

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, February 10th, 2016

I. Call to Order

Mr. Simpson called the meeting to order at 5:06 p.m. in City Hall Room 224.

II. Roll Call

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

Also in attendance were: Dave Borg – Harbormaster, Gary Gillette – Port Engineer, and Teena Larson – Administrative Officer.

Absent: John Bush and David Summers

III. Approval of Agenda

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

Motion passed with no objection.

IV. Public Participation on Non-Agenda Items

Howard Lockwood, Juneau, AK

He said he has been working with the Coast Guard and is here to give a briefing on the salvage of the Challenger. He said the salvage will take place from the 14th to the 17th of this month. The Coast Guard intends to take it to the AML dock and then to the Little Rock Dump beach to continue with the salvage.

He said he is also working with PND on a revised Mega Yacht Harbor plan.

Mr. Simpson asked if junk will be left over after the salvage operation is complete?

Mr. Lockwood said they would clean it up. The beach area it will be sitting on for salvage operation was a previous dump site. They are working very closely with EPA.

Mr. Borg said he has been working with the Coast Guard also. The Coast Guard is working on getting all the permits. ADOT has property rights, AEL&P has an easement, and Docks & Harbors has property concerns. He said he asked for permits, permissions from all parties involved, and a plan to review before the Challenger is brought to the Little Rock Dump beach. The Challenger will go to the AJ dock first where they will test for hazardous material and then to the beach location.

V. Approval of January 20th, 2016 Operations-Planning Meeting Minutes

Hearing no objection, the January 20th, 2016 OPS/Planning minutes were approved as presented.

VI. Consent Agenda - None

VII. Unfinished Business - None

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VIII. New Business

1. Auke Bay Loading Facility Fees

Mr. Simpson said in the packet is a letter from Mr. Weltzin summarizing his concerns with the ABLF operations.

Paul Weltzin, Juneau Alaska

Mr. Weltzin said he asked Mike Svenson and Stan Savland to come to the meeting tonight. Mr. Svenson is a shipwright, a welder, and a fabricator, and Mr. Savland is a fisherman who resides in Hoonah, but is a frequent user of the ABLF. Mr. Weltzin said Mr. Svenson is seeing a significant impact to his business and is concerned Juneau will lose high quality vendors. Mr. Weltzin said he has used the Gitkov dock before, but at that location the barge face is a brutal environment. This has to do with how Gitkov's barge is oriented to the summer boat traffic. People with commercial boats are leaving Juneau to go to other ports that are friendlier to their cause, and this will just hurt the whole Juneau community. He said people are not going to use the ABLF anymore and are going to go back to using Statter Harbor. The ABLF was built to get the separation of user groups because of the conflicts. He doesn't want to have to go to a different town to get his off season work done on his boat. He said in order to know how much the ABLF makes, there needs to be good data and be able to compare year by year. Is there going to be enough revenue generated for the maintenance and repair needed at this facility and replace items after they reach their useful life? He said he believes his use of the dock is a large driving factor to the sweeping changes in rules, regulations, and fees. He has heard people complained about his extensive use of the ABLF. The ABLF is by reservation only and he calls days in advance to reserve. He spends over \$20,000 a year at the ABLF. He said his boat, which is a 75' landing craft with 180,000 pounds of freight capacity, is not like any other boat at the ABLF. A gillnetter will come in to swap nets, which takes a short amount of time, and then they are gone. In the rate structure, it says people can use the dock free for two hours and he does not agree with that. If someone calls in to make a reservation it is using staff time and money should be collected. Free dock use for two hours is revenue not being captured at this facility. He suggested to establish an annual user fee for the short time type of usage. When someone makes a reservation they need to have real money tied to it so they show up and don't frivolously waste everyone's time. He said in his letter he didn't propose changes, but he would like to be a part of the solution.

Mr. Simpson said previously, the Harbor Fee Review Committee spent a lot of time going over the fee structure for the ABLF. The Committee tried to get as much fee information as possible and then heard a lot of testimony to try to determine a rational fee schedule. The Committee wanted to encourage the right kind of use and discourage the abuses. The Committee looked at the items you have concerns about, but in some cases reached different conclusions. He appreciates that Mr. Weltzin is not just griping about how the Committee raised rates or established rates, but offering suggestions and constructive solutions. He said he will look at the items Mr. Weltzin has on his list of concerns.

