned or leased by the municipality, except those under the control of a board;

Coordination:

To ensure efficiency of use of public expenditures, close coordination will be required between the following (and perhaps other) waterfront projects:

Docks & Harbors:

Cruise Ship Dock Improvements (Alternate 16 B and associated work)

Harris Harbor Improvements (Development north of the JD Bridge)

Engineering Department:

Marine Park Improvements

Seawalk from Marine Park to Seadrome Building

Bridge Park & Seawalk to Gold Creek

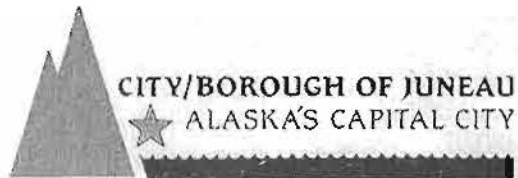
Future Seawalk Projects

As such, to achieve integration of waterfront development efforts, the Departments shall:

- Include members from the other Department in scoring solicitations for professional services.
- Share preliminary and concept plans for review and comment
- Provide plan drawings for review and comment at intervals as submitted by consultant firms
- Provide Plans and Specifications at the Time of Bid
- Provide other information on a timely basis that will foster better integration of waterfront projects

Port Director **Date**

Engineering Director **Date**



City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

Port of Juneau

Docks and Harbors Board FY 12 Marine Passenger Fee Request CBJ Cruise Ship Dock Replacement Project

Project Description: The project is located in downtown Juneau waterfront, an area that services up to 1,000,000 cruise ship passengers each year. The project consists of refurbishing two public cruise ship piers with the new floating berths as approved by the Assembly in September, 2010. The current piers are in need of replacement due to their age and condition. The current piers are also too small to handle panamax size cruise ships and the configuration of the piers has caused the loss of public access to the waterfront due to new maritime security requirements. Preliminary engineering is currently being undertaken and detailed cost estimates are expected to be provided to the Assembly by March, 2011.

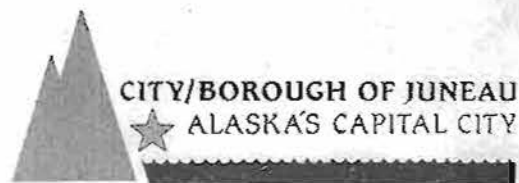
Marine Passenger Fee Funds Requested (FY12) – to be supplied by March, 2011.

Project Review: The project is part of CBJ's Waterfront Plan that was adopted by the CBJ Assembly in 2005. The plan was adopted as local ordinance after an extensive public involvement process. In addition, the project has been extensively vetted by the Assembly and Docks and Harbors Board. On September 20, 2010 the CBJ assembly adopted a resolution supporting the project and authorizing the Docks and Harbors Board to move forward a design alternative known as Concept 16B.

Project Time-Line: CBJ expects to design the project in the spring and summer of 2011 and accept bids for construction during the winter of 2011/2012. The current project schedule calls for installing the new berth at the Cruise Ship Terminal by the start of the 2013 season and the new berth at the Steamship Dock by the start of the 2014 season. Funding will be needed over a number of years due to the size and cost of the project.

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

Project Contact: John Stone, CBJ Port Director 586-0294



Port of Juneau

Docks and Harbors Board FY 12 Passenger Fee Request Statter Harbor Passenger For Hire Facility

Project Description: The project is part of the master plan for rebuilding CBJ harbor assets in Auke Bay. Assets include the Statter Harbor moorage float system, the Statter Harbor recreational boat launch facility, and DeHart's Marina, Fuel Dock and Boatyard. This infrastructure needs to be replaced or refurbished over the next few years. The project includes installation of a boarding float, gangway, and passenger loading zone to service the passenger for hire industry in Auke Bay. Nearly all of the customers that will use this new facility will be cruise ship passengers. These activities currently take place in areas of Statter Harbor that were not designed and are incapable of providing safe and efficient service. The lack of infrastructure also greatly detracts from the local resident's ability to use Auke Bay.

Passenger Funds Requested (FY12) - \$2,173,244

Funds Already in Hand

Local Marine Passenger Fee Funds (FY06 and FY 07)- \$500,000

Funds Needed But Not yet Requested – The project is estimated to cost \$4,846,488. This year's request represents half the funds needed to complete the project. We expect to submit an additional request next year to fulfill the project funding need.

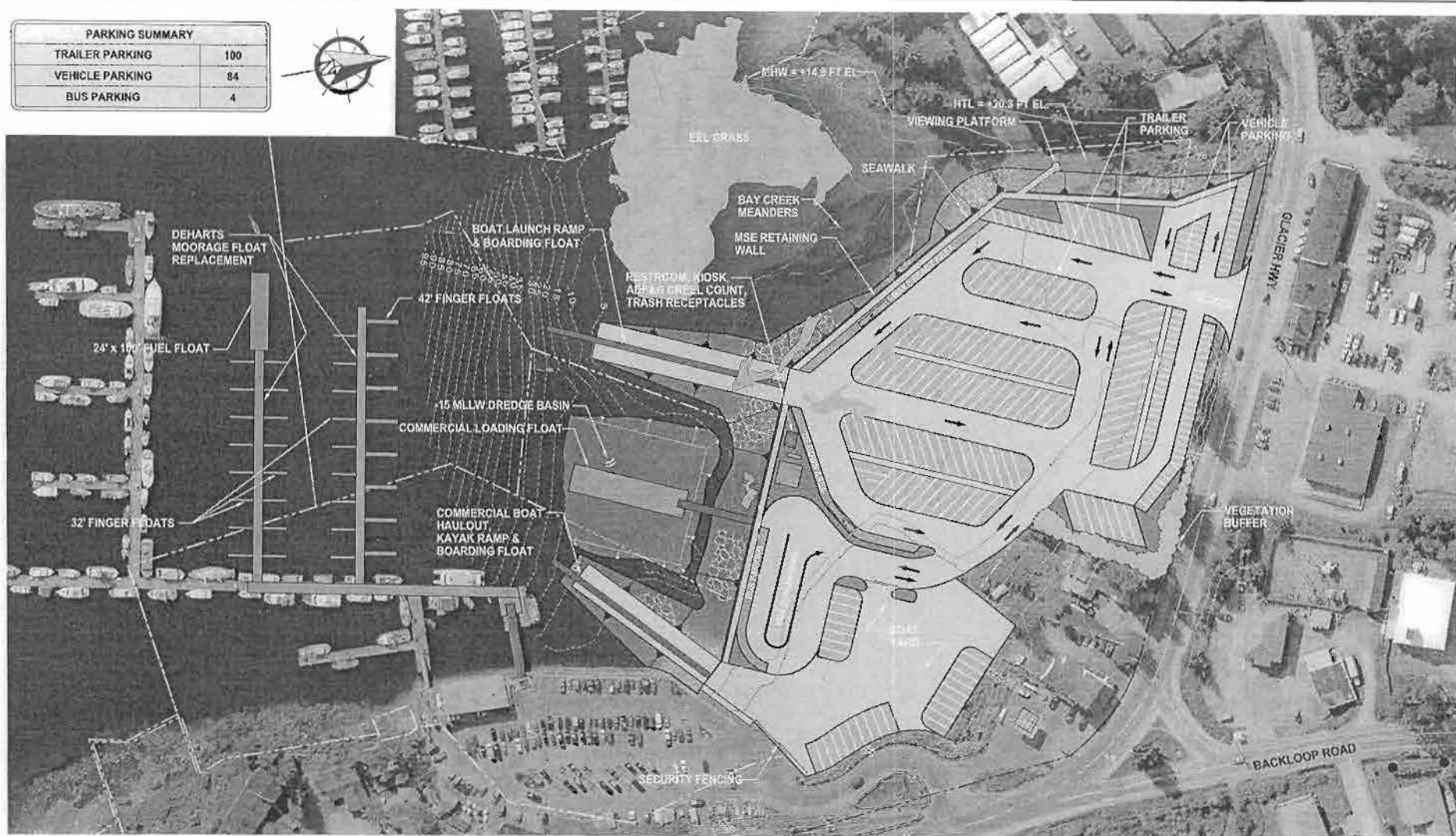
Project Review: The project is part of the Board's "Harbors Long Term Financial Plan" and the "Auke Bay Master Plan" and was approved by the voters in two special sales tax ballots. The Board is also conducting public meetings with facility users on the specifics of moving forward with the project.

Project Time-Line: An environmental assessment is currently being undertaken for the new launch ramp portion of the project. We expect to obtain permits for the new launch ramp and associated infrastructure by July 1, 2011. We expect to award a bid for the project by January 1, 2012. Construction is expected to occur during the spring of 2012 with completion of the project by the end of 2012.

Maintenance Responsibility: CBJ is responsible for all ongoing maintenance expense and will use local harbor operations funds for these expenses.

Project Contact: John Stone, CBJ Port Director 586-0294

PARKING SUMMARY	
TRAILER PARKING	100
VEHICLE PARKING	84
BUS PARKING	4



PND
ENGINEERS, INC



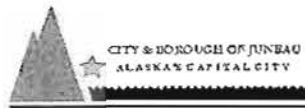
CITY/BOROUGH OF JUNEAU
ALASKA'S CAPITAL CITY
DOCKS & HARBOR DEPARTMENT

DESIGN: BI CHECKED: CRS
DRAWN: PSD APPROVED: CRS
SCALE: SCALE IN FEET
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CITY & BOROUGH OF JUNEAU
STATTER HARBOR IMPROVEMENTS
SHEET TITLE:
PROPOSED ACTION ALTERNATIVE
CONCEPT & MASTER PLAN
PND PROJECT NO. 002015 | DWG. FILE
DATE: 12/15/19

3
SHEET
3 OF 3



**STATTER HARBOR COMMERCIAL LOADING FLOAT & ASSOCIATED UPLAND
DEVELOPMENT**

PRELIMINARY BUDGET

Prepared By: PND ENGINEERS, INC.

