

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, January 20th, 2016

- I. Call to Order** (5:00 p.m. in City Hall Room 224)
- II. Roll Call** (John Bush, Tom Donek, David Summers, Bob Janes, and Budd Simpson)
- III. Approval of Agenda**

MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED
- IV. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total)
- V. Approval of December 2nd, 2015 Operations/Planning Meetings Minutes**
- VI. Consent Agenda** - None
- VII. Unfinished Business** - None
- VIII. New Business**

- 1. Appropriation Ordinance – Cruise Ship Berths Improvement Project
Presentation by the Port Engineer & CBJ Finance Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: THAT THE BOARD RECOMMEND THE ASSEMBLY APPROVE AN APPROPRIATION ORDINANCE TRANSFERRING \$1.5M FROM THE DOCKS FUND BALANCE AND \$2.5M OF PORT DEVELOPMENT FEES FOR THE CRUISE SHIP BERTHS IMPROVEMENT PROJECT.

- 2. Statter Harbor Master Plan Update
Presentation by the Port Engineer

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: THAT THE BOARD APPROVE THE SUBMITTED STATTER HARBOR MASTER PLAN.

3. Appropriation Ordinance – Douglas Harbor – ADOT Municipal Harbor Grant
Presentation by the Port Engineer

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: THAT THE BOARD RECOMMEND THE ASSEMBLY APPROVE AN APPROPRIATION ORDINANCE ACCEPTING THE ADOT MUNICIPAL HARBOR GRANT IN THE AMOUNT OF \$2,044,230.

4. Appropriation Ordinance – Douglas Harbor – Transfer of \$1.3M from Harbor Fund Balance to CIP
Presentation by the Port Engineer

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: THAT THE BOARD RECOMMEND THE ASSEMBLY APPROVE AN APPROPRIATION ORDINANCE TRANSFERRING \$1.3M FROM THE HARBOR FUND BALANCE TO THE DOUGLAS HARBOR PHASE III PROJECT.

5. Loading Zone Permit Proposed Changes under 05 CBJAC 15.080
Presentation by the Harbormaster

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING

IX. Items for Information/Discussion

1. RFP – Land Use & Strategic Financial Planning For Downtown Harbor Facilities
Presentation by Port Engineer

Committee Discussion/Public Comment

2. Statter Harbor Moorage Incentive - Subleasing Opportunity
Presentation by Harbormaster

Committee Discussion/Public Comment

3. Fritz Cove Road - Update
Presentation by Harbormaster

Committee Discussion/Public Comment

4. Notice of Intended Sale of Boathouse
Presentation by Harbormaster

Committee Discussion/Public Comment

X. Staff & Member Reports

XI. Committee Administrative Matters

1. Next Operations/Planning Committee Meeting- **Wednesday, February 17th, 2016.**

XII. Adjournment

I. Call to Order

Mr. Simpson called the meeting to order at 5:00 p.m. in the Assembly Chambers.

II. Roll Call

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

Also in attendance were: Carl Uchytel – Port Director, Dave Borg – Harbormaster, and Gary Gillette – Port Engineer.

Absent: John Bush and David Summers.

III. Approval of Agenda

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

Motion passed with no objection.

IV. Public Participation on Non-Agenda Items

Howard Lockwood of Juneau, AK

Mr. Lockwood handed out pictures showing an aerial view of the Rock Dump area from 1961 and prior. He also gave a brief history of the AJ Rock Dump.

V. Approval of October 22nd, 2015 Operations-Planning Meeting Minutes

MOTION By MR. DONEK: TO APPROVE THE October 22nd, 2015 Operations-Planning Meeting Minutes AS PRESENTED AND ASK UNANIMOUS CONSENT.

The motion passed with no objection.

VI. Consent Agenda – None

VII. Unfinished Business

1. Fritz Cove Road

Mr. Gillette said in your packets you will find a compilation of the meeting minutes where the Fritz Cove Road was discussed along with the letter we received regarding the Fritz Cove Road. There's no way to get a permit to develop a formal boat launch for the area. The area is not covered by the Grandfather clause because the area was blocked off for more than a year and not used to launch boats during that time.

Mr. Simpson said there were two motions that came before this committee. The first was to put up a locked gate and that motion passed. The second motion was to put up signage and that motion did not pass.

Mr. Uchytel said this Committee passed a motion that went to the Full Board and the motion then failed at the Full Board (see page 75 in the packet).

Committee Questions

Mr. Donek asked Mr. Janes why didn't you vote for the gate.

Mr. Janes said I would vote for the gate today because there is enough parking and launching near Fritz Cove Road at Statter Harbor.

Public Discussion

Dennis Watson of Juneau, AK said I researched what the Planning Commission decided in 2005 when the Fritz Cove Road access was last discussed. The appeal from the Neighborhood Association said that the developers should lease some private land for parking at the end of Fritz Cove Road to address a possible parking shortage. The Assembly disagreed as adding parking to the area would only exasperate the present congestion by encouraging additional use of this area. They never addressed the beach and it was not on the appeal. One patron replied that he was disappointed by the Assembly's decision, and he anticipated conflicts would begin with the first construction activity and will continue until adequate provisions are made for reasonable access. The Planning Commission did require them to put in enough room for 30 - 20 foot boats. This is why that dock is there and why there is so much interest in launching from that beach. There were no concerns regarding boat launching from the beach in the 2005 minutes I read.

Committee Discussion/Action

Mr. Simpson said I think we need a gate and it is important the gate be removable in case we want to develop the area in the future.

MOTION By Mr. Donek TO DIRECT STAFF TO PLACE A LOCKED GATE AT FRITZ COVE ROAD BEACH ACCESS POINT SUFFICIENT TO PREVENT BOATS AND TRAILERS FROM GOING DOWN THE RAMP AND INSTALL SIGNAGE STATING THE GATE ACCESS IS FOR EMERGENCY USE ONLY AND ASK UNANIMOUS CONSENT.

The motion passed with no objection.

Mr. Simpson said this will go to the Full Board for further action along with the packet of material provided tonight.