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Mr. Gillette asked if Mr. Weltzin was talking about the float or the ramp?

Mr. Weltzin said primarily the drive down dock.

Mr. Gillette said he thought he was using the ramp.

Mr. Weltzin said he uses both.

Mr. Borg said the ramp fees were lowered.

Mr. Gillette said the float was not built for the type of loading Mr. Weltzin is doing with a forklift. Forklifts tear up decking. The whole idea of a loading ramp was for your type vessel and operation.

Mr. Weltzin said by using the drive down dock saves him a lot of time, effort, and expense. He is the only one that uses that dock for loading like he does. He has helped other people with his forklift when the cranes have been out of order. He said he is gone for 150 days a year on average. He said he comes in late at night, loads for a full day and is gone again. He has not seen anything that says no forklift on the dock. He hopes that day never comes because the usefulness of the facility will diminish for him. He tries to be respectful on the dock with the machines. He said it is a fantastic facility in terms of usefulness. The gate at the top of the ramp is his #1 fear.

Mr. Borg said he discussed a gate at an earlier meeting with Mr. Weltzin because he mentioned that the drive down ramp wasn't generating any revenue. At that time, Mr. Weltzin thought a ramp would be a good idea. The other problem on the drive down float was that people were misusing it by not moving.

Mr. Weltzin said he is up and down the ramp about 30 times in a typical day and a gate would be a challenge.

Mr. Borg said to have less wear and tear on the drive down float, the ramp rates were lowered to encourage use.

Mr. Gillette asked if he uses the cranes?

Mr. Weltzin said no, he has his own crane. Instead of the gate, he is thinking of alternate ways CBJ can capture revenue with the least amount of effort and expense. He suggested a flat annual commercial user fee for every boat that wants to come to the ABLF. The gate will just cause congestion. He would like an incentive for people to come and use the dock. He would like off season rates. He said CBJ charged the Majestic Fjord \$4,000 for 22 days on the dock. He said his vessel is 10' longer and he could park his boat in Hoonah for two years for that amount.

Mr. Borg said the vessel operators were completely aware of the charges and did not have any problem with paying the fees. They had three parking spaces, crane use, easy access, and convenience. They just reserved space again and are coming back.

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Committee Questions

Mr. Donek asked if Mr. Svenson is now losing business because Docks & Harbors is now charging a fee to tie up at the dock.

Mike Svenson, Juneau Alaska

Mr. Svenson said he uses it as a work float and not a loading float. It is not large enough for all the user groups. He said he has big projects which he has to take the boat apart, do the project, and put it back together. His business is projects and keeping the local fleet running. No one is complaining that he is at the dock for days and weeks, because he always accommodates by moving or making space on the dock. The float is moving more toward a quick in and out area and he does project work that is not a quick in and out. The gate would be bad for his operation. He is constantly running back and forth for parts.

Mr. Donek asked if the area set aside for the work zone is costing him his business?

Mr. Svenson said the higher fees will scare him and his clients away from the ABLF. The \$4,000 for 22 days would not be feasible for him.

Mr. Weltzin said very few users are aware of the rate structure. He thought the work zone area was going to have more relaxed rates.

Mr. Borg said the ABLF was never intended to be a moorage facility and that is why the rates were raised. There was a lot of people that got on the dock and said they were broke and couldn't move. The higher rates are to encourage turn around. He said when people call for reservations, the office staff makes sure people know the fees when they call. Mr. Borg said the customer who reserve that space just say they better get there work done in a day or two. The fees do affect Mr. Weltzin more than anyone because he is one of the biggest users.

Public Discussion -

Stan Savland, Hoonah, Alaska

He said he has a 58' fishing vessel and would not pay \$4,000 for moorage at the ABLF for 22 days. He will be in Statter Harbor for a month for Mr. Svenson to do work on his vessel. It would be much more convenient to be able to drive up to the boat every day but he can moor at the Statter Harbor dock for \$400. He suggested to have a lower rate at the work zone during the off season. He said he does use the area when he needs to load supplies on the boat. Having an extra gate would be very inconvenient.