December 16th, 2010

Item	Item Description	Units	Quantity	Unit Cost	Amount
1	Mobilization	LS	All Req'd	10%	\$317,600
2	Demolition & Disposal including travel-bt dock	LS	All Req'd	\$90,000	\$90,000
3	Pedestrian Access Gangway, 10'x100'	LS	All Req'd	\$225,000	\$225,000
4	Commercial Loading Float, 32'x150'	SF	4800	\$225	\$1,080,000
5	Float Piles & Mooring Piles	EA	6	\$35,000	\$210,000
6	Gangway Mounting Abutment	LS	All Req'd	\$90,000	\$90,000
7	Float-mounted Sewer Pumpout	LS	All Req'd	\$80,000	\$80,000
8	Domestic Water System	LS	All Req'd	\$100,000	\$100,000
9	Electrical and Lighting System on Commercial Loading Float	LS	All Req'd	\$225,000	\$225,000
10	Dredging w/ On-site Disposal	CY	8,000	\$50	\$400,000
11	Shot Rock Borrow	CY	15,000	\$22	\$330,000
12	Curbs and Sidewalks	LS	All Req'd	\$40,000	\$40,000
13	Storm Drain System	LS	All Req'd	\$30,000	\$30,000
14	Paving w/ Base Course (4" A.C.P.)	AC	1.0	\$140,000	\$140,000
15	Painted Traffic Markings	LS	All Req'd	\$10,000	\$10,000
16	Signage	LS	All Req'd	\$7,500	\$7,500
17	Guardrail	LF	350	\$60	\$21,000
18	Fencing	LS	All Req'd	\$20,000	\$20,000
19	Armor Rock Slope Protection	CY	1500	\$35	\$52,500
20	Upland Area Lighting	LS	All Req'd	\$25,000	\$25,000
ESTIMATED CONSTRUCTION BID PRICE					\$3,493,600
SCOPE & CONSTRUCTION CONTINGENCY (15%)					\$524,040
FINAL DESIGN, PERMITTING, CITY ADMINISTRATION, CONTRACT ADMINISTRATION, INSPECTION & OTHER INDIRECT COSTS (18%)					\$628,848
ENVIRONMENTAL SAMPLING					\$200,000
TOTAL RECOMMENDED PROJECT BUDGET					\$4,846,488

Note: Dredging and disposal costs assume favorable environmental testing results

Request to Alaska Legislature for Alaska Municipal Matching Grant Program Funds

Aurora Harbor Replacement Phase I

Project Description: The project is located in Juneau, Alaska and includes the replacement of the dilapidated moorage float system for Aurora Harbor. The float system was installed in 1965 and 1975 and is beyond the end of its useful life. Approximately 500 vessels ranging in length from 16 to 110 feet are moored in the harbor system. This facility was transferred from the State of Alaska to CBJ in 2003. Due to the size of the project, it will be done in phases as funding is obtained. This portion of the project will replace the "A" float where the largest boats are moored including the tug that services cruise ships. CBJ submitted a matching grant application to the Alaska Department of Transportation for FY12 funds under the Alaska municipal matching grant program.

State Funds Requested (FY12) - \$2,000,000

\$2,000,000 (Alaska Municipal Harbor Matching Grant Program)

Local Funds (FY 12)

Local Funds - \$500,000 (Marine Passenger Fees)

Local Funds - \$1,500,000 (Harbors Enterprise Funds)

Funds Needed But Not yet Requested – \$14,000,000

Project Review: The project is part of CBJ's Harbors Long Term Financial Plan. The Plan was adopted by the Docks and Harbors Board and reviewed by the CBJ Assembly in 2004.

Project Time-Line: This project can be done under a nationwide general permit and permitting is not a timing issue. CBJ expects bid the project within six months of receiving funding approval. Construction is expected to last 18 to 24 months.

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

Project Contact: John Stone, CBJ Port Director 586-0294

Statter Harbor Rehabilitation and DeHart's Marina Float Replacement

Project Description: The project is located in Auke Bay, Alaska and includes the rehabilitation of the Statter Harbor moorage float system and the replacement of the DeHart's Marina moorage floats and fuel dock. The Statter Harbor float system was built in the mid-1980's and needs to be refurbished in order to prevent structural failure of its primary components and to extend its useful life. DeHart's Marina was built in the 1960's and 70's, is at the ends of its life, and needs to be replaced.

Funds Requested (FY12)

State Funds - \$6,000,000 (Legislative Grant Request)

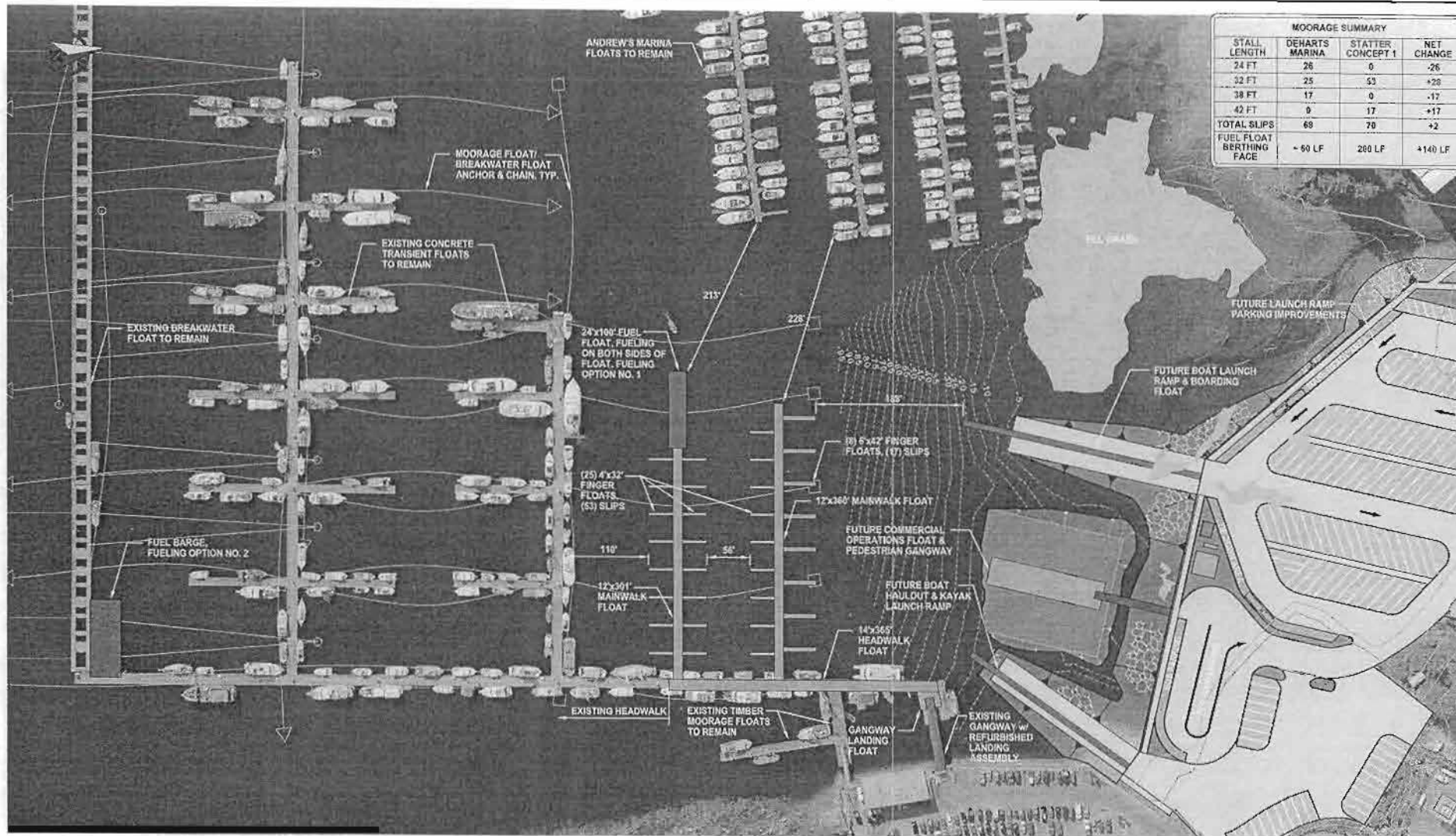
Funds Needed But Not yet Requested – No additional request expected.

Project Review: The project is part of CBJ's Harbors Long Term Financial Plan. The Plan was adopted by the Docks and Harbors Board and reviewed by the CBJ Assembly in 2004. In addition, the project is part of the Statter Harbor Master Plan that was adopted by the Board in 2005.

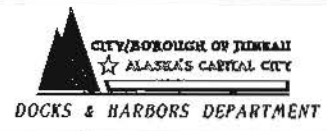
Project Time-Line: Replacement of the existing float systems can be done under a nationwide general permit so permitting is not a timing issue. CBJ expects that its can design, bid, and complete the project within two years after funding is obtained.

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

Project Contact: John Stone, CBJ Port Director 586-0294



MOORAGE SUMMARY			
STALL LENGTH	DEHARTS MARINA	STATTER CONCEPT 1	NET CHANGE
24 FT	26	0	-26
32 FT	25	53	+28
38 FT	17	0	-17
42 FT	9	17	+17
TOTAL SLIPS	69	70	+2
FUEL FLOAT BERTHING FACE	~ 50 LF	200 LF	+140 LF



REVISIONS				
REV.	DATE	DESCRIPTION	DWN.	CHK.