VIII. New Business

1. Channel Construction Lease Application

Mr. Uchytel said in 1961 the State of Alaska provided a 55 year lease with Construction Services Inc., who assigned it to Juneau Ready Mix in 1967. There was an amendment to the lease in 1978 adjusting the 5 year leasing interval to a onetime 25 year period which included an option for a renewal of 10 years. In 2001 the Department of Natural Resources (DNR) conveyed the tidelands to the City and Borough of Juneau. It was eventually assigned to Channel Construction. The lease amendment in 2010 added a half an acre, making the total leased area 2.2 acres. The 55 year lease expires in April 2016. Channel Construction is interested in another lease agreement. City code allows for preferential leases. The leased area was appraised at \$0.15 per square foot. I recommend you approve the lease amendment and staff can move forward with drafting a new lease agreement.

Committee Questions

Mr. Simpson asked is the basis of the appraisal on unimproved tidelands.

Mr. Uchytel replied yes, the appraisal is based on preleased conditions.

Mr. Simpson asked has this been shared with Channel Construction yet.

Mr. Uchytel said not yet because we just received the appraisal.

Public Discussion-None

Committee Discussion/Action

MOTION By Mr. Janes TO DIRECT STAFF TO CONTINUE WITH THE CHANNEL CONSTRUCTION LEASE AGREEMENT AT THE RATE OF \$0.15 PER FOOT AND ASK UNANIMOUS CONSENT.

The motion passed with no objection.

2. Special Annual Moorage Fee for Skiffs

Mr. Uchytel said page 131 of your pamphlet shows the Special Annual Moorage Rate for Skiffs. Effective this year the rate will be \$600 per skiff per year. The skiff has to be open-hulled and 21 feet or less in length to qualify. The skiff zones are designated by the Harbormaster. This past year there were only 2 boat owners who took advantage of this skiff fee. The Fee Review Committee suggested we reduce the fee to \$300 per skiff per year to entice more people to utilize the special rate and the designated skiff areas.

Committee Questions – None

Public Discussion – None

Committee Discussion/Action

MOTION By Mr. Donek TO RECOMMEND THE FULL BOARD APPROVE AN OWNER WITH AN OPEN HULL VESSEL 21' OR LESS IN LENGTH EXCLUDING ENGINES MAY APPLY TO THE HARBORMASTER FOR MOORAGE IN THE LIMITED ACCESS AREAS OF SMALL BOAT HARBORS WHICH IS DETERMINED BY THE HARBORMASTER AT A RATE OR \$300 PER CALENDAR YEAR AND ASK FOR UNANIMOUS CONSENT.

The motion passed with no objection.

3. A Resolution of the City and Borough of Juneau in Support of Full Funding for the State of Alaska Municipal Harbor Facility Grant Program in the FY2017 State Capital Budget

Mr. Uchytel said this year we applied for a \$2 million grant for Aurora Harbor. On page 131 of your pamphlets you will see the break down the grant scoring by applicant. The Legislature will decide how much money will be assigned to this grant program. If a fund of \$14 million is approved then we will be funded for our project. The project has to be fully funded to qualify. So if the fund had \$8 million we would not receive any of the funds. The grants are for construction only.

Committee Questions

Mr. Simpson asked how are the priorities established and what goes into the scoring.

Mr. Uchytel said the Selection Committee evaluates the documentation. It is based on how well you market your documents. Tier Twos get less priority than Tier Ones. The Committee prioritizes based on the following:

- Funding to maintain the facilities
- Matching grant funds
- Assembly support
- Completed designs
- Current state of facility

Public Discussion – None

Committee Discussion/Action

MOTION By Mr. Janes TO ENDORSE THE PROPOSED CBJ RESOLUTION SUPPORTING THE ALASKA DEPARTMENT OF TRANSPORTATION MUNICIPAL HARBOR GRANT PROGRAM AND REQUEST ADOPTION BY THE FULL DOCKS AND HARBORS BOARD AND ASK UNANIMOUS CONSENT.

The motion passed with no objection.

4. Minor Boat Maintenance at the ABLF

Mr. Uchytel said there is a need to allow commercial operators to conduct minor – non-shipyard activities at the Auke Bay Loading Facility (ABLF). We might need a permit from the Department of Environmental Conservation (DEC) to allow for minor boat work at the ABLF on the non-boatyard side. Harri's, the current lessee of the ABLF Boatyard, does not perform oil changes so allowing oil changes would not take business away from Harri's.

Mr. Borg asked where do we draw the line. Patrons will be using this as a reason to paint their boats or do other repairs and that's what the ABLF Boatyard is for, and the ABLF Boatyard costs money.

Committee Questions

Mr. Simpson asked will Harri's be the one hauling the boats.

Mr. Uchytel said Commercial Launch Ramp users can pull their boats, but Harri's runs the SeaLift and the wash down pad.

Public Discussion

Dennis Watson of Juneau, AK said power washing in Aurora Harbor Parking Lot has been going on for years. People should not be permitted to power wash in the Aurora Harbor Parking Lot. The ABLF is different because in order to have your boat there you most likely were hauled out commercially. If a patron purchases a FOB key (electronic key needed to get into the ABLF), then they can get into the ABLF and work on their boats when no one is working. That is a problem and it is difficult to regulate. I recommend you make it easier and just say no, they can't do minor boat repair outside of the tenant's area. I think the users should pay to use the area and should need to use the tenant's area.

Committee Discussion/Action

Mr. Donek said the Harbormaster will need to manage the area. If we give parameters on what is allowed we will be in a better situation to manage what goes on at the

ABLF. We could require an additional permit issued by the Harbormaster specifically for minor boat repair work.

Mr. Simpson said it is a service people need and we need to provide a space for them to perform minor maintenance.

Mr. Janes said there will be conflict with Commercial Launch Ramp users hauling when Harri's is using the SeaLift at the same time. I recommend we put a time limit on how long patrons can leave their boats and perform minor boat repairs without being charged, and state that all waste needs to be removed from the site and disposed of properly. Staff should get the appropriate permits for the ABLF, and draft a permit for the commercial users. Then bring the draft back to this committee for evaluation.

Mr. Simpson said we could have a penalty in place to discourage users from abusing the space by staying beyond the time allotted. That penalty could be Harri's rates.