Committee Discussion/Action

Mr. Janes asked Mr. Weltzin to bring back suggestions on user fees for the ABLF to a work session. It is important to keep commerce alive and have a facility that is vital. Docks & Harbor would like to have less abusing and more good use.

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Mr. Weltzin suggested to talk to Ketchikan and Petersburg to see how they manage their facilities.

Mr. Borg said Ketchikan is too new.

Mr. Simpson told Mr. Weltzin to give his specific ideas and how they relate to the current fee structure to Mr. Borg and this item will be scheduled on the Harbor Fee Review Committee meeting.

Mr. Janes said Docks & Harbors does not want to chase service out of town that serve our fishing fleet. Getting input from users is very helpful to make a decision to keep our revenue coming in, and doesn't keep you from coming back. He suggested an off season rates.

Mr. Svenson suggested to have the work zone area a different rate, either match the Statter Harbor rate or slightly more.

Mr. Borg said the higher fees were to make a user more responsible with what they were going to do. He said he needed to get the users attention, and he also requires a scope of work before they are allowed to tie up.

2. Amalga Harbor Fish Cleaning Float Feasibility Study

Mr. Gillette said this started with the idea for a better fish cleaning station. The original idea was to have a remote float, but there was a number of alternatives. The State Troopers do not like the remote float because of the creel count and the Fish & Game laws. Without being able to do the remote float, the idea of extending the existing float which has four different alternatives was discussed. The alternative 4c was the chosen alternative.

Docks & Harbors received a grant from Fish & Game to do this study. The direction from the full Board was to send it back to the OPS/Planning Committee for more discussion. One of the things the full Board was discussing was how the Amalga use is going to change once Statter Harbor is finished.

Committee Questions

Mr. Donek said he is thinking a lot of people will come back to Statter Harbor this summer, but in 2017 people will move back out to Amalga.

Mr. Simpson asked if he thought a better fish cleaning area would be good for Amalga?

Mr. Donek said something needs to be done, but he is not sure this is the solution. With no running water, the fish cleaning station is going to be a mess.

Mr. Janes said with no money appropriated, could we set this aside until we figure this out.

Mr. Gillette asked Mr. Teske how Sitka manages the remote fish cleaning station?

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Mr. Teske, Dept. of Fish & Game Sport Fish Management Biologist

He said the Sitka remote fish cleaning float at Sealing Cove was paid for by City funding and not by Fish & Game and sees little use. Sitka is able to meet it's creel sampling goals from mainly Thompson Harbor. As far as enforcement, there is a regulation in place that an individual is not allowed to fillet or de-head their fish while they are at sea until back at a City port. The Sealing Cove float is considered part of the Sitka road system and considered to be at port. Enforcement is able to monitor by boat patrol and observation from shore.

He sent this study to the State Troopers and they said it would be a lot more expensive to do a boat patrol at Amalga and it is a high traffic area. They would prefer shore based access for people cleaning their fish.

Mr. Gillette said Docks & Harbors received a \$50,000 grant for the feasibility study. Are there funds available if the Board were to go forward with this project?

Mr. Teske said annually Fish and Game receives federal funding sources for boating access. Projects are submitted and it is divided throughout the state.

Mr. Donek said this is not going to happen this year. We need to apply for permits and need contracting. This would more likely be in 2017 or 2018. He suggested to have two special tables built at the end of the float that could be in place for this season.

Mr. Janes suggested staff do research on fish cleaning tables for the end of the float.

Mr. Teske said Fish & Game has the material including the cutting tops, Docks & Harbors would need to find someone to put the tables together.

Mr. Donek suggested to have Mr. Moeser go out and look at the float and design two tables.

Mr. Teske said he still recommends to extend the float to relieve some of the congestion.

Mr. Gillette said there could be enough remaining funds from the feasibility study to design the float. He is not sure how the grant money will be affected if we decide to wait.

Mr. Donek said the grant can be extended.

Mr. Teske said the congestion issues will still exist in July & August and will not go away. Fish & Game receives 30% to 40% of their creel samples, over 50% of their Halibut samples, and 90 % of all other ground fish from Amalga Harbor.