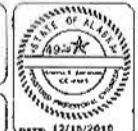
PND
ENGINEERS, INC.

6300 Glacier Highway Ste 400
Juneau, Alaska 99801
Phone: 907-584-2093
Fax: 907-584-2099
www.pnd-inc.com

DESIGN: AMS
DRAWN: AMS

CHECKED: CRS
APPROVED: CRS

SCALE: SCALE IN FEET
0 50 100 FT

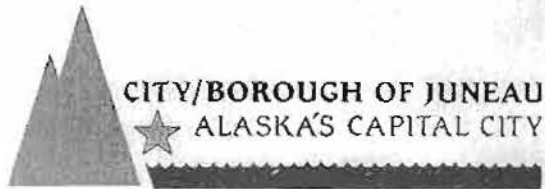


STATTER HARBOR MOORAGE IMPROVEMENTS

SHEET TITLE: **CONCEPT NO. 1**

PROJECT NO. 102089.01

1
SHEET
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Port of Juneau

FY12 CIP Project Douglas Harbor Dredge Spoil Disposal

Project Description: The Douglas Harbor project is located in Juneau, Alaska and includes the replacement of dilapidated moorage floats A, B, and C. The project would also include dredging the bottom of the harbor in the area of the float replacement. The dredge material in the proposed dredge area has been found to contain mercury contamination. Attempts to dispose of this material into Gastineau Channel, as done in the past, is not finding favor with the permitting agencies. The favored approach is to dispose of the dredge materials at an upland site to avoid disposal in the channel. A number of upland sites have been identified and analyzed. The preferred site is at Norway Point within the Docks and Harbors managed land.

Another issue raised by the agencies regards the harbor bottom material exposed by the dredging process. The dredging process would expose contaminated soils that would need to be capped with clean gravels.

Costs associated with disposal of the dredge spoils in an upland site and capping the harbor bottom is approximately \$2M more than the project as originally designed with dredge spoils disposed of in Gastineau Channel. The balance of the project is funded with funds on hand.

State Funds Approved (FY10) - \$2,000,000

\$2,000,000 (Alaska Municipal Harbor Matching Grant Program)

Local Funds (FY 10)

Local Funds -\$4,000,000 (Harbors Enterprise Funds)

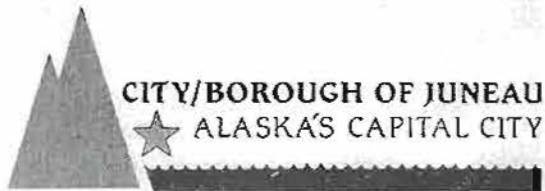
Funds Needed But Not Yet Requested – \$2,000,000

Project Review: The project is part of CBJ's Harbors Long Term Financial Plan. The Plan was adopted by the Docks and Harbors Board and reviewed by the CBJ Assembly in 2004.

Project Time-Line: This design of this project is 95% complete and can begin in the fall season after permits are obtained. Permitting should be timely once the disposal issue is resolved. Construction is expected to last 6 months.

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

Project Contact: John Stone, CBJ Port Director 586-0294



Port of Juneau

To: Docks and Harbors Finance Committee
CC:
From: John M. Stone, P.E. Port Director
Date: January 13, 2011
Re: Docks and Harbors FY 12 Amended Budget

This memo summarizes the Docks and Harbors amended budgets for FY 12. These budgets adjust last year's FY 12 budgets that were approved by the Board and the Assembly. Budget details in CBJ's format are attached. The Committee needs to review this information and recommend an amended FY 12 budget to the Board. At its next meeting, the Board needs to forward a budget to the Finance Department for presentation to the Assembly in April.

Revenues and expenses for the Docks Enterprise follow:

Docks Revenues

User Fees	\$1,515,000
Interest and Penalties	\$100,000
Interdepartmental Charges	\$5,500
Support to Marine Passenger Fee	\$154,100
Equity to Fund Balance	(\$306,900)
Total	\$1,467,700

Docks Expenses

Personnel	\$891,500
Commodities and Services	\$566,200
Capital Outlay	\$10,000
Total	\$1,467,700

Docks and Harbors Finance Committee

January 13, 2011

Page 2 of 3

The FY 12 docks amended expense budget is 1.6% higher than the FY 12 approved budget. The increase results from adjustments to the personnel services line item. We decided to change the seasonal staff assignments from five to six months duration. This allows us to bring on the seasonal staff on April 15 and discharge them on October 15. This will allow more time to prepare for the start of the cruiseship season, the beginning of May, and to decommission the port at the end of the cruise ship season, the end of September.

The FY12 docks amended revenue budget shows a slight increase over the approved budget but there are no significant changes from the approved budget.

Revenues and expenses for the Harbors Enterprise follow:

Harbors Revenues

Fish Tax	\$350,000
User Fees	\$2,188,600
Interest and Penalties	\$132,100
Rentals	\$623,942
Miscellaneous Fees	\$34,000
Fines and Penalties	\$16,000
Equity to Fund Balance	(\$205,342)
Total	\$3,139,300

Harbors Expenses

Personnel	\$1,341,000
Supplies	\$159,000
Services and Charges	\$854,900
Travel & Training	\$13,000
Capital Outlay	\$10,000
Debt Service	751,400
Miscellaneous Expenses	\$10,000
Total	\$3,139,300

The FY 12 harbors amended expense budget is 1.7% higher than the FY 12 approved budget. The increase results from adjustments to the personnel services line item. Again, we decided to change the seasonal staff assignments from five to six months duration. This allows us to start seasonal staff on April 15 and discharge them on October 15. This will allow more time to undertake maintenance projects and to prepare for the start of the boating season.

We are expecting increases in some harbor user fees and land lease rentals in FY 12. Downtown monthly moorage shows the most significant increase and is quite a bit above last year's projection. This is probably attributable to increases in visiting vessels involved in the Taku gill net fishery.

Annual debt service for the harbors revenue bonds is \$751,400. Pursuant to the bond covenants, we are required to show that our annual revenues exceed our annual expenses by at least 25% of the annual debt service, or \$187,850. Our budget shows \$205,342 so we meet this test.

Please call me at 586-0294 if you have questions.

Attachments

Dock
OVERVIEW

		FY11		FY12	
	FY10 Actuals	Amended Budget	Projected Actuals	Approved Budget	Revised Budget
EXPENSES:					
Personnel Services	\$ 969,400	829,300	1,009,700	846,600	891,500
Commodities and Services	450,200	586,400	520,100	588,400	566,200
Capital Outlay	29,800	10,000	10,000	10,000	10,000
Support to Capital Projects	5,500	-	-	-	-
Total Expenses	1,454,900	1,425,700	1,539,800	1,445,000	1,467,700
FUNDING SOURCES:					
Interdepartmental Charges	31,100	8,300	8,300	5,500	5,500
User Fees and Permits	1,723,500	1,660,400	1,491,800	1,660,400	1,515,000
State Shared Revenue	34,900	-	-	-	-
Rentals	100	-	-	-	-
Interest	150,200	100,000	100,000	100,000	100,000
Support from Marine Passenger Fee	154,100	154,100	154,100	154,100	154,100
Equity To Fund Balance	(639,000)	(497,100)	(214,400)	(475,000)	(306,900)
Total Funding Sources	\$ 1,454,900	1,425,700	1,539,800	1,445,000	1,467,700
STAFFING	9.32	9.28	9.28	9.86	9.86
FUND BALANCE	\$ 4,353,900	4,851,000	4,568,300	5,043,300	5,350,200