NO MOTION

IX. Items for Information – None

X. Staff, Committee and Member Reports

Mr. Uchtyl said tomorrow we will issue the Request for Proposal for the comprehensive land use master plan for the area between Norway Point and Bridge Park. Any Board Members who want to sit on the selection committee should do so. I encourage someone from the Yacht Club to participate because the Yacht Club is a big part of the land use for the area. We're moving forward with moving the Statter Harbor Boat Yard out and making plans for the new Statter Harbor Master Plan. Phase III is the Commercial for Hire Float. We think we have funding opportunities available to make that happen. The Passenger Head Tax is one source of funding we are confident we can receive. Fiscal Year 2017 Passenger Head Tax is currently unassigned, and that is an opportunity for \$5 million of funding. The 1% sales tax fund has \$1.3 million which was for the haul-out facility, but we think the Assembly would support assigning the funds to the Commercial for Hire Float. Other projects are going well too. The Douglas Harbor dredging is coming along quickly at about 1,000 cubic yards per day, which equates to 2 hopper barge loads.

XI. Committee Administrative Matters

1. Next Operations-Planning Committee Meeting – Wednesday, January 20th, 2016.

XII. Adjournment

The Operations-Planning Committee Meeting adjourned at 6:36 p.m.



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

MEMORANDUM

To: Docks and Harbors Board
From: Gary Gillette, Port Engineer
Date: January 14, 2016
Re: Appropriation Ordinance – Cruise Ship Berths

The Cruise Ship Berth Improvements project is comprised of a number of components including: Cruise Ship Terminal Staging Area; Taku Dock Modifications; Floating Cruise Berths; 1 Percent for Art; and Archipelago Uplands. Funding for the project consists of State Marine Passenger Fees; CBJ Marine Passenger Fees; Port Development Fees; and Docks Funds.

CBJ Docks and Harbors requests approval of an appropriation ordinance that would transfer additional funds from the Port Development Fees and Docks Fund to the project account, specifically for the floating berths construction currently under way.

The request is to move \$2.5M from Port Development Fees and \$1.5M from Docks Fund for a total of \$4M to the project. This amount would not be sufficient to complete the project as currently estimated. The reason is that the estimate to complete the project includes a 10% contingency amount and an estimate for additional inspection services if the contractor continues to work two shifts. At this point there has been .032% in change orders but in a project of this scale unforeseen situations can create larger expenses. All this to say: At this time the proposed transfer puts the budget in line with the anticipated costs but at a reduced contingency amount (4%). With the project spanning two construction periods there will be better assessment of future contingency and inspection needs at the end of this first phase thereby giving time to identify additional funds for the project if needed.

The transfer of Port Development Fees and Docks Funds to the Cruise Berths project requires an appropriation ordinance approved by the Assembly. Staff recommends the Board consider the transfer and, in turn, recommend the Assembly approve an appropriation ordinance to use \$1.5M of Harbor Funds and \$2.5M of Port Development Fees for the Cruise Ship Berths Improvement project.

	Estimate (9/13)	Actual + Estimate to Complete
Expenditures		
Floating Berths	\$67,000,000	\$67,675,487
Taku Dock Modifications	\$1,250,000	\$1,230,000
Cruise Terminal Staging Area	\$7,750,000	\$6,027,719
Archipelago Uplands	\$2,000,000	\$2,000,000
Subtotal	\$78,000,000	\$76,933,206
Funding		
Project Revenue (1/14/16)	\$69,757,482	
Actual + Estimate to Complete (1/14/16)	\$76,933,206	
Funding Needed	\$7,175,724	
Proposed Supplemental Funding		
Dock Fund Balance	\$1,500,000	
Port Development Fees	\$2,500,000	
Total Supplemental Funding	\$4,000,000	
Additional Funding Needed	\$3,175,724	
	Completed or Under Contract	Estimate to Complete
Construction	\$53,743,440	
Contingency (10%)	\$170,578	\$5,203,766
Permitting	\$110,000	
Design	\$2,779,400	
CA/I	\$2,056,000	\$2,000,000
1 % for Art	\$479,640	\$57,794
Other Indirects & Misc. Costs (2%)	\$480,000	\$594,869
Sub-Total	\$59,819,058	\$7,856,429
Total Projected Cost of Project		\$67,675,487





REV	DATE	DESCRIPTION	DWN	CHK	APP

REVISIONS

DESIGN: BIM CHECKED: CRS SCALE: 1" = 60' SCALE IN FEET 0 60 120 FT

DRAWN: PJD APPROVED: CRS

ENGINEERS, INC.

9560 Glacier Highway Ste 100
Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pdk-engineers.com

CITY & BOROUGH OF JUNEAU, ALASKA
STATTER HARBOR IMPROVEMENTS PH III
CBJ PROJECT - DH16-XXX

SITE TITLE:
SITE PLAN CONCEPT NO.1

SHEET
2 OF 3

DATE: JAN. 2016



PRELIMINARY

CITY & BOROUGH OF JUNEAU, ALASKA
STATTER HARBOR IMPROVEMENTS PH III
CBJ PROJECT - DH16-XXX

SHEET TITLE:
SITE PLAN CONCEPT NO.2

3
SHEET
3 OF 3

9560 Glacier Highway Ste 100
Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pdkengineering.com

P **N** **D**
ENGINEERS, INC.

DESIGN: BIM CHECKED: CRS SCALE: SCALE IN FEET
DRAWN: PJD APPROVED: CRS 0 60 120 FT.

REVISIONS			
REV.	DATE	DESCRIPTION	APP.





Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

MEMORANDUM

To: Docks and Harbors Board
From: Carl Uchtyl, Port Director
Date: January 12, 2016
Re: Old Douglas Harbor Phase III Funding

The Alaska Department of Transportation (ADOT) awarded, to CBJ Docks and Harbors, a Municipal Harbor Grant for the Douglas re-build project in September 2008 (see letter attached). The project was on hold due to a lengthy permitting process, which culminated in an Army Corps of Engineers (ACOE) final permit issued June 30, 2014. CBJ teamed with ACOE to phase the project whereby CBJ would fund and perform demolition of the existing infrastructure; ACOE would fund and perform dredging of the harbor basin; and CBJ would fund and perform the replacement of the infrastructure.

The ADOT Municipal Harbor Grant is for \$2,044,230, with \$44,230 of that amount identified for ADOT administrative costs. Thus the amount available for the project is \$2M. Acceptance of the ADOT funding requires an appropriation ordinance approved by the Assembly. The funding is critical to the completion of the Douglas Harbor project.

