CBJ DOCKS & HARBORS BOARD
CIP/PLANNING COMMITTEE MEETING MINUTES
March 21st, 2013

I. Call to Order.

Michael Williams called the meeting to order at 5:00 p.m in the Assembly Chambers.

II. Roll.

The following members were present: Greg Busch, Eric Kueffner, David Logan, Budd Simpson, and Michael Williams.

Absent: Kevin Jardell

Also in attendance were: Gary Gillette – Port Engineer, Carl Uchytil - Port Director.

III. Approval of Agenda.

Mr. Williams said the order of the Items for Action will change. #1 will move to #4, #2 will move to #1, #3 will move to #2 and #4 will move to #3.

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

The motion passed without objection.

IV. Public Participation - None

V. Approval of Previous Meeting Minutes.

Hearing no objection, the January 24th, 2013 CIP meeting minutes were approved.

VI. Items for Action.

1. Round – About Easement
Mr. Uchytil said the Board approved the permanent easement back in December. This was approved by the Planning Commission and the Lands Committee. Before it went to the Assembly, there were some concerns about not having a current appraisal. Horan & Company completed an appraisal in February with the sum of $86,600. Mr. Uchytil said he recommends the $86,600 and to approve the easement. This easement is needed by ADOT to build an access driveway for Mr. Dick Deems. This will be forwarded to the Finance Committee, to the Full Board, and then on to Assembly for action on April 1st. Negotiations are still required between ADOT and Docks and Harbors with the issue of a retaining wall to support out launch ramp parking lot. In meeting with leadership within ADOT they indicated that they would be willing to entertain discussions to financially support Docks and Harbors needs for a retaining wall. With the need to expedite this process, Mr. Uchytil said this is the right thing to do to accept this offer of $86,600 and the easement language CBJ Law Department is working out that there is still some negotiations.

Committee Questions

Mr. Williams asked what was the original price given to ADOT?

Mr. Uchytil said $83,000, and ADOT had some concerns this was an inflated number. ADOT right of way specialist offered $50,000.

Mr. Kueffner asked where the retaining wall was going to be?

Mr. Uchtyil said ADOT has offered to build the retaining wall, but the problem is that our design is not mature enough to match the grades at this point and know what the retaining wall will look like.

Mr. Kueffner asked if this was to keep the street from falling into the launch ramp?

Mr. Uchytil said this project is filling 4.1 acres, so if we were to match our parking lot to Dick Deems driveway, there will be a lot more fill than necessary. At some point to support the driveway, there may be a retaining wall required to hold up the driveway.

Public Comment - None

Committee Discussion/Action

Mr. Logan asked what action was needed from the Committee?

Mr. Uchytil said Docks and Harbors doesn't benefit from this easement, but this is the right thing to do for the Community and the efficiency of flow along Glacier Highway. This is going to cost us by losing parking spaces and green space.

Mr. Logan said in looking in the future, how could this permanent easement potentially hurt Docks and Harbors.

Mr. Uchytil said this is a non-exclusive easement which he understands that Docks and Harbors would still have some rights to use the driveway. He does not know that answer to what giving this easement could do in 50 years from now. Mr. Uchytil said he could bring CBJ Law to the Regular Board Meeting.

Mr. Logan said he is hesitant to agree to this if the long term effects are unknown.

Mr. Kueffner said he doesn't want to be the reason a project is held up.

Mr. Simpson said he agrees with Mr. Kueffner and this should move forward.

Mr. Logan said he agrees this should move forward but would like CBJ law to come to the full Board.

Mr. Logan asked if Mr. Deems was okay with this easement.

Mr. Uchytil said this easement is between Docks and Harbors and ADOT and there is no relationship with Dick Deems.

MOTION By MR.LOGAN: MOVE THIS TO THE FINANCE COMMITTEE FOR REVIEW WITHOUT RECOMMENDATION AND PROVIDE LEGAL REPRESENTATION AT THE FULL BOARD

The Motion Passed with no objection

Mr. Uchytil said Mr. Logan's questions is what does this easement mean to Docks and Harbors in 50 years from now.

2. Aurora Harbor Contract Amendment Expanded Phase I
Mr. Gillette said this is a contract amendment to PND's current contract for Phase I of Aurora Harbor project. In January, the Board determined to spend the full 11 million that Docks and Harbors currently has, so that would expand Phase I. This amendment is to account for the expanded project. This contract will take us all the way through the bidding process. This will go to the full Board next Thursday and then to the Assembly on April 1st.