GL787		Budget-Dock	Exp 12				
		Period	5 ending November 30, 2010				Transaction status
							Rounding to Whole Dollar
Description		10 Actuals	FY11 BUDGET	11 Actuals Thru Nov 2010	PROJECTED FY11 ACTUALS	FY12 DEPT APPROVED	FY12 DEPT REVISED
Docks							
PERSONNEL							
531 5250101110	Salaries-Regula	\$ 514,333.00	\$ 501,200.00	\$ 291,507.00	\$ 550,000.00	\$ 504,700.00	\$ 528,700.00
531 5250101111	Overtime-Regula	\$ 21,678.00	\$ 20,000.00	\$ 14,992.00	\$ 22,000.00	\$ 20,000.00	\$ 20,000.00
531 5250101112	Salaries-Season					\$ -	
531 5250101113	Overtime-Season	\$ 636.00		\$ -		\$ -	
531 5250101116	Leave Accrual	\$ 69,337.00		\$ 37,766.00	\$ 72,000.00	\$ -	
531 5250101120	Benefits-Regula	\$ 322,720.00	\$ 293,900.00	\$ 187,164.00	\$ 350,000.00	\$ 307,700.00	\$ 328,600.00
531 5250101121	Benefits-Season	\$ 1,445.00		\$ 931.00	\$ 1,500.00	\$ -	
531 5250101130	Worker's Comp	\$ 16,900.00	\$ 14,200.00	\$ 5,917.00	\$ 14,200.00	\$ 14,200.00	\$ 14,200.00
531 5250101140	Manpower	\$ 5,434.00		\$ -		\$ -	
531 5250103110	Salaries-Regula	\$ 11,630.00	\$ 116,200.00	\$ 7,571.00	\$ 12,000.00	\$ 116,200.00	\$ 192,100.00
531 5250103120	Benefits-Regula	\$ 5,330.00	\$ 56,200.00	\$ 3,326.00	\$ 6,000.00	\$ 58,100.00	\$ 98,900.00
531 5250103141	Manpower/OH to		\$ (172,400.00)			\$ (174,300.00)	\$ (291,000.00)
Obj 001	PERSONNEL	\$ 969,443.00	\$ 829,300.00	\$ 549,174.00	\$ 1,027,700.00	\$ 846,600.00	\$ 891,500.00
SUPPLIES							
531 5250101480	Office Supplies	\$ 1,380.00	\$ 2,000.00	\$ 106.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
531 5250101490	Materials & Com	\$ 44,276.00	\$ 50,000.00	\$ 30,495.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00
531 5250101491	Safety Program	\$ 1,546.00	\$ 2,000.00	\$ 1,434.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
531 5250101496	Minor Equipment	\$ 4,985.00	\$ 8,000.00	\$ -	\$ 8,000.00	\$ 8,000.00	\$ 8,000.00
Obj 002	SUPPLIES	\$ 52,187.00	\$ 62,000.00	\$ 32,035.00	\$ 62,000.00	\$ 62,000.00	\$ 62,000.00
SERVICES	& CHARGES						
531 5250101310	Telephone	\$ 46.00		\$ 285.00			
531 5250101320	Printing	\$ 804.00	\$ 1,000.00		\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
531 5250101322	Advertising	\$ 1,877.00	\$ 1,000.00	\$ 1,015.00	\$ 2,000.00	\$ 1,000.00	\$ 2,000.00
531 5250101330	Rents	\$ 53,141.00	\$ 58,000.00	\$ 54,648.00	\$ 55,000.00	\$ 60,000.00	\$ 60,000.00
531 5250101332	Electricity	\$ 22,948.00	\$ 20,000.00	\$ 7,223.00	\$ 20,000.00	\$ 20,000.00	\$ 20,000.00
531 5250101333	Fuel Oil	\$ 3,000.00	\$ 2,000.00	\$ 631.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
531 5250101334	Waste Disposal	\$ 10,955.00	\$ 15,000.00	\$ 7,880.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
531 5250101335	Water Service	\$ 69,709.00	\$ 120,000.00	\$ 66,378.00	\$ 100,000.00	\$ 120,000.00	\$ 100,000.00
531 5250101336	Sewer Service	\$ 680.00	\$ 1,000.00	\$ 284.00	\$ 700.00	\$ 1,000.00	\$ 750.00
531 5250101340	Repairs	\$ 4,970.00	\$ 30,000.00	\$ 592.00	\$ 5,000.00	\$ 30,000.00	\$ 20,000.00
531 5250101345	Bldg. Maint Div	\$ 1,175.00	\$ 2,000.00	\$ 243.00	\$ 2,000.00	\$ 2,000.00	\$ 2,000.00
531 5250101362	Dock's Fleet Re	\$ 9,000.00	\$ 9,000.00	\$ 4,815.00	\$ 9,000.00	\$ 9,000.00	\$ 9,000.00
531 5250101370	Insurance & Bon	\$ 59,298.00	\$ 67,100.00	\$ 27,958.00	\$ 67,100.00	\$ 67,100.00	\$ 67,100.00

GL787		Budget-Dock	Exp 12				
		Period	5 ending November 30, 2010			Transaction status	
						Rounding to Whole Dollar	
Description		10 Actuals	FY11 BUDGET	11 Actuals Thru Nov 2010	PROJECTED FY11 ACTUALS	FY12 DEPT APPROVED	FY12 DEPT REVISED
531 5250101375	General Liabili	\$ 3,300.00	\$ 4,600.00	\$ 1,917.00	\$ 4,600.00	\$ 4,600.00	\$ 4,600.00
531 5250101380	Dues and Subscr	\$ 317.00	\$ 1,000.00	\$ 361.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
531 5250101390	Contractual Ser	\$ 11,233.00	\$ 10,000.00	\$ 7,567.00	\$ 15,000.00	\$ 10,000.00	\$ 15,000.00
531 5250101394	Full Cost Alloc	\$ 137,600.00	\$ 147,700.00	\$ 61,542.00	\$ 147,700.00	\$ 147,700.00	\$ 147,700.00
531 5250101397	Bankcard Fees	\$ 509.00	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
531 5250102390	Board Contingen	\$ 221.00	\$ 20,000.00	\$ -	\$ -	\$ 20,000.00	\$ 20,000.00
531 5250103390	Contractual Ser	\$ 1,708.00	\$ 6,000.00	\$ -	\$ 1,000.00	\$ 6,000.00	\$ 6,000.00
531 5270101001	Port & MPF Fees	\$ (9,000.00)	\$ (8,300.00)	\$ -		\$ (5,500.00)	
531 5270103001	Reimbursable Ex	\$ (22,086.00)				\$ -	
Obj 003	SERVICES & CHARGES	\$ 361,405.00	\$ 508,100.00	\$ 243,339.00	\$ 448,100.00	\$ 512,900.00	\$ 494,150.00
TRAVEL &	TRAINING						
531 5250101200	Travel	\$ 829.00	\$ 1,000.00	\$ 1,300.00	\$ 2,500.00	\$ 1,000.00	\$ 2,500.00
531 5250101201	Mileage	\$ 4,688.00	\$ 5,000.00	\$ 2,095.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
531 5250101202	Training & Educ		\$ 2,000.00	\$ 1,373.00	\$ 2,500.00	\$ 2,000.00	\$ 2,500.00
Obj 004	TRAVEL & TRAINING	\$ 5,517.00	\$ 8,000.00	\$ 4,768.00	\$ 10,000.00	\$ 8,000.00	\$ 10,000.00
CAPITAL O	UTLAY						
531 5250101510	Vehicles & Equi	\$ 29,803.00	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Obj 005	CAPITAL OUTLAY	\$ 29,803.00	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
TRANSFERS	OUT TO:						
531 9952250950	Transfers In &	\$ 5,500.00				\$ -	\$ -
Obj 009	TRANSFERS OUT TO:	\$ 5,500.00	\$ -	\$ -	\$ -	\$ -	\$ -
	Report Final Totals	\$ 1,423,855.00	\$ 1,417,400.00	\$ 829,316.00	\$ 1,557,800.00	\$ 1,439,500.00	\$ 1,467,650.00

GL787		Budget-Dock	Rev 12				
		Period 5	ending November 30, 2010				Transaction status
							Rounding to Whole Dollar
Description		10 Actuals	FY11 BUDGET	11 Actuals Thru Nov 2010	PROJECTED FY11 ACTUALS	FY12 DEPT APPROVED	FY12 DEPT REVISED
Dock Operations							
STATE REVEN UES							
531 30100508	State Shared Re	\$ (34,932.00)			\$ -	\$ -	\$ -
Obj 010	STATE REVENUES	\$ (34,932.00)	\$ -	\$ -	\$ -	\$ -	\$ -
USER FEES							
531 30100420	Tour Sales Perm	\$ (437,500.00)	\$ (400,000.00)		\$ (400,000.00)	\$ (400,000.00)	\$ (375,000.00)
531 30100610	Cruiseship Ligh	\$ (9,600.00)	\$ (5,400.00)	\$ (6,000.00)	\$ (7,800.00)	\$ (5,400.00)	\$ (3,000.00)
531 30100616	Loading Zone Pe	\$ (64,873.00)	\$ (66,000.00)	\$ (881.00)	\$ (66,000.00)	\$ (66,000.00)	\$ (66,000.00)
531 30100620	Potable Water F	\$ (101,436.00)	\$ (100,000.00)	\$ (71,111.00)	\$ (100,000.00)	\$ (100,000.00)	\$ (100,000.00)
531 30100624	Misc. User Fees	\$ (100.00)	\$ (1,000.00)			\$ (1,000.00)	\$ (1,000.00)
531 30100636	Shorepower Acce	\$ (7,884.00)	\$ (7,000.00)	\$ (6,456.00)	\$ (10,000.00)	\$ (7,000.00)	\$ (10,000.00)
531 30100638	IVF Moorage Fee	\$ (13,779.00)	\$ (15,000.00)	\$ (4,823.00)	\$ (8,000.00)	\$ (15,000.00)	\$ (10,000.00)
531 30100641	Cruiseship Dock	\$ (635,715.00)	\$ (592,000.00)	\$ (395,622.00)	\$ (500,000.00)	\$ (592,000.00)	\$ (500,000.00)
531 30100646	Maintenance Por	\$ (452,635.00)	\$ (474,000.00)	\$ (267,444.00)	\$ (400,000.00)	\$ (474,000.00)	\$ (450,000.00)
Obj 040	USER FEES	\$ (1,723,522.00)	\$ (1,660,400.00)	\$ (752,337.00)	\$ (1,491,800.00)	\$ (1,660,400.00)	\$ (1,515,000.00)
INTEREST AND PENALTIES							
531 30100401	Interest Income	\$ (150,208.00)	\$ (100,000.00)		\$ (100,000.00)	\$ (100,000.00)	\$ (100,000.00)
531 30100402	Late Fee Intere	\$ 19.00		\$ 10.00			
Obj 050	INTEREST AND PENALTIES	\$ (150,189.00)	\$ (100,000.00)	\$ 10.00	\$ (100,000.00)	\$ (100,000.00)	\$ (100,000.00)
RENTALS							
531 30100415	Other Land Leas	\$ (100.00)		\$ (504.00)	\$ -	\$ -	\$ -
Obj 065	RENTALS	\$ (100.00)	\$ -	\$ (504.00)	\$ -	\$ -	\$ -
FEES							
531 30100100	Misc Fees (Dock		\$ -		\$ -	\$ -	\$ -
Obj 074	FEES	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
TRANSFERS IN FROM:							
531 39900225	Transfer In - F	\$ (154,100.00)	\$ (154,100.00)	\$ (64,208.00)	\$ (154,100.00)	\$ (154,100.00)	\$ (154,100.00)
Obj 090	TRANSFERS IN FROM:	\$ (154,100.00)	\$ (154,100.00)	\$ (64,208.00)	\$ (154,100.00)	\$ (154,100.00)	\$ (154,100.00)
Sub 030	Dock Operations	\$ (2,062,843.00)	\$ (1,914,500.00)	\$ (817,039.00)	\$ (1,745,900.00)	\$ (1,914,500.00)	\$ (1,769,100.00)
	Report Final Totals	\$ (2,062,843.00)	\$ (1,914,500.00)	\$ (817,039.00)	\$ (1,745,900.00)	\$ (1,914,500.00)	\$ (1,769,100.00)