Staff recommends the Board consider the grant award and, in turn, recommend that the Assembly approve an appropriation ordinance to accept the ADOT Municipal Harbor Grant in the amount of \$2,044,230.

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STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

STATEWIDE DESIGN & ENGINEERING SERVICES DIVISION
Ports and Harbors Section

SARAH PALIN, GOVERNOR

3132 CHANNEL DRIVE
P.O. Box 112500
JUNEAU, ALASKA 99811-2500
PHONE: (907) 465-2960
FAX: (907) 465-2460
TEXT: (907) 465-3652

September 5, 2008

Mr. John Stone, P.E.
Port Director
City and Borough of Juneau
155 Seward Street
Juneau, Alaska 99801



BY:

Subject: Letter of Award of the FY09 Municipal Harbor Facility Grant Funds

Dear Mr. Stone:

Congratulations on your successful application for the Department of Transportation and Public Facilities' Municipal Harbor Facility Grant Program. Upon successful execution of a harbor grant agreement with the department, the City and Borough of Juneau will receive a 50/50 matching harbor grant in the amount of \$2,044,230 for construction of the Douglas Harbor project. These funds are 100% state general funds.

In this year's program, the department received nine applicants requesting over \$10.4 million in harbor grant funds and the Alaska Legislature fully funded all the applicant requests. In accordance with our procedures, the Harbor Project Evaluation Board (PEB) met on May 30, 2008 to evaluate and rank applicants and, afterwards, a Notice of Intent to Award was posted on June 24, 2008. The Harbor PEB ranked the projects in the following order:

<u>Applicant</u>	<u>Tier</u>	<u>Harbor Grant Amount</u>
1. Haines Borough (Portage Cove Harbor)	I	\$3,285,425
2. City and Borough of Juneau (Douglas Harbor)	I	\$2,044,230
3. City of Ketchikan (Knudsen Cove Harbor)	I	\$350,000
4. City of Old Harbor (Old Harbor City Harbor)	I	\$710,000
5. City of Craig (South Cove Harbor)	I	\$50,750
6. City of Dillingham (Dillingham Small Boat harbor)	II	\$195,000
7. Haines Borough (Letnikof Cove Harbor)	II	\$210,925

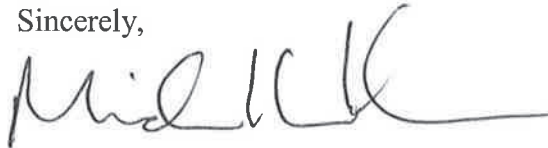
Not shown are two additional harbor grants, one for the City of King Cove's North Boat Harbor project and another for the City and Borough of Yakutat's Yakutat Multi-Purpose Dock project. Letters of Award will be sent later to these municipalities after certain missing information has been submitted and received by the department.

"Providing for the movement of people and goods and the delivery of state services."

As a reminder, and as explained in the harbor grant instructions, the municipality will have six (6) months from the date of this Letter of Award to properly ratify and execute a mutually agreeable grant agreement with the department. Note if there is a change in your harbor project that affects the nature of the municipality's original application, then that could prevent us from executing the harbor grant agreement. If a grant agreement cannot be completed within that six month period, the department may deny the award and select the next highest scoring proposal or award the funds in subsequent years. After the grant agreement is signed, the City and Borough of Juneau will have eighteen (18) months to complete the construction phase of the Douglas Harbor project.

Please contact me at your earliest convenience to discuss the grant agreement and the timing for your harbor project. I look forward to working with you on this important municipal harbor project. My phone number is 465-3979.

Sincerely,

A handwritten signature in dark ink, appearing to read "Michael Lukshin", with a long horizontal stroke extending to the right.

Michael Lukshin, P.E.
State Ports and Harbors Engineer

cc: Frank Richards, P.E., Deputy Commissioner of Highways and Public Facilities
Roger Healy, P.E., Chief Engineer
Jeff Ottesen, Chief, Program Development
Andy Hughes, Planning Chief, Southeast Region
Jennifer Witt, Planning Chief, Central Region
Jerry Rafson, Planning Chief, Northern Region
Richard Welsh, Attorney, Department of Law
Michael Kampnich, Craig Harbormaster, City of Craig
Chow Taylor, City Manager, City of Dillingham
Fred Shields, Mayor, Haines Borough
Steve Corporon, Director of Port and Harbors, City of Ketchikan
Gary Hennigh, City Manager, City of King Cove
Carl Gatter, Project Manager, City of Old Harbor
Skip Ryman, Borough Manager, City and Borough of Yakutat



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
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MEMORANDUM

To: Docks and Harbors Board
From: Carl Uchytel, Port Director
Date: January 12, 2016
Re: Old Douglas Harbor Phase III Funding

Phase III of the Old Douglas Harbor project is currently in the bidding phase. Funding of the project is summarized below. The preferred option includes Bid Alternate A which extends the marine seawall providing extra uplands parking space and supports the gangway to the new floats.

Project Cost Estimate:	\$6,083,122.00 (with Alternate A)
Amount in CIP Account	\$2,784,124.00
ADOT Municipal Harbor Grant	\$2,044,230.00
ADOT Grant Admin Fee	-\$44,230.00
Balance Needed	\$1,298,998.00

On August 27, 2015 the Docks and Harbors Board approved a budget for the project which included identified \$1.3M from Harbors Fund balance for the Douglas project. At the end of FY15 there was \$3,439,607 in the Harbor Fund. After the transfer of funds for the Douglas project there would remain \$2,139,607 in the fund.

The transfer of Harbor Funds to the Douglas project requires an appropriation ordinance approved by the Assembly. Staff recommends the Board consider the transfer and, in turn, recommend the Assembly approve an appropriation ordinance to use \$1.3M of Harbor Funds for the Douglas project.