Public Discussion - None

Committee Discussion/Action

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MOTION By MR. JANES: TO PUT THE FISH CLEANING FLOAT FEASABILITY STUDY AND DESIGN OFF FOR ONE YEAR UNTIL WE SEE WHAT THE USE OF THE NEW STATTER HARBOR IMPACTS AMALGA AND GO OUT FOR COST ESTIMATES TO CONSTRUCT TWO TABLES TO INSTALL ON THE EXISTING DOCK AT AMALGA FOR THIS YEAR AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

3. Auke Bay Loading Facility Minor Maintenance

Mr. Borg said this is to make available an area for commercial launch ramp permit holders to haul out boats for minor maintenance and/or inspection. The area would be used by reservation only through the Statter Harbor Office. The fee will be \$25.00 per use, no more than three hours per vessel. There would be absolutely no bottom cleaning, pressure washing or painting authorized in this area. Any work of this nature must be coordinated with Harri's Commercial Marine.

Committee Questions

Mr. Simpson asked if this was for owner/operators or commercial users?

Mr. Borg said it would be for commercial users, but could be on a case by case basis.

Mr. Janes said his company will use this area over 30 times this summer generating \$800 to \$1000 in revenue. He would like to be able to replace the lower unit also.

Mr. Borg suggested to add, propeller/lower unit replacement, to the permissible use.

Mr. Gillette asked if people were required to put something down under the work?

Mr. Borg said they are required to put a tarp down.

Public Comment

Dennis Watson, Juneau Alaska

He said he looked on our website under Auke Bay Loading Facility and did not see any rates posted. He thinks the rates should be on the site and easy to find.

Committee Discussion/Action

MOTION By MR. JANES: TO ADOPT THE ABLF WORK ZONE DOCUMENT AS PRESENTED AND AMENDED AND ASK FOR UNANIMOUS CONSENT.

Motion passed with no objection

4. Andrew's Marina New Lease Application

Ms. Larson said Docks & Harbors received an application to renew a lease for Andrew's Marina. The old lease was 55 years and will expire on April 25th, 2016.

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An appraisal is being conducted at this time and be available on March 4th. This will go to the Finance committee after the appraisal is received.

Committee Questions –

Mr. Simpson asked what action needs to be taken now?

Ms. Larson said staff needs to know if there is any reason to not move forward with the lease application in the packet.

Mr. Gillette said this is an existing state lease that management was given to the City .

Mr. Simpson said on the map, he noticed the floats are not exactly within the lines.

Mr. Janes asked if this would be a good time to clear up if the floats are encroaching on property outside their boundary?

Mr. Donek said that would require a surveyor establish boundaries of ATS 33 and the floats. Do a subdivision on the piece that is outboard that the float is encroaching on so that little piece could be leased to them.

Mr. Simpson suggested to give them an easement for the encroachment or add wording “if it encroaches” to the lease.

Public Comment – None.

Committee Discussion/Action

Mr. Simpson said the Committee wishes to proceed with the lease application and note the concern of the potential encroachment and the suggestion for allowing an easement.

NO MOTION NEEDED.

5. Enforcement Regulation for User Fee Collection

Ms. Larson said the administrative staff has been struggling with passenger-for-hire reporting and payments. It is continually contacting companies to get them to report and pay. There is still one company that reported in September but has not paid. Staff is suggesting to add language in regulation that would help get Passenger-for-hire companies attention.

Passenger-for-hire reporting & payments – Monthly passenger reporting forms, and payments in full must be submitted to Docks & Harbors within 30 days of the end of each month.

Failure to comply will result in immediate permit suspension. The permit will not be reinstated until all required forms and payments are submitted to Docks & Harbors along with an administrative reinstatement fee of \$100 per vessel. Multiple instances (3+) of non-compliance in a single season may render a company ineligible to receive a Passenger-for-Hire permit for the following season.

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Mr. Borg said this is taking a large amount of staff time with e-mails, calls, and letters. He recommends something is adopted.

Committee Questions

Mr. Donek asked if this would change Title 85?

Mr. Janes said in order to enforce this it would need to be in regulation.

