



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

Friday April 3rd, 2020

I. Call to Order – Mr. Wostmann called the April 3rd, 2020, Finance Sub-Committee meeting to order at 3:12 pm Cloud Conferencing from the Port Director's Office.

II. Roll Call

The following members were present: James Becker, Chris Dimond, Mark Ridgway and Bob Wostmann.

Also present were the following: Carl Uchtyl – Port Director, Matt, Creswell – Harbormaster, Erich Schaal – Port Engineer, Teena Larson – Administrative Officer, Don Etheridge – Board Chair, and Annette Smith – Board Member.

III. Approval of Agenda

Mr. Wostmann requested to hear public participation under the Items for Information/Discussion before the Committee discussion on each item.

The change to the agenda received no objection.

IV. Participation on Non-Agenda Items - None

V. Items for Information/Discussion

Mr. Uchtyl said the Sub-Committee met today from the direction from the last Board Meeting. The Chair of the Finance Sub-Committee requested information on the Docks budget overview with new estimated expense & revenue and Harbors budget overview with new estimated expense & revenue, information on funds collected from Waterfront Vendor Permit holders and 1st night's non-refundable moorage reservations, and on-going CIP's. The information for these topics was provided in a power point presentation through zoom for Board members and Mr. Uchtyl went over all slides before Public input and Committee discussion.

The first slide: Docks Enterprise overview – FY20 new revenue projection \$1.558M (this amount is with no cruise ships for the rest of the fiscal year), FY20 new expense projection \$1.378M (this amount is with not hiring seasonal personnel). FY21 new revenue projection \$500,000 (ships arrive May 1st, 2021 and only have about half the amount of passengers). FY21 new expense projection \$1.963M (this is with not hiring seasonal personnel until April 2021).

The second slide: Breakdown of all Docks personnel.

The third slide: Harbor Enterprise overview – FY20 new revenue projection \$3.798M (could be less with refunds for yachts 1st night moorage, waterfront permits, and unknowns in fishing, charter vessels and yachts). FY20 new expense projection - \$4.061M (this is with no seasonal personnel). FY21 new harbor revenue projection -



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\$4.090M (A lot of unknowns with fishing fleet and charter operators). FY21 new harbor expense projection \$4.276M (no seasonal personnel until April 2021).

The fourth slide: Breakdown of all Harbors personnel.

The fifth slide: FY21 Proposed Moorage Rates – These are the fees that the Board enacted on with the CPI adjustment effective July 1st, 2020. With this year’s increase it would increase the monthly rate by \$.05 per foot and daily rate by \$.01 per foot. This can be changed if the Board chooses.

The sixth slide: Pictures of the Vendor Booth locations

The seventh slide: This shows the companies that operate under the waterfront vendor permits. It shows the \$270,000 collected for Harbors revenue and \$13,500 City sales tax. There are currently nine permit holders and five are expiring at the end of this season.

The eighth slide: The regulation pertaining to the waterfront permits and that they are non-refundable. This non-refundable issue has been cleared by CBJ Law and we would be able to refund if the Board chooses.

The ninth slide: This shows the reservation moorage areas.

The tenth slide: This show for FY20 \$8,383 and FY21 \$18,830 was collected for non-refundable 1st night’s moorage. It also shows the regulation that pertains to the reservations. The Board has the ability to direct staff to return this money or other caveats if that is what they want.

The 11th slide: This shows the CIP projects and funding sources. At the last Board meeting the question was asked if there was any projects currently ongoing that could be stopped and use that money in operations. Mr. Uchytel went over the current CIP projects that are listed below:

Capital Improvement Projects (CIP)					
Activity	Description	Funds Available	Funding Source		Notes
H51-108	Statter Harbor Improvements III(A/B/C)	\$4,550,812.12	75%	25%	Ph III(A) almost complete, Ph III(B) funded
H51-110	Downtown Restrooms (Part of DWI)	\$573,157.72	100%		Ph I 50% Complete, Ph II on hold
H51-116	Downtown Waterfront Improvements (DWI)	\$2,430,851.87	100%		Ph I 50% Complete, Ph II on hold
H51-119	Small Cruise Ship Masterplan Study	\$17,631.54	100%		Study 50% complete
H51-121	Douglas & Harris Pile Anode Project	\$151,162.95	50%	50%	Contract awarded for Douglas Harbor
H51-122	Cruise Ship Security Checkpoints	\$28,020.50	100%		Almost complete
H51-124	Cruise Ship Dock Electrification Study	\$300,000.00	100%		RFP Advertised, due May 19th
H51-125	Aurora Ph III	\$2,109,221.00	25%	75%	Ph III waiting for DOT Grant
Total CIP		\$10,160,857.70			

	Marine Passenger Fees
	Harbor General Funds
	DOT Matching Grant
	Sales Tax



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These slides have a lot of assumptions and could still be subject to change. There are a lot of unknowns.

Mr. Ridgway asked what the staffing plans are for Docks & Harbors?

Mr. Uchtyl said it is hard to recommend bringing back any seasonal staff with the current dismal picture. He does not like to say this because it will hurt the Juneau economy but he cannot responsibly say we can bring back any seasonal staff at this time.

Mr. Ridgway asked if the Assembly has given any authority or lead on how to address the CIP's construction in progress?