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Base Bid		
Base Bid - Construction Estimate (12/30/15)	\$4,510,110	
Construction Contingency (6%)	\$270,607	
AEL&P Service	\$10,000	
CA/Inspection (8%)	\$360,809	
Base Bid - Adjusted Estimate	\$5,151,525	
Additive Alternate A - Retaining Wall		
Alt A - Construction Estimate (12/30/15)	\$817,190	
Construction Contingency (6%)	\$49,031	
CA/Inspection (8%)	\$65,375	
Alternate A - Adjusted Estimate	\$931,597	
Additive Alternate B - Approach Dock		
Alt B - Construction Estimate (12/30/15)	\$497,118	
Construction Contingency (6%)	\$29,827	
CA/Inspection (8%)	\$39,769	
Alternate B - Adjusted Estimate	\$566,715	
Funds Available		
Balance in CIP Account (12/31/15)	\$2,784,124	
ADOT Grant	\$2,044,230	
ADOT Grant Administration Surcharge	-\$44,230	
Total Funds Available	\$4,784,124	
Funds Needed		
Base Bid Estimate	\$5,151,525	
Funds Available	\$4,784,124	
Funds Needed - Base Bid Only	\$367,402	
Base Bid + Alt A Estimate		
Base Bid + Alt A Estimate	\$6,083,122	
Funds Available	\$4,784,124	
Funds Needed - Base Bid + Alt A	\$1,298,998	Preferred Option
Base Bid + Alt B Estimate		
Base Bid + Alt B Estimate	\$5,718,240	
Funds Available	\$4,784,124	
Funds Needed - Base Bid + Alt B	\$934,116	

~~Animal Control and showed them pictures of the cat in his boat, but not defecating. The Animal Control people said the owner of the cat could get a ticket or a stern talking to. Mr. Parker said he suggested the owner receive a stern talking to and make him understand this is not tolerable. He said he came back after being gone for almost three months and the cat urinated again on the boat which is worse because of the stink. He went to Animal Control again and they informed him that he needed to catch the cat in the act with photo date stamped pictures. Mr. Parker is asking the Board to amend or change the regulation to include cats as well as dogs.~~

~~Mr. Donek asked Mr. Uchytel to talk to Mr. Borg about this problem.~~

~~Special Order of Business~~

~~Mr. Uchytel read a letter from the Territorial Sportsman Inc. writing to express thanks to the Docks & Harbor staff for the work done during this years salmon derby. There was a special recognition in the letter to Dave Borg, Bob Clauder, and Doug Unruh.~~

~~VI. Consent Agenda None~~

VII. Unfinished Business –

1. 35% Design Review & Budget – Douglas Harbor

Mr. Donek said this plan has been through the various Committees, and the current plan is going to cost more than the funds available. He requested Mr. Uchytel to explain how Docks & Harbors could pay for this project.

Mr. Uchytel said currently in the Douglas Harbor CIP account is about \$5 Million. This is \$2.9 Million from a deferred maintenance bond, and a \$2 Million harbor grant fund. Additionally, Docks & Harbors has \$3.6 Million in our fund balance which is from the excess every year when our revenue exceeds our expenditures. This builds up and is used to fund Capital Improvement Projects. The CBJ Finance Department has projected about \$500,000 of operating in the black for the Harbors through FY20. Mr. Uchytel said looking at the \$3.6 Million fund balance, and following the Board recommendations at the Strategic Board Retreat, he would like to recommend holding \$2 Million for a Harbor Grant program for Aurora Harbor which is a match to the State's \$2 Million. He said given the State's financial woes, and this being classified as a Tier II program, he does not see Docks & Harbors being successful to receive this grant. The remaining monies from the Aurora Harbor Phase I project will be used to fund a comprehensive master plan for the area from Bridge Park to Norway Point. The master plan for Statler Harbor may be able to be funded from marine passenger fees or docks funds because it is a for-hire float to mitigate the congestion. The other project to fund from the retreat was to

secure uplands staging for the cruise ship area and that would be appropriate use of marine passenger fees or dock funds.

Board Questions –

Mr. Zaruba asked what is the dollar amount for the added items in the Engineer's estimate?

Mr. Gillette said those items were added after the public comment period. Making the berths a little wider and extending them out a foot, which will extend the end walks, and make the end float 12x76 instead of 10x76. He doesn't have the dollar amount tonight, but he can get it.

Mr. Donek wanted Mr. Gillette to explain financially how Docks & Harbors would be able to fund this project.

Mr. Gillette went over his report on page 32 in the packet. The difference between timber glulam floats and timber and polytub floats are under \$200,000, and the difference between timber and polytub floats w/retaining wall is under \$400,000. However, the last option with retaining wall will give more useable space.

Mr. Donek said the Timber Glulam floats are off the table because we are too far in the project to change after we chose the polytub floats.

Mr. Peterson asked Mr. Gillette the life expectancy of the polytub floats?

Mr. Gillette said he doesn't know exactly, but the design is for 50 years.

Public Comment - None

Board Discussion/Action

Mr. Donek said one item identified as an added alternative could be the approach dock and new gangway.

Mr. Gillette said the items needed for the gangway come up to \$505,000.

Mr. Donek said the additional gangway is something that could be completed later if the bids came in too high. The other thing to do is to take the approach dock out and add a retaining wall.

Mr. Gillette said if the retaining was left out, it would be \$585,350 less. However, the overall project is higher. This will also add area for parking. Mr. Zaruba suggested to leave the southern fingers off A float as an added alternative as well and just have side tie for the larger vessels in that area.

Mr. Donek asked what the need for larger vessels to be able to moor in Douglas in the winter time?

Mr. Uchytel said his experience is vessels don't want to be in Douglas Harbor in the winter. Mr. Uchytel said the answer to Mr. Zaruba's earlier question is the added items after the public comment period dollar value is approximately \$60,000.

Mr. Donek said the Board can only choose one added alternative.

Dennis Holloway, Harbor Officer, said Douglas Harbor in the summer time in it's original configuration is well used. In the winter time, no one wants to be there. By turning A float into a side tie area will be defeating all space you are trying to achieve. You will only have about four spaces versus 15 to 30. He said he is on the docks every day and to eliminate a gangway will be a mistake because this is a big space. This is a community project that should have been done 10 years ago.

Mr. Gillette said you can leave fingers off, but there will be additional cost when you want to add them because it isn't simple.

Mr. Bush asked if the Board could move this forward without having a determination on the total funding?

Mr. Gillette said when staff goes out to bid, we need to know if we have enough money to award the basic bid. This needs to be approved by the Board and then it goes to two Assembly meetings. This will take time.

Mr. Donek asked when is this scheduled to go out to bid?

Mr. Gillette said the end of the year.

Mr. Donek said he would like the Board to decide how to fund this tonight.