Public Comment –

Stan Savland, Hoonah, Alaska

He asked if this fee was collected upfront?

Mr. Borg said no, it is charged by the passenger. In the past, we did charge a specific company by capacity to get their attention. That worked, but this year they provided the amount of passengers at the end of the season, but didn't pay and left town until next season.

Mr. Savland suggested to ask for something upfront.

Ms. Larson said they pay a small per vessel permit fee upfront.

Mr. Janes said the Forest Service requires 1/3 of your estimated use paid up front. The second 1/3 is in due in July, and the final 1/3 is due at the end of the season.

Mr. Savland suggested that if a company is delinquent starting the next year to have them fall under other rules and have them pay the past arrears and 1/3 of that amount up front for the next season.

Committee Discussion/Action

MOTION By MR. JANES: MOVE THAT THE PASSENGER FOR HIRE NON-REPORTING AND NON-PAYMENT PENALTIES AS RECOMMENDED BY STAFF BE ADOPTED AND FORWARD TO THE FULL BOARD AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

IX. Items for Information

1. Marine Power Cord Safety Replacement Program

Mr. Borg said Docks & Harbors received a complaint about our electrical service which was sent directly to the State Office of Labor Safety Branch also known as AKOSHA. At that time, staff requested AKOSHA come do a work place site visit. One of the glaring issues throughout the harbor system was the large number of inadequate power cords going from the power pedestals to vessels and boat shelters. Many are deteriorated, have unauthorized repairs, plug adaptors, improperly pass through shelter bulkheads/walls or are under rated. Staff has not done a good job of policing this in the past. He said he had a discussion with the Port Director and tried

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to come up with a good balance to change out the inadequate cords. He said he is proposing to purchase 50 cords and offer the customer a one time power cord buy back. This would mean the customer pays half and Docks & Harbors will pay the other half for a new power cord. Mr. Borg said a standard price for a power cord is \$87.00.

Committee Discussion/Public Comment – None.

Mr. Janes suggested to get a quote locally for 50 power cords.

Mr. Simpson asked if they have to turn in their old power cord to be able to get the new one.

Mr. Borg said yes.

Mr. Donek asked how it will work for the transient boaters?

Mr. Borg said they will have spares power cords to use for that purpose.

X. Staff, Committee and Member Reports –

Mr. Gillette said he was in Tacoma on Friday and saw both of the Cruise Ship Berth pontoons completed in the graving yard and at 2:30 am on Monday watched them come up and float. They floated their gate out of the way and floated the pontoons out. He said he has photos that he will bring to the Board meeting.

Mr. Simpson asked Mr. Gillette to send them in an e-mail. He asked if they tested the pontoons for leaks?

Mr. Gillette said Concrete Technology Corporation (CTC) is keeping them at their dock for a couple of weeks. They've detected a small leak in one cell and will patch that. There was no other structural damage noticed so they did not see the need to have divers inspect the bottom. Staff made the decision to hire Global Diving for \$4,000 to video the bottom of the pontoons for our records and if they found something it would be easier to fix it at CTC. Manson will hire a diver in Juneau to video the bottom of the pontoons when they arrive in Juneau to make sure there was no damage during the trip before Docks & Harbors accepts the pontoons.

Mr. Borg reported –

- He received good feedback from the Seattle Boat Show. He said a lot of people said they would be coming back to Juneau this year. There were 58,000 people that attended the boat show which is a 1.3% increase from last year.
- Staff is working on the OSHA list and is 90% complete. The remaining items will be completed by Anchor Electric.
- The Statter Harbor old boat yard area is getting cleaned up and ready for the summer season parking.

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- He received a call the blocks placed at Fritz Cove have been moved. They went back out this morning and moved the blocks back, by 4:30 today, the blocks were moved out of the way again.
- Staff replaced a table at Amalga that caved in.

Mr. Janes asked if the gate at Fritz Cove will hold up when it is in place?

Mr. Borg said he is working on it.

XI. Committee Administrative Matters

1. Next Operations/Planning Committee Meeting – March 9th at 5:00 pm.

XII. Adjournment

The Operations-Planning Committee Meeting adjourned at 7:25 p.m.