Harbors
OVERVIEW

		FY11		FY12	
	FY10 Actuals	Amended Budget	Projected Actuals	Approved Budget	Revised Budget
EXPENSES:					
Personnel Services	\$ 1,241,400	1,261,500	1,222,100	1,288,300	1,341,000
Commodities and Services	868,600	1,037,900	978,600	1,037,900	1,036,900
Capital Outlay	29,800	10,000	10,000	10,000	10,000
Debt Service	752,600	752,200	752,200	751,400	751,400
Support to Capital Projects	-	130,000	130,000	-	-
Total Expenses	2,892,400	3,191,600	3,092,900	3,087,600	3,139,300
FUNDING SOURCES:					
User Fees and Permits	2,307,900	2,146,700	2,239,100	2,146,700	2,222,600
Rentals and Sales	713,700	556,500	624,900	556,500	623,900
State Shared Revenue	415,700	350,000	350,000	350,000	350,000
Fines and Penalties	18,800	12,000	15,500	12,000	16,000
Interest Income	318,300	134,000	127,000	137,100	132,100
Equity From (To) Fund Balance	(882,000)	(7,600)	(263,600)	(114,700)	(205,300)
Total Funding Sources	\$ 2,892,400	3,191,600	3,092,900	3,087,600	3,139,300
STAFFING	13.39	13.13	13.13	13.13	13.13
FUND BALANCE RESERVE	\$ 753,200	753,200	753,200	753,200	753,200
AVAILABLE FUND BALANCE	\$ 2,396,500	2,404,100	2,660,100	2,774,800	2,980,100

DEBT REVENUE RATIO =>120% Oops =>120% Oops =>120%
 Need to make sure that Net Revenues are 120% of Debt Service per Rev Bond documents (per Craig 1/11/11).

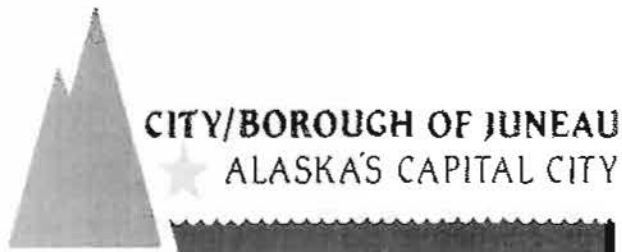
GL787		Budget-Harbor Exp 12					
		Period 5	ending November 30, 2010			Transaction status	
						Rounding to Whole Dollar	
Description		10 Actuals	FY11 BUDGET	11 Actuals Thru Nov 2010	PROJECTED FY11 ACTUALS	FY12 DEPT APPROVED	FY12 DEPT REVISED
Harbors							
PERSONNEL							
530 4050101110	Salaries - Regu	\$ 679,462.00	\$ 768,000.00	\$ 280,874.00	\$ 670,000.00	\$ 773,400.00	\$ 805,800.00
530 4050101111	Salaries - Over	\$ 14,983.00	\$ 25,000.00	\$ 12,587.00	\$ 30,000.00	\$ 25,000.00	\$ 30,000.00
530 4050101116	Leave Accrual	\$ 87,937.00		\$ 39,374.00	\$ 96,000.00	\$ -	
530 4050101120	Benefits	\$ 441,646.00	\$ 454,400.00	\$ 171,166.00	\$ 412,000.00	\$ 475,800.00	\$ 491,100.00
530 4050101121	Seasonal Benefi	\$ 535.00		\$ -		\$ -	
530 4050101130	Worker's Comp	\$ 16,800.00	\$ 14,100.00	\$ 5,875.00	\$ 14,100.00	\$ 14,100.00	\$ 14,100.00
Obj 001	PERSONNEL	\$ 1,241,363.00	\$ 1,261,500.00	\$ 509,876.00	\$ 1,222,100.00	\$ 1,288,300.00	\$ 1,341,000.00
SUPPLIES							
530 4050101389	Fleet Gasoline	\$ 16,245.00	\$ 18,000.00	\$ 7,593.00	\$ 18,500.00	\$ 18,000.00	\$ 20,000.00
530 4050101480	Office Supplies	\$ 11,507.00	\$ 12,000.00	\$ 3,126.00	\$ 8,000.00	\$ 12,000.00	\$ 12,000.00
530 4050101490	Materials & Com	\$ 88,907.00	\$ 100,000.00	\$ 29,511.00	\$ 71,000.00	\$ 100,000.00	\$ 100,000.00
530 4050101491	Safety Prog & E	\$ 2,749.00	\$ 2,000.00	\$ 1,419.00	\$ 3,000.00	\$ 2,000.00	\$ 3,000.00
530 4050101492	Gasoline & Oil	\$ 672.00	\$ 1,000.00	\$ 1,216.00	\$ 2,000.00	\$ 1,000.00	\$ 2,000.00
530 4050101496	Minor Equipment	\$ 5,395.00	\$ 5,000.00	\$ 4,136.00	\$ 7,500.00	\$ 5,000.00	\$ 7,500.00
530 4050101497	Minor Furniture	\$ 682.00	\$ 1,000.00	\$ -	\$ 500.00	\$ 1,000.00	\$ 1,000.00
530 4050102490	Fire Extinguish	\$ 456.00	\$ 1,000.00	\$ -	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
530 4050104490	Paint & Related	\$ 925.00		\$ 2,253.00	\$ 3,500.00	\$ -	\$ 3,500.00
530 4050105490	Special Clothin	\$ 1,073.00	\$ 1,000.00	\$ 360.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
530 4050106490	Janitorial Supp	\$ 2,713.00	\$ 3,000.00	\$ 1,479.00	\$ 3,000.00	\$ 3,000.00	\$ 3,000.00
530 4050110490	M & C - Signage	\$ 8,009.00	\$ 5,000.00	\$ 3,057.00	\$ 5,000.00	\$ 5,000.00	\$ 5,000.00
Obj 002	SUPPLIES	\$ 139,333.00	\$ 149,000.00	\$ 54,150.00	\$ 124,000.00	\$ 149,000.00	\$ 159,000.00
SERVICES & CHARGES							
530 4050101310	Telephone	\$ 16,867.00	\$ 20,000.00	\$ 6,023.00	\$ 15,000.00	\$ 20,000.00	\$ 17,000.00
530 4050101320	Printing	\$ 9.00	\$ 1,000.00	\$ 518.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
530 4050101322	Advertising	\$ 1,653.00	\$ 1,000.00	\$ 1,424.00	\$ 2,500.00	\$ 1,000.00	\$ 2,500.00
530 4050101330	Rents	\$ -	\$ 2,000.00	\$ 6,631.00	\$ 8,000.00	\$ 2,000.00	\$ 2,000.00
530 4050101332	Electricity	\$ 111,080.00	\$ 140,000.00	\$ 24,662.00	\$ 120,000.00	\$ 140,000.00	\$ 140,000.00
530 4050101333	Fuel Oil	\$ 11,285.00	\$ 12,000.00	\$ 3,096.00	\$ 12,000.00	\$ 12,000.00	\$ 14,000.00
530 4050101334	Disposal Servic	\$ 117,046.00	\$ 145,000.00	\$ 50,507.00	\$ 125,000.00	\$ 145,000.00	\$ 130,000.00
530 4050101335	Water Service	\$ 23,253.00	\$ 24,000.00	\$ 16,128.00	\$ 40,000.00	\$ 24,000.00	\$ 40,000.00
530 4050101336	Sewer Service	\$ 1,647.00	\$ 2,000.00	\$ 668.00	\$ 1,650.00	\$ 2,000.00	\$ 2,000.00
530 4050101337	Lease Related P	\$ 36,698.00	\$ 10,000.00	\$ 150.00	\$ 3,500.00	\$ 10,000.00	\$ 5,000.00
530 4050101340	Repairs-Vehicle	\$ 7,868.00	\$ 20,000.00	\$ 8,421.00	\$ 15,000.00	\$ 20,000.00	\$ 20,000.00
530 4050101341	Electronic Repa			\$ 179.00	\$ 500.00	\$ -	\$ 500.00
530 4050101342	Equip Mtn & Rep	\$ 6,256.00	\$ 5,000.00	\$ 3,632.00	\$ 8,500.00	\$ 5,000.00	\$ 9,000.00