Mr. Simpson said he originally suggested to eliminate the fingers but for the little savings, it isn't worth it. Could there be savings by moving the gangway one way or another? Obviously there is savings by eliminating it all together, but that is a long way to walk. He doesn't like the current location which is in a dirt place with no real parking around it and not really a good set up. PND looked at extending the bulk head, and if it is built like shown in the PND drawing, it would mean we can't do the extension because the approach dock would be in the way. We can't make the parking any better as much as we should. He said he is concerned that we are building something that is necessary but not sure this is totally right. Mr. Simpson said he still recommends to move this forward.

Mr. Zaruba said having the ramp as the added alternative makes sense.

Mr. Peterson asked how much is added to the Harbor fund annually?

Mr. Uchytel said approximately \$500,000.

Mr. Peterson asked Mr. Gillette with Statter Harbor only having one ramp how long it would take to fix this if something went wrong?

Mr. Gillette said it is new so he hopes nothing goes wrong. The reason there is only one gang ramp is because it meant redoing the whole area by the work float and that would have been cost prohibitive at that point. However, the long range goal is to get another ramp.

Mr. Donek said Docks & Harbors is \$1 Million short for the Douglas Harbor project, and we are taking in \$500,000 extra each year. If we were to go with the bulk head fill, that will take two years of the Harbor reserve funds.

5:51 Mr. Summers requested a 5 Minute recess.

5:55 back in session.

MOTION By MR. SIMPSON: TO APPROVE THE 35% PLAN AND DIRECT STAFF TO MOVE FORWARD AS PRESENTED WITH THE ADDED ALTERNATE OF EXTENDING THE BULK HEAD TO THE POINT WHERE THE APPROACH DOCK AND GANGWAY ARE NOW AND TO COMPARE THOSE TWO PLACES AND POSSIBILITIES AND AUTHORIZE CONSISTENT TRANSFER OF \$1.3 M FROM FUND BALANCE TO ENHANCE THE AVAILABLE FUND FOR THE PROJECT.
(PND version #2)

MR. SIMPSON ASKED FOR A VOTE

John Bush – Yes

David Lowell – Yes

Mike Peterson – Yes

Budd Simpson – Yes

David Summers – Yes

Tom Donek – Yes

Tom Zaruba – No

Robert Mosher – abstain

Motion passed 6 yes – 1 no.



DOCKS & HARBORS BOARD DOCKS FEE REVIEW COMMITTEE MEETING MINUTES

December 3rd, 2015, 6:00 PM
CBJ Assembly Chambers

- I. Call to Order** Mr. Zaruba called the Docks Fee Review Committee Meeting to order at 6:02 pm.
- II. Roll Call** The following members were present: Tom Donek, Weston Eiler (via phone), and Tom Zaruba.
Also in attendance: Carl Uchtyl – Port Director, Dave Borg – Harbormaster, and Teena Larson – Admin Officer
Absent: David Summers and John Bush.
- III. Approval of Agenda**
MOTION BY MR. DONEK: TO APPROVE THE AGENDA AS PRESENTED AND ASKED UNANIMOUS CONSENT.

Motion passed with no objections.
- IV. Approval of October 21st, 2015 Docks Fee Review Committee Minutes**
Hearing no objection, the October 21st, 2015 minutes were approved.
- V. Public Participation on Non-Agenda Items - None**
- VI. Unfinished Business –**

1. Loading Permit Fees ([05 CBJAC 15.080](#))

- 12/2004

"A" or "B" Permit	\$300 per company plus \$7 per passenger seat
Limited Loading Permit	\$15 per vehicle for each permit day; or \$250 per year, whichever is less

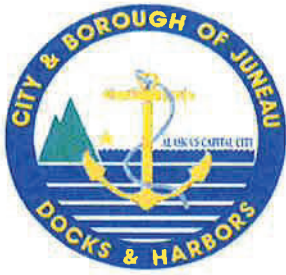
- Statter Harbor Lower Parking Lot Permit Fee ([05 CBJAC 20.090](#))
 - 4/2005; 5/2006
 - The fee assessed to the owner of a vehicle for picking-up and discharging passengers for passenger-for-hire activities at the Statter Harbor Lower Parking Lot.
 - Calendar year permit: \$300.00 per company plus \$15.00 per passenger seat.

Mr. Zaruba said at the last meeting Mr. Peterson proposed a plan for adjusting the loading zone fees for Statter Harbor and Downtown Harbors. He asked if staff wanted to comment.

Mr. Uchtyl said staff is looking for direction to raise the seat fee and remove the company fee, or leave as is.

Committee Questions-

Mr. Zaruba distributed a handout(attached to minutes). He said he prepared a spread sheet to show some comparative costs and distribution of equity for who is paying what and how much they are paying based on the size of the company and the number of seats which is consistent to what staff prepared for the loading zone use per company.



DOCKS & HARBORS BOARD DOCKS FEE REVIEW COMMITTEE MEETING MINUTES

December 3rd, 2015, 6:00 PM
CBJ Assembly Chambers

Mr. Uchtyl asked what is column (H) the per seat fee comparison?

Mr. Zaruba said he took samplings of various size companies and various number of seats and did some calculations. He used the total amount a company is currently paying and divided it by the amount of seats on a company's permit. The amounts show the smaller companies are paying too much and the larger companies are not paying enough. This is just a comparative analysis. This is trying to get to some kind of equity that turns into a black number at the end of the season.

Public Discussion-

Dennis Harris, Juneau, AK (12th Street Taxi & Tours)

He said in the 2015 season he had six vehicles with 40 seats. In the 2016 season some of those seven passenger vehicles are going to be replaced with ten passenger vehicles and he anticipates he will have 50 to 56 seats. This will be depending on how many people replace their vehicles. He said the \$300 company fee which was the same for smaller and larger company's was inequitable. He is in favor of the fee structure that was proposed at the last meeting having a new seat fee of \$8.25 per seat. This would be more equitable for him. He said currently his drivers each pay the seat fee for their own vehicle and split the company fee. He understands why the rates are different at Statter Harbor because it is so congested. He said when he receives a call for a taxi out of Statter Harbor he will call the individual and let them know when he will be there so he just doesn't sit in the parking lot waiting because there are too many people. The objection last year with a proposed increase was the loading zone users currently were not provided the services they were paying for in terms of enforcement in the B-zone at the Red Dog and Tram. He realizes staff is very busy, but there is consistent violators who use the B-zone at the Red Dog as a loading zone. The violators are Odom Company, Alaska Brewing Company, Fed Ex, and the US Postal Service who all act like they don't have to pay attention to the B-zone signs. He said every time he called the port field office, staff was very busy and by the time they did check the area the company was already gone. When he called JPD, they could never make it either. Enforcement had improved over the previous year, but it still has a way to go. There were a number of Taxi's that were using the B-zone by the Tram and did not have a B-zone permit. Occasionally staff would approach the taxi and they would drive away, but he never saw any of them get a ticket. He would like to see someone without a B-zone permit to be ticketed immediately when using the B-zone area. He said he will talk to the City about changing the signage on the loading zone on the other side of the Red Dog on Franklin Street from being an early morning loading zone only to being an all day loading zone. He commented on Mr. Hagevigs email; He said the larger company's have been getting a real good deal for years, much better than the small operators. He said it is time that they carried their own weight.