Committee Questions- None

Public Comment- None

Committee Discussion/Action

MOTION By MR. SIMPSON: TO APPROVE THE ADDITIONAL CONTRACT AMOUNT OF $368,518 TO PND FOR A TOTAL AMOUNT OF $729,073 AND RECOMMEND APPROVAL BY THE FULL BOARD AND MOVED ON TO THE ASSEMBLY AND ASK UNANIMOUS CONSENT.

Motion Passed with no objection.

3. Cruise Ship Terminal Staging Area Contract Amendment Phase II
Mr. Gillette said this project is the Cruise Ship Terminal Staging Area which is the parking and staging area in front of the Tram. The original contract included the replacement of the dock behind the Tram with removal of the transfer bridge and the staging area. We ran into a problem with ADOT and to keep the project moving, the project was split. The work on the dock behind the Tram is being done currently. With splitting this project, additional costs and changes happened. This contract represents getting the final design, getting a second bid, and taking it through the second bid process. This needs to go out to bid by mid summer and the project to start in the fall.

Committee Questions

Mr. Williams asked if ADOT permit issue caused Docks and Harbors to have to pay more money.

Mr. Gillette said yes because this project needed to be split in two.

Public Comment - None

Committee Discussion/Action

MOTION By MR. KUEFFNER: TO APPROVE THIS CONTRACT AMENDMENT FOR $74,690 FOR THE CRUISE SHIP TERMINAL STAGING AREA PHASE II PND CONTRACT AND SEND TO THE FULL BOARD FOR ADOPTION AND ASK UNANIMOUS CONSENT.

4. Statter Harbor Launch Ramp – Contract Amendment

Mr. Gillette said this is a contract amendment for the Statter Harbor Launch Ramp project. We are through the EA process and have the Corps of Engineer's permit. We are applying for the Conditional Use permit with the Planning Commission which is scheduled for April 23rd. There are issues with the requirements for the driveway permits. Docks and Harbors still has some money left from the Fish & Game money so staff wanted to move forward with finishing the geotechnical investigations, planning, and permitting.

Committee Questions

Mr. Logan asked if there was going to be a turn lane for the launch ramp?

Mr. Gillette said we have been working with ADOT and there will be a turn lane.

Mr. Busch asked what the timeline was for this project?

Mr. Gillette said assuming we get the conditional use permit by the first part of May, staff will bring this back to the full Board for a fee proposal from PND to do the full design. In 2014 we would go out to bid and start the project in the fall of 2014 and finish in the summer of 2015. At this point that is the tentative schedule but it could change.

Public Comment- None

Committee Discussion/Action

MOTION By MR. LOGAN: TO APPROVE THE CONTRACT AMENDMENT FOR $74,948 AND RECOMMEND TO THE FULL BOARD FOR APPROVAL AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

VII. Items for Information - None.

VIII. Member & Staff Reports

Mr. Kueffner asked how the Statter Harbor project is progressing?

Mr. Gillette said all of A float is installed and they are working on B float. They are still a week or two ahead of schedule for their pile driving.

Mr. Uchytil said staff has been working with Petro Marine and ensuring they have the ability to install their fuel lines in a reasonable manner. As far as the construction goes, Petro Marine is dealing with Pacific Pile and Marine to organize their infrastructure to make that fuel float work. The lease is in front of the Assembly and should go for action on April 1st.
The 16B 1% for Art panel application period has been extended again until April.
Mr. Uchytil said he had a three hour meeting on Monday with EPA, Fish and Game, and the Corps of Engineer's on the Douglas Harbor dredging. This has been long standing efforts to figure out how to dredge and cap the dredge spoils out of Douglas. A report was provided by Newfields out of Port Townsend, WA indicating a 6" clean cap was needed on the dredge spoils. EPA is not comfortable with the 6" cap. Docks and Harbors is agreeing to disagree and Mr. Gillette is going to be working with the Newfields, Corps of Engineer's, and EPA to get a permit for this.
The 16B Conditional Use permit is free and clear now after the appeal. The Corps of Engineer's put out a 15 day request for modification of the general Corps of Engineer's Section 10 permit, and there were no appeals. The Section 10 permit will stand and there should be no other permits required for the 16B project.
Mr. Uchytil said he had two meeting this week with Engineers from the Port of Belfast, Northern Ireland and the other from Inchoen, Korea. They were here exploring new cruise ship berths for their respective ports. They wanted to come to Juneau because of the range of tides, and they recognize Juneau as a world class port.

IX. Committee Administrative Matters.

The next meeting is scheduled for April 18th, 2013 at 5:00 pm in the Assembly Chambers.

X. Adjournment.

The meeting was adjourned at 5:52 pm.