GL787	Budget-Harbor Exp 12						
		Period 5	ending November 30, 2010			Trasnaction status	
						Rounding to Whole Dollar	
Description		10 Actuals	FY11 BUDGET	11 Actuals Thru Nov 2010	PROJECTED FY11 ACTUALS	FY12 DEPT APPROVED	FY12 DEPT REVISED
530 4050101345	Bldg Mnt Div Ch	\$ 13,204.00	\$ 15,000.00	\$ 5,566.00	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00
530 4050101360	Equipment Renta	\$ 2,008.00	\$ 1,000.00	\$ 1,913.00	\$ 3,000.00	\$ 1,000.00	\$ 3,000.00
530 4050101362	Harbor's Fleet	\$ 18,000.00	\$ 18,000.00	\$ 8,657.00	\$ 18,000.00	\$ 18,000.00	\$ 18,000.00
530 4050101370	Insurance & Bon	\$ 59,298.00	\$ 67,000.00	\$ 27,917.00	\$ 67,000.00	\$ 67,000.00	\$ 67,000.00
530 4050101375	General Liabili	\$ 5,800.00	\$ 8,300.00	\$ 3,458.00	\$ 8,300.00	\$ 8,300.00	\$ 8,300.00
530 4050101380	Dues & Subscrip	\$ 2,462.00	\$ 2,000.00	\$ 1,807.00	\$ 3,500.00	\$ 2,000.00	\$ 3,500.00
530 4050101390	Contract Serv-P	\$ 90,509.00	\$ 75,000.00	\$ 236,422.00	\$ 70,000.00	\$ 75,000.00	\$ 75,000.00
530 4050101394	Full Cost Alloc	\$ 137,500.00	\$ 147,600.00	\$ 61,500.00	\$ 147,600.00	\$ 147,600.00	\$ 147,600.00
530 4050101397	Bank Card Fees	\$ 30,323.00	\$ 30,000.00	\$ 21,868.00	\$ 40,000.00	\$ 30,000.00	\$ 40,000.00
530 4050101481	Postage	\$ 7,684.00	\$ 9,000.00	\$ 3,202.00	\$ 8,000.00	\$ 9,000.00	\$ 9,000.00
530 4050101494	Accident Contin	\$ 1,000.00	\$ -			\$ -	
530 4050102340	Repairs-Launch		\$ -	\$ 47.00	\$ 47.00	\$ -	
530 4050103340	Float Mtn & Rep	\$ 3,513.00	\$ 2,000.00	\$ 3,864.00	\$ 7,500.00	\$ 2,000.00	\$ 10,000.00
530 4050103390	Derelict Vessel	\$ 9,340.00	\$ 44,000.00	\$ 45,078.00	\$ 65,000.00	\$ 44,000.00	\$ 50,000.00
530 4050104340	Repairs-Electri	\$ -	\$ 8,000.00	\$ 2,369.00	\$ 7,500.00	\$ 8,000.00	\$ 7,500.00
530 4050104390	Pkg Lot Mtn & R	\$ 5,518.00	\$ 2,000.00	\$ 1,198.00	\$ 2,500.00	\$ 2,000.00	\$ 2,500.00
530 4050105340	Repairs-Harbor	\$ 779.00	\$ 2,000.00	\$ 3,255.00	\$ 5,000.00	\$ 2,000.00	\$ 2,000.00
530 4050106340	Repairs-Snow Bl	\$ 901.00	\$ 1,000.00	\$ -	\$ -	\$ 1,000.00	\$ 1,000.00
530 4050106390	Contract Serv-W	\$ 179.00	\$ -	\$ -		\$ -	
530 4050107390	Board Contingen	\$ 331.00	\$ 10,000.00	\$ -	\$ -	\$ 10,000.00	\$ 1,000.00
530 4050111340	Water Sys Mtn &	\$ 6,100.00	\$ 2,000.00	\$ 2,683.00	\$ 7,000.00	\$ 2,000.00	\$ 7,500.00
530 4050112340	Repairs-Cranes	\$ 2,885.00	\$ 4,000.00	\$ 3,117.00	\$ 4,000.00	\$ 4,000.00	\$ 4,000.00
Obj 003	SERVICES & CHARGES	\$ 730,996.00	\$ 829,900.00	\$ 555,960.00	\$ 831,597.00	\$ 829,900.00	\$ 854,900.00
TRAVEL &	TRAINING						
530 4050101200	Travel	\$ 1,959.00	\$ 4,000.00	\$ 2,510.00	\$ 5,000.00	\$ 4,000.00	\$ 5,000.00
530 4050101201	Mileage	\$ 3,878.00	\$ 4,000.00	\$ 2,150.00	\$ 5,000.00	\$ 4,000.00	\$ 5,000.00
530 4050101202	Training & Educ	\$ 299.00	\$ 1,000.00	\$ 1,500.00	\$ 3,000.00	\$ 1,000.00	\$ 3,000.00
Obj 004	TRAVEL & TRAINING	\$ 6,136.00	\$ 9,000.00	\$ 6,160.00	\$ 13,000.00	\$ 9,000.00	\$ 13,000.00
CAPITAL	OUTLAY						
530 4050101510	Machinery & Equ	\$ 29,803.00	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Obj 005	CAPITAL OUTLAY	\$ 29,803.00	\$ 10,000.00	\$ -	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
DEBT SER	VICE						
530 4050101830	07 Hbr Rev Bond	\$ 103.00			\$ -	\$ -	\$ -
Obj 006	DEBT SERVICE	\$ 103.00	\$ -	\$ -	\$ -	\$ -	\$ -

GL787		Budget-Harbor Exp 12					
		Period 5	ending November 30, 2010			Transaction status	
						Rounding to Whole Dollar	
Description		10 Actuals	FY11 BUDGET	11 Actuals Thru Nov 2010	PROJECTED FY11 ACTUALS	FY12 DEPT APPROVED	FY12 DEPT REVISED
MISCELLA	NEOUS						
530 30000036	Bad Debts	\$ (7,928.00)	\$ 50,000.00	\$ -	\$ 10,000.00	\$ 50,000.00	\$ 10,000.00
Obj 007	MISCELLANEOUS	\$ (7,928.00)	\$ 50,000.00	\$ -	\$ 10,000.00	\$ 50,000.00	\$ 10,000.00
TRANSFER	S OUT TO:						
530 9953260950	Transfer Out to	\$ 752,600.00	\$ 752,600.00	\$ 752,200.00	\$ 752,200.00	\$ 751,400.00	\$ 751,400.00
530 9953541950	Transfer Out to		\$ 130,000.00	\$ 130,000.00	\$ -	\$ -	\$ -
Obj 009	TRANSFERS OUT TO:	\$ 752,600.00	\$ 882,600.00	\$ 882,200.00	\$ 752,200.00	\$ 751,400.00	\$ 751,400.00
Div 001	Harbors	\$ 2,892,406.00	\$ 3,192,000.00	\$ 2,008,346.00	\$ 2,962,897.00	\$ 3,087,600.00	\$ 3,139,300.00
	Report Final Totals	\$ 2,892,406.00	\$ 3,192,000.00	\$ 2,008,346.00	\$ 2,962,897.00	\$ 3,087,600.00	\$ 3,139,300.00

GL787	Budget-Harbor Rev 12					
		Period 5 ending November 30, 2010				Transaction status
						Rounding to Whole Dollar
Description		10 Actuals	FY11 BUDGET	11 Actuals Thru Nov 2010	PROJECTED FY11 ACTUALS	FY12 DEPT APPROVED
						FY12 DEPT REVISED
Boat Harbors						
STATE REVENUES						
530 30000502	Fish tax-Inside	\$ (372,805)	\$ (350,000)		\$ (350,000)	\$ (350,000)
530 30000508	State Shared Re	\$ (42,939)				
Obj 010	STATE REVENUES	\$ (415,744)	\$ (350,000)	\$ -	\$ (350,000)	\$ (350,000)
USER FEES						
530 31000001	Annual Moorage	\$ (927,019)	\$ (900,000)	\$ (750,596)	\$ (875,000)	\$ (900,000)
530 31000002	DeHart's Assign	\$ (160,675)	\$ (150,000)	\$ (12,746)	\$ (150,000)	\$ (150,000)
530 31000003	Downtown Daily	\$ (91,542)	\$ (100,000)	\$ (56,506)	\$ (100,000)	\$ (100,000)
530 31000004	Auke Bay Daily	\$ (283,969)	\$ (280,000)	\$ (201,912)	\$ (275,000)	\$ (280,000)
530 31000005	Downtown Montly	\$ (182,252)	\$ (120,000)	\$ (106,114)	\$ (200,000)	\$ (120,000)
530 31000006	Auke Bay Montly	\$ (201,114)	\$ (170,000)	\$ (104,944)	\$ (180,000)	\$ (170,000)
530 31000008	Residence Surch	\$ (79,420)	\$ (65,000)	\$ (32,091)	\$ (70,000)	\$ (65,000)
530 31000009	Rec Boat Launch	\$ (145,329)	\$ (140,000)	\$ (83,515)	\$ (145,000)	\$ (140,000)
530 31000010	Com Boat Launch	\$ (3,835)	\$ (2,500)	\$ (450)	\$ (1,000)	\$ (2,500)
530 31000011	Freight Use Fee	\$ (7,365)	\$ (8,000)	\$ (15,461)	\$ (20,000)	\$ (8,000)
530 31000012	Freight Staging	\$ (300)	\$ (400)	\$ -	\$ (100)	\$ (400)
530 31000014	Inspected Vesse	\$ (52,823)	\$ (50,000)	\$ (33,315)	\$ (45,000)	\$ (50,000)
530 31000015	Uninspected Ves	\$ (2,770)	\$ (2,000)	\$ (215)	\$ (500)	\$ (2,000)
530 31000016	Statter Harbor	\$ (7,620)	\$ (5,000)		\$ (5,000)	\$ (5,000)
530 31000017	Statter Harbor	\$ (41,280)	\$ (32,000)	\$ (30,683)	\$ (40,000)	\$ (32,000)
530 31000642	Shorepower Acce	\$ (81,070)	\$ (80,000)	\$ (44,753)	\$ (80,000)	\$ (80,000)
530 34000634	Grid Fees	\$ (5,941)	\$ (4,000)	\$ (1,861)	\$ (4,000)	\$ (4,000)
530 34000640	Crane Use Fee	\$ (6,227)	\$ (5,000)	\$ (6,463)	\$ (10,000)	\$ (5,000)
Obj 040	USER FEES	\$ (2,280,551)	\$ (2,113,900)	\$ (1,481,625)	\$ (2,200,600)	\$ (2,113,900)
INTEREST AND PENALTIES						
530 30000401	Interest Alloca	\$ (303,178)	\$ (114,000)		\$ (114,000)	\$ (117,100)
530 34000101	Late Fee Intere	\$ (15,152)	\$ (20,000)	\$ (6,746)	\$ (13,000)	\$ (20,000)
Obj 050	INTEREST AND PENALTIES	\$ (318,330)	\$ (134,000)	\$ (6,746)	\$ (127,000)	\$ (137,100)
RENTALS						