DOCKS & HARBORS BOARD DOCKS FEE REVIEW COMMITTEE MEETING MINUTES

December 3rd, 2015, 6:00 PM
CBJ Assembly Chambers

Committee Discussion/Action-

Mr. Zaruba said there are two problems. One is currently Docks & Harbors is operating at a \$25,000 loss which is not acceptable. The second problem is the inequity of the current rates. He said on his spread sheet he took the revenues and expenses and divided it by the total amount of seats in all the Harbors and came up with a \$11.50 seat fare. With this new rate, Docks & Harbors will have a small profit if all things stay consistent.

Mr. Harris said currently he was paying \$14.50 per seat, and so anything less than \$14.50 will help.

Ms. Larson said downtown is Port revenues and Statter is Harbor revenues. In your proposal, you are raising the seat fee for all the loading zone areas downtown to make up for the Statter Harbor loading zone operations loss.

Mr. Zaruba said the fee is going against commercial operators bringing customers to the Harbors. As far as where the money goes really doesn't make a difference. It is still a commercial enterprise delivering passengers to and from Harbors or Docks.

Mr. Uchytel said the push back on this fee increase will be from the company's with the big coaches.

Mr. Zaruba said he understands that.

MOTION By MR. ZARUBA: MOVE THAT THE PETERSON PLAN ANALYSIS THAT MR. ZARUBA PREPARED BE ADOPTED AND RECOMMEND SETTING THE FEE AT \$11.50 STRAIGHT ACROSS THE BOARD, NO COMPANY FEE, AND MOVE THIS TO THE STANDING COMMITTEES FOR THEIR CONSIDERATION AND ACTION AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

VII. New Business – None

VIII. Items for Discussion & Coordination

1. Review of previous Docks Fee Review Process & Activity
3. Electricity Fees (05 CBJAC 15.090) –
 - 12/2004



DOCKS & HARBORS BOARD DOCKS FEE REVIEW COMMITTEE MEETING MINUTES

December 3rd, 2015, 6:00 PM
CBJ Assembly Chambers

- *The fee assessed for the use of electrical outlets at the Marine Park Lightering Float, the Steamship Wharf, the Cruise Ship Terminal, the Intermediate Vessel Float and adjacent facilities under the administration of the Docks and Harbors Board.*
- *Fees for electricity will be assessed in accordance with the fees and charges in effect at the time the electricity is consumed.*

Mr. Uchytel said currently this is not used very much. He wanted to know if now would be a good time to add a fee for electric bus charging stations?

Mr. Zaruba asked if it was Docks & Harbors responsibility to install the charging stations or the electric company? What advantage is this to Docks & Harbors?

Mr. Uchytel said the advantage to the Industry would be a place to charge while they are embarking and disembarking passengers. Electric vehicles are slowly coming into use. What is Docks & Harbors role to facilitate that usage?

Mr. Zaruba said this is a AEL & P advantage to install the charging stations because they are the ones that make the money off them. It would be to Docks & Harbors advantage for our customers to have a place to charge them. It seems if AEL & P wants to install a charging station they should be installed at their expense.

Mr. Harris said he is currently looking for a electric vehicle to use for his tours. When he does switch over, he will need electric charging stations in the B-zone. He would like this on a list to look at in the future. This would be to an advantage of the City as a whole to encourage electric vehicle use.

4. Other Fees (05 CBJAC 15.095) –

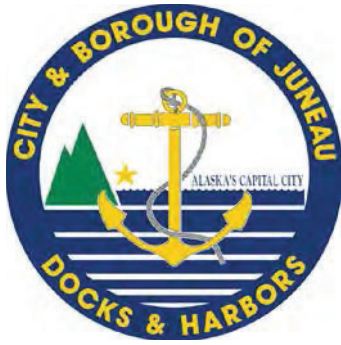
- *12/2004*
- *Fees will be established by the CBJ Docks and Harbors Board on a case-by-case basis.*

IX. Next Docks Fee Review Meeting – Thursday January 21st, 2016

X. Adjournment – The meeting adjourned at 6:30 pm.

	A	B	C	D	E
	Budget Unit	Source	Revenue	Expense	Profit/Loss
1					
2					
3	Statter Harbor	Company/Seat Fee Combined	\$ 9,285.00		
4	Statter Harbor	Staff Labor		\$ (14,072.24)	
5	Statter Harbor	Parking Decals		\$ (152.56)	
6	Downtown	Company/Seat Fee Combined	\$ 72,177.00		
7	Downtown	Staff Labor		\$ (91,844.00)	
8	Downtown	Parking Decals		\$ (929.97)	
9					
10	Total		\$ 81,462.00	\$ (106,998.77)	\$ (25,536.77)
11					
12					
13					
14	Proposed Zero Based standardized plan, eliminate \$300 company fee and average seat fees based upon gross operating overhead / total seats				
15					
16					
17					
18					
19					
20		499 Seats @ 11.50 per seat	\$ 5,738.50		
21		Staff Labor		\$ (14,072.24)	
22		Parking Decals		\$ (152.56)	
23		7105 @ 11.50 per seat	\$ 81,707.50		
24	Downtown Zone B	1706 @ 11.50 per seat	\$ 19,619.00		
25	Downtown	Staff Labor		\$ (91,844.00)	
26	Downtown	Parking Decals		\$ (929.97)	
27					
28	Total		\$ 107,065.00	\$ (106,998.77)	\$ 66.23

