

CBJ DOCKS & HARBORS BOARD
SPECIAL BOARD MEETING AGENDA
For Wednesday, May 19, 2021

Zoom Meeting
<https://bit.ly/2LtEMMU>
or via Phone 1-253-215-8782
Meeting ID: 988 5593 3352
Passcode: 168658

- I. Call to Order** at 5:00pm via Zoom Conference
- II. Roll Call** Lacey Derr, Chris Dimond, James Houck, David Larkin, Mark Ridgway, Annette Smith, Bob Wostmann, James Becker and Don Etheridge

III. Approval of Agenda

MOTION: TO APPROVE THE AGENDA AS PRESENTED.

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

IV. Public Hearings

1. Proposed Rate Increase to 05 CBJAC 20.050 (Residence surcharge)
Presentation by the Port Director

Board Questions

Public Comment

Board Discussion/Action

MOTION by: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED FEE CHANGES AS PUBLICLY NOTICED.

2. Proposed Rate Increase to 05 CBJAC 15.030 (Dockage Charges)
Presentation by the Port Director

Board Questions

Public Comment

Board Discussion/Action

MOTION by: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED FEE CHANGES AS PUBLICLY NOTICED.

V. Staff or Member Reports

VII. Adjournment



Port of Juneau

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

NOTICE OF PROPOSED CHANGE TO REGULATIONS

Amendment of Title 05, Chapter 15

PORT FEES AND CHARGES, and Chapter 20

SMALL BOAT HARBOR FEES AND CHARGES

DOCKS & HARBORS BOARD IS PROPOSING TO ADOPT AN AMENDMENT TO THE FOLLOWING REGULATIONS.

05 CBJAC 15.030 – Dockage Charges

(e) *From May 1 to September 30, dockage for all vessels, except those vessels paying dockage fees set out in 05 CBJAC 15.030(f) and (h), will be assessed for each 24-hour period or portion thereof as follows:*

- (1) ~~\$1.50~~ \$3.00 per foot for vessels less than 65 feet in length overall;
- (2) ~~\$2.50~~ \$5.00 per foot for vessels with a length overall from 65 feet up to 200 feet; and
- (3) ~~\$3.00~~ \$6.00 per foot for vessels greater than or equal to 200 feet in length overall.

(f) From May 1 to September 30, fishing vessels will be assessed dockage at ~~\$0.75~~ **\$1.50** per foot of length overall for each 24-hour period or portion thereof, except there will be no charge to vessels staging to offload at Taku Dock, provided the duration of staging is less than four hours.

05 CBJAC 20.050 - Residence surcharge.

*Residence surcharge. Beginning August 1, 2021, the owner shall pay a residence surcharge of ~~\$69.00~~ **\$138.00** per calendar month, or portion thereof, for each vessel used as a residence. For a vessel with more than four residents, the owner shall pay an additional surcharge of \$23.00 per calendar month, or portion thereof, for each additional resident. Each year, beginning July 1, 2022, the residence surcharge will be adjusted by the Consumer Price Index for Urban Alaska as reported by the Alaska Department of Labor for the preceding calendar year, rounded to the nearest cent. The residence surcharge will be subject to review by the docks and harbors board every five years, starting on July 1, 2026.*

The regulation amendments above are proposed for adoption pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100. Interested persons may obtain a full copy of the proposed regulation change at any of the Harbor offices, CBJ libraries, CBJ Clerk's Office, and online at www.juneau.org/harbors/proposed_regulations.php

The Special Board will hold a public hearing at 5:00 pm on May 19th via zoom. If the Board approves this regulation change at the May 19th meeting, this will be introduced to the Assembly at their regular Assembly meeting on May 24th. 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 email to harborboard@juneau.org.

To obtain more information please call the Port Director Carl Uchytel at 586-0292.

REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 05, Chapter 20 SMALL BOAT HARBOR FEES AND CHARGES

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

Section 1. Authority. These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

Section 2. Amendment of Section. 05 CBJAC 20.050 is amended to read:

05 CBJAC 20.050 Residence surcharge.

- (a) *Definition.* A fee assessed to the owner of a vessel when the vessel is used by any person as a residence, dwelling, or abode for three or more calendar days in any calendar month, unless
 - (1) The owner pays daily moorage in accordance with 05 CBJAC 20.030 for all days in the calendar month during which the vessel is used for three or more days as a residence, dwelling, or abode; or
 - (2) The Harbormaster in writing authorizes the owner to use the vessel as a residence, dwelling, or abode for more than three calendar days in any calendar month, provided such authorization may be given only for short term, temporary use of the vessel as a residence, dwelling, or abode of not more than seven days in the calendar month for which the authorization is given.
- (b) *Residence surcharge period and duty to report.* The residence surcharge will be assessed on a calendar month basis. The owner of the vessel is responsible for paying the residence surcharge. The owner of the vessel is responsible for immediately notifying the Harbormaster when their vessel is being occupied and used, rented, or leased as a place of residence. Once a vessel is used as a residence, the Docks and Harbors Department will continue to assess the residence surcharge until the owner of the vessel gives written notice to the Harbormaster that the vessel is no longer used for a residence.
- (c) *Payment deadline.* The owner must pay the residence surcharge in advance before the first day of the calendar month for which the owner is planning to use the vessel as a residence. An owner that does not or cannot pay the residence will be assessed a daily moorage fee in accordance with ~~Section 05 CBJAC 20.030~~ 05 CBJAC 20.030 of this regulation in addition to any annual or monthly moorage that may have been paid.
- (d) *Residence surcharge.* Beginning August 1, 2021, ~~t~~The owner shall pay a residence surcharge of ~~\$69.00~~ \$138.00 per calendar month, or portion thereof, for each vessel

used as a residence. For a vessel with more than four residents, the owner shall pay an additional surcharge of \$23.00 per calendar month, or portion thereof, for each additional resident. Each year, beginning July 1, 2022, the residence surcharge will be adjusted by the Consumer Price Index for Urban Alaska as reported by the Alaska Department of Labor for the preceding calendar year, rounded to the nearest cent. The residence surcharge will be subject to review by the docks and harbors board every five years, starting on July 1, 2026.

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 [DATE], 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: _____

Carl Uchtyl
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: _____

Teresa Bowen
Assistant Municipal Attorney

Assembly Review

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

Date: _____

Elizabeth J. McEwen, Clerk

Filing with Clerk

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

- (1) These regulations were accepted for filing by the office of the clerk at ____:____ a.m./p.m. on the _____ day of _____, _____.
- (2) After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
- (3) A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
- (4) Effective date: _____.

Date: _____

Elizabeth J. McEwen, Clerk

REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 05, Chapter 15 FEES AND CHARGES

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

Section 1. Authority. These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

Section 2. Amendment of Section. 05 CBJAC 15.030 is amended to read:

05 CBJAC 15.030 Dockage Charges.

- (a) *Definition.* The charge assessed to vessels for berthing at the Steamship Wharf, the Cruise Ship Terminal, the Intermediate Vessel Float (IVF), the Port Field Office Float (PFO), and the Inside of the Cruise Ship Terminal (ICT)
- (b) *Basis for computing charges.* Dockage charges are assessed upon length-over-all (LOA) of the vessel. Length-over-all is defined as the linear distance, in feet, from the forward most part at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel.

Length-over-all of the vessel, as published in "Lloyd's Register of Shipping" will be used and, when not published, the Port reserves the right to measure the vessel or obtain the length-over-all from the vessel's register.

- (c) *Dockage period; how calculated.* The period of time which dockage will be assessed shall commence when the vessel is made fast to an allocated berth or moored, or comes within a slip and shall continue until such vessel casts off and has vacated the position allocated. All time is counted and no deductions shall be allowed because of weather or other conditions, except when the Port Director provides for such allowance for good cause shown.
- (d) *Charges when a vessel shifts to different berth.* When a vessel is shifted directly from one position to another berth or slip, the total time at such berths or slips will be considered together when computing the dockage or charge.
- (e) *From May 1 to September 30, dockage for all vessels, except those vessels paying dockage fees set out in 05 CBJAC 15.030(f) and (h), will be assessed for each 24-hour period or portion thereof as follows:*
 - (1) ~~\$1.50~~ \$3.00 per foot for vessels less than 65 feet in length overall;
 - (2) ~~\$2.50~~ \$5.00 per foot for vessels with a length overall from 65 feet up to 200 feet; and

(3) ~~\$3.00~~ \$6.00 per foot for vessels greater than or equal to 200 feet in length overall.

- (f) From May 1 to September 30, fishing vessels will be assessed dockage at ~~\$0.75~~ \$1.50 per foot of length overall for each 24-hour period or portion thereof, except there will be no charge to vessels staging to offload at Taku Dock, provided the duration of staging is less than four hours.
- (g) From October 1 to April 30, dockage will be assessed as set out in 05 CBJAC 20.030 and 05 CBJAC 20.040.
- (h) From May 1 to September 30, vessels loading passengers as part of a for-hire tour or experience with a duration less than 24 hours shall comply with the requirements set out in 05 CBJAC 20.080(c) and shall pay passenger-for-hire fees as set out in 05 CBJAC 20.080(d).
- (i) *Dockage specials.* The Docks and Harbors Board may after public hearing establish special and promotional rates of a temporary nature in order to encourage use of facilities, to respond to unusual economic circumstances, or to promote revenue development.

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