GL787		Budget-Harbor Rev 12					
		Period 5	ending November 30, 2010			Trasnaction status	
		Rounding to Whole Dollar					
Description		10 Actuals	FY11 BUDGET	11 Actuals Thru Nov 2010	PROJECTED FY11 ACTUALS	FY12 DEPT APPROVED	FY12 DEPT REVISED
530 31000019	Pump Rentals	\$ (200)	\$ (500)	\$ (120)	\$ (200)	\$ (500)	\$ (200)
530 31000020	Storage Rentals	\$ (25,817)	\$ (13,000)	\$ (10,716)	\$ (21,000)	\$ (13,000)	\$ (20,000)
530 31000021	Private Boathou	\$ (3,742)	\$ (3,000)	\$ -	\$ (3,742)	\$ (3,000)	\$ (3,742)
530 34000412	Land Lease Rent	\$ (683,938)	\$ (540,000)	\$ (297,451)	\$ (600,000)	\$ (540,000)	\$ (600,000)
Obj 065	RENTALS	\$ (713,697)	\$ (556,500)	\$ (308,287)	\$ (624,942)	\$ (556,500)	\$ (623,942)
FEES							
530 31000023	Staff Labor Fee	\$ (846)	\$ (800)	\$ (2,400)	\$ (3,500)	\$ (800)	\$ (1,000)
530 31000024	Towing Fees	\$ (215)	\$ -	\$ (2,400)	\$ (3,000)	\$ -	\$ (1,000)
530 34000201	Waitlist Fees	\$ (1,880)	\$ (2,000)	\$ (1,070)	\$ (2,000)	\$ (2,000)	\$ (2,000)
530 34000699	Other Misc (Har	\$ (24,297)	\$ (30,000)	\$ (18,748)	\$ (30,000)	\$ (30,000)	\$ (30,000)
Obj 074	FEES	\$ (27,238)	\$ (32,800)	\$ (24,618)	\$ (38,500)	\$ (32,800)	\$ (34,000)
FINES AND PENALTIES							
530 30000301	Ord Violations	\$ (16,465)	\$ (10,000)	\$ (7,777)	\$ (15,000)	\$ (10,000)	\$ (15,000)
530 30000302	Minor Offense F	\$ (2,381)	\$ (2,000)	\$ (240)	\$ (500)	\$ (2,000)	\$ (1,000)
Obj 080	FINES AND PENALTIES	\$ (18,846)	\$ (12,000)	\$ (8,017)	\$ (15,500)	\$ (12,000)	\$ (16,000)
OTHER							
530 30100498	Harbor Cash Ove	\$ 2	\$ -	\$ (20)	\$ -	\$ -	\$ -
Obj 085	OTHER	\$ 2	\$ -	\$ (20)	\$ -	\$ -	\$ -
Report Final Totals		\$ (3,774,404)	\$ (3,199,200)	\$ (1,829,313)	\$ (3,356,542)	\$ (3,202,300)	\$ (3,344,642)



City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

Port of Juneau

POSTED/FAXED

January 19, 2011

SUBJECT: POSTING NOTICE OF APPARENT LOW BIDDER
Bid No. DH11-151 Auke Bay Loading Facility - Phase II

TO: Respondents to Subject Bid

The subject Bid was opened on January 18, 2011 with the following results:

BIDDERS	BASE BID	ADD ALT A	TOTAL BID
Miller Construction	\$2,719,596.25	\$48,205.00	\$2,767,801.25
North Pacific Erectors	\$2,759,501.70	\$64,203.63	\$2,823,705.33
Southeast Earthmovers	\$2,396,657.25	\$56,100.00	\$2,452,757.25
Trucano Construction	\$2,680,641.11	\$53,816.95	\$2,734,458.06

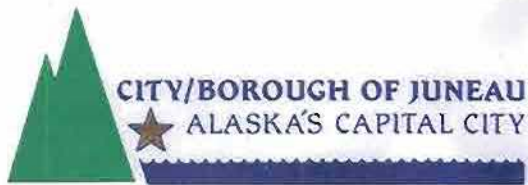
The apparent low bidder is Southeast Earthmovers Inc, PO Box 784, Sitka, AK 99835

The City and Borough of Juneau Docks and Harbors Department appreciates your participation in the subject project and thank you for your interest.

This notice begins the protest period per City Purchasing Code 53.50.062. The Purchasing Code is available online at www.juneau.org/law/code/purchasing.pdf or by calling the City Docks and Harbors Department at 907.586.0292.



Gary Gillette, Port Engineer
Docks and Harbors Department
City and Borough of Juneau
(907)586-0398



Port of Juneau

To: Jim Preston, Chair of the Docks and Harbors Board
CC:
From: John M. Stone, P.E. Port Director
Date: December 30, 2010
Re: DeHart's Marina Replacement

This memo highlights issues related to accommodating stallholders of DeHart's Marina as we move forward with the Auke Bay Master Plan.

CBJ's master plan for Auke Bay, adopted in 2005 as part of the purchase of DeHart's marina, rearranges existing facilities in inner Auke Bay to better accommodate everyone in the community (see attached master plan). Among other things, the plan calls for

1. the removal of the DeHart's marina float system to make room for an improved recreational boat launch facility, a dedicated tour float, and an improved haul-out and boat service yard; and
2. the replacement of DeHart's moorage and fuel float facilities as an addition to the Statter Harbor moorage floats, about 200 feet away from their original location.

Preliminary designs and cost estimates for all components of the master plan have been assembled and were presented to the Board and the public on December 16, 2010. The current design shows an equivalent amount of moorage being added to the Statter Harbor float system as will be removed from DeHart's Marina in order to accommodate all of the current DeHart's Marina stall holders.

The tour float, replacement moorage, fuel float, and boat yard components of the plan are not completely funded. Though the Board is actively pursuing funding for these components, it appears that funding would not be available at the earliest until July 1, 2012. This means it looks like the best case construction window for the tour float and replacement moorage would be during the 2012/2013 off season.

The tour float and replacement moorage can easily be installed in one off season window. Since many of the DeHart's marina stall holders remove their boats during the off season, it will be a relatively simple matter to provide temporary moorage assignments at Statter and the downtown harbors for the thirty or so boats remaining in the harbor during the off season construction window.

I presume that most of the boaters will want to remain in Auke Bay during the off season construction window. Moorage will not be an issue since there is plenty of moorage at Statter during the off-season. However, shorepower could be a limitation since there are limited shorepower power outlets at Statter. Also, since there are no shorepower meters in Statter, boaters wanting an AEL&P account will need to relocate to a downtown harbor during the construction window.

Long term issues related to DeHart's Marina that the Board needs to resolve in order to implement the master plan are listed below.

1. Stall Assignments

The Board needs to decide who gets reserved moorage. The simplest method is to offer to move all of the existing DeHart's Marina stall holders over the new moorage without differentiation as to whether they were stall holders when the marina was purchased or stall holders that were assigned moorage after the marina was purchased.

2. Seasonal Stall Assignments

Some of the original DeHart's stall holders had seasonal stall assignments with Mr. Deems. The Board agreed to honor these agreements when we took over the marina. The Board needs to determine if it is going to continue honoring seasonal stall assignments at the new moorage facility. We do not offer recurring seasonal stall assignments anywhere else in the harbor system. However, we do offer summer time stall assignments in the downtown harbor system if we have extra moorage spaces.

3. Parking

DeHart's Marina has a limited amount of free parking (six vehicle spaces according to the harbormaster) at the head of the marina gangway. There is no free parking in the lower Statter Harbor parking lot from May 1 to

October 1. We currently charge \$5 per day or \$75 per month for parking during the summer. The Board needs to decide if it wants to provide some free parking at the lower Statter lot during the summer months for patrons of the new moorage facility.

4. Fees

The new moorage slips will not be the same size as the existing moorage slips. Our moorage fee regulations require payment of fees on slip length or boat length, whichever is longer. This means that some boats may pay more and some less when they move to the new moorage. The Board needs to decide if it wants to treat the DeHart's patrons differently than other harbor users in this regard.

Last August, I recommended that the Board consider closing DeHart's in November, 2011. This was based on the fact that the moorage floats and associated utilities at DeHart's Marina have exceeded their useful life. In addition, some of the DeHart's patrons are concerned that we may need to close the marina before we get replacement funding. Though closure is certainly a possibility, we have the same situation at Old Douglas and South Aurora Harbors as we do at DeHart's.