	A	B	C	D	E	F	G	H	I
	Vendor (example)	# of Vehicles	# of Seats	Existing Cost	New Plan Cost	Existing Seat cost	New Plan Seat Cost	Seat Cost Comparison	Adj %
1									
2									
3	Downtown								
4									
5	Hooked on Juneau	1	10	\$ 370.00	\$115.00	\$37.00	\$11.50	(\$25.50)	
6	Allen Marine	3	30	\$ 510.00	\$345.00	\$17.00	\$11.50	(\$5.50)	
7	Juneau Limousine Svc	6	76	\$ 832.00	\$874.00	\$10.95	\$11.50	\$0.55	
8	Alaska Excursions	4	78	\$ 846.00	\$897.00	\$10.85	\$11.50	\$0.65	
9	Glacier Taxi	16	113	\$ 1,091.00	\$1,299.50	\$9.65	\$11.50	\$1.85	
10	Dolphin Tours	8	295	\$ 2,365.00	\$3,392.50	\$8.02	\$11.50	\$3.48	
11	Juneau Tours	17	612	\$ 4,584.00	\$7,038.00	\$7.49	\$11.50	\$4.01	
12	Ak independent Coaches	29	1243	\$ 9,001.00	\$14,294.50	\$7.24	\$11.50	\$4.26	
13	Royal Highway	80	3424	\$ 24,268.00	\$39,376.00	\$7.09	\$11.50	\$4.41	
14									
15	Statter Harbor								
16									
17	Yamada Richard	2	20	\$600.00	\$230.00	\$30.00	\$11.50	(\$18.50)	
18	Juergens, Louis	4	73	\$1,395.00	\$839.50	\$19.11	\$11.50	(\$7.61)	
19	Dolphin Jet Boat	4	160	\$2,700.00	\$1,840.00	\$16.88	\$11.50	(\$5.38)	



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Port Director
To: Docks & Harbor Operations-Planning Committee
Date: January 15th, 2015
Re: Statter Harbor Reserved Moorage – Sublease Opportunity

1. At the December Harbor Fee Committee meeting, Board Member Janes asked Staff to consider ways to more fully utilize the reserved moorage at Statter Harbor. It has been observed that, at times, moorage on A & B floats may remain empty despite the overwhelming demand for moorage during the height of the summer. Two reasons which restrict Docks & Harbors ability to fully occupy these highly coveted slips include: (1) failure to incentivize stall holders to notify Staff of vacancy; and (2) regulations preventing subleasing by stall holders.
2. The applicable “Reserved moorage policy” regulations include:
 - a. b. 05 CBJAC 40.020 - Reserved moorage policy. (d) Duty to notify of departures and planned return time. Reserved moorage slip or space assignees are required to notify the Docks and Harbors Department of their departure date and expected return date when vacating their assigned slip or space for more than four consecutive days. Assignees may notify the Docks and Harbors Department by Marine VHF Channel 73, by phone at (907) 586-5255, by email at Harbormaster@ci.juneau.ak.us, or by fax at (907) 586-2507. If an assignee does not notify the Docks and Harbors Department of a departure in accordance with this subsection, the Harbormaster is authorized to use the assignee's slip or space for temporary moorage assignment and shall be allowed up to 24 hours to clear the assigned slip or space upon return of the assignee.
 - b. 05 CBJAC 40.020 - Reserved moorage policy. (i) Sublet prohibited. An assignee may not sublease or reassign the right to use a reserved moorage slip or space to any other person or vessel.
3. Statter Harbor is unique with the CBJ harbor system in that demand exceeds capacity nearly every day during the summer. In general, we have sufficient capacity in the Downtown harbors to accommodate needs. The Harbormaster believes that most Statter reserved moorage customer do notify when they intend to be absent for greater than 96 hours, consistent with the regulation. It is unlikely that these customers notify the harbor schedulers when gone overnight or for the weekend. One possible solution to encourage the Statter reserved moorage customers to make their assigned stalls available is to remove the prohibition of subletting.

4. The details of allowing only Statter Harbor Reserved moorage customers to sublet would be subject to the following:
 - a. Statter Harbor Reserved Moorage customer may contract or otherwise allow any other vessel qualified for the size of the slip to be sublet.
 - b. The sublet vessel must be registered as a monthly Statter Harbor Customer.
 - c. Subletting would only be allowed during the months of May through August.
 - d. To discourage the Statter Harbor Reserved Moorage customers from becoming rental managers, stalls may not sublet more than 20% days per calendar month (six days).
 - e. The arrangement between the Statter Harbor Reserved Moorage customer and the sublet vessel will not be adjudicated by Docks & Harbors. Disputes such as financial compensation, power usage or over extension of the agreement will be resolved between the two parties and not Docks & Harbors.
 - f. Statter Harbor Reserved Moorage customer are not obligated to sublet but would still be required to notify the Harbormaster when vacating their assigned slip for greater than four consecutive days.

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Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Carl J. Uchytel
Port Director

To: Docks & Harbor Board

Via: Docks & Harbor Operations-Planning Committee
Docks & Harbor Finance Committee

Date: January 20th, 2015

Re: BOAT SHELTER – FOR SALE

1. In accordance with 05 CBJAC 40.020, Mark & Sun Choate have provided notice of their intentions to sell Boat Shelter (AG-20 & AG-21) in Aurora Harbor. Docks & Harbors has the first right of refusal to purchase this structure at fair market value.

2. The applicable “Boat shelter sales” regulation states:

05 CBJAC 40.020(f) - Boat shelter sales. Reserved moorage status within a boat shelter may transfer between the seller and buyer of a boat shelter. In order to transfer the reserved moorage status within a boat shelter, the owner of a boat shelter shall inform the Port Director of the owner's desire to sell a shelter before offering the shelter for sale to the general public. The Docks and Harbors Board has the first right of refusal to purchase the shelter at fair market value. If the Board does not exercise its first right of refusal within 30 days after notice, the owner may offer the shelter for sale to the general public. If the owner sells the shelter without informing the Port Director and allowing the Docks and Harbors Board its first right of refusal, the reserved moorage within the shelter will not transfer to the buyer. This subsection does not allow an inappropriately sized vessel to be assigned reserved moorage space within a boat shelter.

3. I recommend waiving Docks & Harbors’ right of first refusal allowing Mark & Sun Choate to sell their Boat Shelter on the open market.

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