At this point, I think the best approach for the Board is to try to maintain operation of the existing marina until funding is secured for replacement with the understanding that the closure issue may need to be revisited if the reconstruction window extends beyond the 2012/2013 season. It seems that everyone's time would be better used to address the above issues and collectively pursue moorage replacement funding at the Assembly and Legislative level rather than engaging in hypothetical closure scenarios.

Call me at 586-0294 if you have questions.

Attachment

PARKING SUMMARY	
TRAILER PARKING	100
VEHICLE PARKING	84
BUS PARKING	4



P | N | D
ENGINEERS, INC



DOCKS & HARBOR DEPARTMENT



DESIGN: BI
DRAWING: PND
SCALE: SCALE IN FEET
0 50 120 FT



**CITY & BOROUGH OF JUNEAU
STATTER HARBOR IMPROVEMENTS**

SHEET TITLE:
**PROPOSED ACTION ALTERNATIVE
CONCEPT & MASTER PLAN**

JHAO PROJECT NO. 052015
SHEL PLAN

3
SHEET
3 OF 3

PORT ENGINEER'S PROJECT STATUS REPORT

Gary Gillette, Port Engineer

Project	Status	Schedule	Contractor	Notes
Auke Bay Loading Facility - Phase I				
Conveyance - ADNR Land - Facility	Submitted	Spring 2011		Awaiting survey for land conveyance
Conveyance - ADNR Land - Mitigation	Submitted	Spring 2011		Awaiting resolution with DNR
Modification to CU for fuel bunkering				Preparing application
Auke Bay Loading Facility - Phase II				
Bidding	Bid	January 18, 2011	PND	Awaiting approval by Assembly
Construction		Feb 2011-Aug 2011		
Douglas Floating Breakwater	Construction	Spring 2011	Trucano	Corps has full funding
Old Douglas Harbor Reconstruction				
Permitting	Hold	Fall 2010	PND	Agencies request more information
Final Engineering and Design	Design	Fall 2010	PND	Hold for permit
Construction		Fall 2011		
Statter Harbor Improvements				
EA Process	In Progress	Winter 2010/11	PND	Completing response to agency request for more info
Conveyance - DNR Property at Glacier	In Progress	Winter 2010/11		Survey in progress
Conveyance - DNR Tideland	In Progress			Application Submitted - Awaiting response
Demolition of Lehnart House	Complete		Channel Const.	Awaiting final invoice from contractor
Permitting	Hold	Winter 2010/11	PND	Awaiting EA completion
Final Engineering and Design	Hold	Winter 2010/11	PND	Awaiting EA completion
Begin Construction		Fall 2012	TBD	Awaiting full funding
New Cruise Berths				
Preliminary Design Services	In Progress	Winter 2010/11	PND	Preliminary Design work in progress
Geotech Investigation	In Progress	Winter 2010/11	PND	
Fishermen's Memorial				Awaiting response from Memorial group
Conditional Use Permit				Preparing application
Port-Customs-Visitor Center Project				
Phase I - Port/Customs Building	Construction	Oct 1, 2010	NPE	On Schedule
Phase II - Visitor Center	Hold	Oct 1, 2011	NPE	
Visitor Center Demolition	Hold	Oct 1, 2011		
1% for Art	In Progress	Feb 2011		Call for Artists in progress
Cruise Staging Area Reconfiguration	Design	Fall 2010/11	PND	
Port Repair and Major Maintenance				
Transfer Bridge Inspection	In Progress	Apr 27, 2009	PND	Awaiting report
Cathodic Protection	Design	Fall 2010	Tinnea & Assoc.	Awaiting inspection report
Harbor Upland Improvements	Construction	Winter 2010/11	Admiralty Const.	Awaiting final inspection and acceptance

PORT ENGINEER'S PROJECT STATUS REPORT

Gary Gillette, Port Engineer

Aurora Harbor Reconfiguration				
Municipal Harbor Matching Grant	Application	July 15, 2010	PND	Submitted application for \$2M-Awaiting legislative approval
Taku Fisheries Dock Expansion	Planning	Spring 2010	PND	Considering options
Norway Point Net Float	Design	Plans Complete		No funds to construct - Est. \$50K+/-
Archie Van Winkle Memorial	In Progress			Transfer to City
Cruise Dock Restroom Study	In Progress		JYL	
Archipelago Property Purchase	In Progress			Working with Lands Department
Fishermen's Sales Facility Study	In Progress	March 31, 2011	Northwind	
Statter Harbor Site Furniture	Planning			Work with Dwight on site options
New USS Juneau Memorial	Planning			Identify support group
Marine Services Center	Planning			Coordination with others

Teena Scovill

From: Laurie Sica
Sent: Friday, December 10, 2010 1:42 PM
To: Teena Scovill
Subject: Meeting Minutes

Teena,

I think you are doing a great job with the minutes. You appear to have summarized the conversation very well.

The type of minutes is generally a choice left up to the Board. There are action minutes, which merely record the action of the group, such as attendance, voting and any "action" taken. That type of minutes works, but doesn't give much information, especially if a meeting is only held to discuss an issue or poll the members' opinions.

There are verbatim minutes, which record EVERY WORD, and those are tedious and generally only useful in court proceedings.

Summary minutes are the norm, and give a summary of comments made. They are a little more difficult to do because you want to be sure you capture the essence of what the person says without going on for too long (which is generally what people do in meetings ☺).

I think you have captured the sense of the meeting very well. If the Board is more familiar with action minutes, it may take a little getting used to seeing individual's comments in print. When a board gets more familiar with summary minutes, members tend to be careful how they say things because they know that comments will be read by others. This can make for more pleasant meetings in the long run.

I have made a lot of little suggestions throughout your minutes and if you have any questions about what I meant by my markings, give me a call.

A few general comments:

Speaker's addresses – our rules require that people state their name and address for the record. However, we don't require the address if they don't want to give it and accept "Juneau" as sufficient. I think it's a holdover from the old days anyway, and it really shouldn't matter where someone lives – they have their right to an opinion even if they are homeless! I used to put the address in, but a woman called me once and asked me to remove it from the minutes because of confidentiality issues, and I completely understand that. If you have a stalker, you still should be able to comment in a public meeting (that's an extreme.) You can talk with your Board Chair about this or John Stone to see what they think, but I would opt for, "John Smith, Juneau, or "Jane Doe said," or "Capt. Crunch spoke on behalf of General Mills."

Stick with the word "said" – rather than feels, expressed, fumed, blurted, etc.

Stick with the word "asked" – rather than questioned, interrogated, etc.

I think referencing "CBJ" is better than "the City" because CBJ is the City and Borough of Juneau and the proper name of the municipality.

Try to stay away from referring to the Board as "We," Its more generic to say "the Board" or "D&H." People say "we" all the time, but you can change it to make it less personal and still get the message across.

My general rule is "When in doubt, leave it out." If you don't know what something means, ask John Stone, and if it's still unclear, its better to leave it out and have someone ask you to add it. This doesn't apply for an action by the Board, like a vote, obviously, but for general comments the rule usually works.

Please take or leave all the comments – I think you are doing a super job for being new to minutes. It really is one of the most subjective parts of my job and I've been practicing for years.

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Resolution for harbor parking permits needs clarification

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Mirror Writer

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Kodiak's Port and Harbor Advisory Board (PHAB) wants the city to clarify some details of a resolution that would establish a parking permit system for long-term lots at St. Paul and St. Herman harbors.

The Kodiak City Council takes up the resolution at tonight's regular meeting. If it passes, only slip holders and paid-up transient vessel operators would be allowed to park vehicles in the 30-day lots. They would pay \$30 for a first permit and \$50 for a second vehicle.

Short-term parking in the 12- and 72-hour areas would still not require permits. The permits do not guarantee a parking space will be available.

At their monthly meeting Wednesday, PHAB members found the language of the resolution unclear regarding how long the permits would be valid. They also want harbor staff to have the authority to change the sizes of the long- and short-term lots if needed.

However, PHAB members did not agree on details of how the permit system should work.

"There's probably no solution that's going to take care of all the problems," board member Skip Bolton said.

Deputy harbormaster Lon White hopes a permit system can help address the problem of people leaving their cars in high-demand harbor parking spaces for unlimited periods.

"There are a lot of legitimate uses for long-term parking, but it doesn't have to be adjacent to the harbor," PHAB chairman Nick Szabo said.

Harbormaster Marty Owen said the system in the draft ordinance appears unenforceable, but did not recommend scrapping the idea.

"I think there's an opportunity to raise some revenue here," Owen said. "It's not very much, but it adds up over time."

The parking permit proposal calls for a trial period in 2011.

"It expires at the end of December," Owen said. "We can tweak it then."

Derelict vessels

The harbormaster's office is sending letters of termination to owners who do not maintain their vessels for long periods, even if their slip fees are paid up. Owen said a dozen or so boats in the city's harbors appear to have been neglected for years, and he called them "floating time bombs waiting to sink."

The letters give a June 30 deadline for owners to get a marine surveyor to certify their vessel as seaworthy and to provide proof of liability insurance.

"Basically, I'm putting them on notice," Owen said.

The conditions would still apply to the boat if the owner sells it before the deadline, so the new owner would have to move it or get the survey and insurance.

Updating board members on recent thefts in the harbors, Owen said gasoline, televisions and sleeping bags have been stolen, and he recommended keeping boats locked.

"I think we've identified a couple of perpetrators," Owen said.

Also at Wednesday's meeting, PHAB members voted to keep Szabo as the group's chairman. Stosh Anderson was elected as vice chairman. Bolton began his three-year term as a board member.

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