Mr. Uchtyl said he met with the City Manager, Finance Director, and City Engineering Director and basically they are trying to weigh the financial ramification of diminished sales tax with the ability to get projects out that will have a noticeable impact to the City's economy. Looking at projects that have a local hire. Many of the streets projects will continue to go but the City Manager will be taking a balanced approach list to the Assembly. They are looking at increased mill rates and possibly reduced projects to try to get through this difficult time. The City could have close to a \$30M hole to fill in the next two years.

Mr. Ridgway said he knows Docks has outstanding bond debt with 16B, if one of the CIP's was to be lessened or cancelled all together, with the funding 25/75 cruise ship head tax money, is there anything that would stop us from utilizing those funds to pay the bond debt?

Mr. Uchtyl said no. Assuming there will be no cruise ships to Juneau this year, the Finance Director working with me and the City Manager would come up with the \$2.2M bond debt payment for 16B/Seawalk. He said another thing to note is at the end of FY19 Docks had a fund balance of \$2.2M that could be drawn upon in a situation like this.

Mr. Ridgway asked if we can recoup CIP money that is head tax money and spend it to pay down the bond debt for 16B/Seawalk? Then, can we use the funds the City was going to pay down the bond debt in a more effective efficient way?

Mr. Uchtyl said he would put the three head taxes under one umbrella. They are not typically firewalled. The Port Development fee would be the one typically used to pay down the 16B/Seawalk bond debt. There is only one bond debt that was taken out by the City for 16B and the Seawalk so the bond debt is for both projects. The Port Development fee has a fund balance currently. The Finance Director would use the Port



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Development money first and then would look for other head tax funding sources. The Marine Passenger fees are used for more operational expenses. The State Marine passenger fees are typically used for larger projects which is currently funding the majority of the Archipelago project.

1. Non-refundable fees for Docks & Harbors Permittees

Public Participation –

Kirby Day, Juneau, AK –

Mr. Day said tourism related or not tourism related businesses in town are going through a lot right now and will have a very difficult road ahead. Some cruise ships have cancelled through June 30th, others have cancelled the entire season, and others are still holding at mid May. Once they do start again, his sense is that the ships are going to be light in terms of passenger load and that will make it even more difficult on the tourism industry. He said he is glad Docks & Harbors is having this discussion and it is important.

Jeff Fanning, Juneau, AK -

Mr. Fanning said as a small business owner, he is facing some big challenges especially as a tour company. He said he knew this was a non-refundable fee but there was also the assumption there would be business to be had. He is asking for a refund for the permit fees due to services that will not be rendered due to this crisis. He said he can guarantee all the permit holders are ecstatic about the opportunity to utilize any one of those sales channels and we are hoping we do get those customers. He said they would be more than happy to pay for what they do get, and we are anticipating the numbers will be decimated. Anything you can do in good faith to help out the permit holders with their cash flow situation would be greatly appreciated.

Mr. Dimond asked if Mr. Fanning was looking for a refund or would it be more beneficial to have his fee carried over to next season?

Mr. Fanning said he believes all the permit holders are experiencing a tight cash flow situation. The last customers he had was in September of 2019. He has been floating expenses and anticipating customers coming this summer. Now it does not look like that will happen, or not anytime soon. Receiving those funds back with the hope of purchasing those permits in the future will be the best case scenario to help with the cash flow situation. If the City just issues a credit, we won't be able to use that credit until 2021. There would be 16 to 18 month just giving that money as a place holder and as a small business that is tough to do. We also all have to lay off employees.



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Mariann Cummings, Juneau, AK

Ms. Cummings asked if there would be an incentive for a business to roll over the permit money to the next season?

Mr. Wostmann said this is a question for the Committee and one of the options to discuss.

Mr. Ridgway asked Mayor Weldon. Docks & Harbors is faced with paying for operations expenses and decisions on revenue we were going to use to pay them. In terms of the permit fees, one thought has been to give it all back, one thought to use as a down payment for next year, and another option would be to hear every individual who is requesting a refund and evaluate on a case by case basis. He asked if Mayor Weldon had any thoughts for the Committee?

Mayor Weldon commented that he is currently working with a good group of people that can delve through those issues.

Mr. Becker said listening to the conversations, he believes the money should be refunded to those who want a refund and those that don't can have it applied to next year.

Mr. Ridgway said he believes the permit fees should be refunded or applied to next year on a case by case basis.

Mr. Wostmann said he agrees that this should be on a case by case basis. He suggested Mr. Uchytel call each permit holder to see what they would prefer.

Mr. Dimond said he agrees. He also asked if the fees are refunded, would they be able to re-compete for the booth space?

Mr. Wostmann said he believes there is some flexibility. About half of the permit holders are currently in their last year of their permit. It would make sense to refund those but there are four that still have years left on their permit. If they wish to continue to hold the permit to refund half and the other half will go to the next year but if it is all refunded they will need to re-compete like everyone else.

Mr. Ridgway said he suggests on a case by case basis. Permit holders would come to them with their hardship case to be refunded.

Mr. Etheridge suggested to send the non-refundable fee holders a letter with options



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telling them to reach out to us and tell us what option they believe they are entitled to.

Mr. Wostmann said he still believes the permit holders that have permits expiring at the end of this season refund in full and any that have a permit for future years only refund half and leave half on the books for next year. If they want the entire amount refunded they will need to compete for next year.

Mr. Uchtyl said this is in the purview of the Board. He asked what happens if the cruise ships come this summer? How does this affect the permit holders that turned in their permits? He is thinking of a simpler approach but if the will of the Board is to treat them differently then we can.

Mr. Wostmann said it is clear that the first half of the season is lost so maybe refund half of what everyone has paid. When there is a clearer vision with cruise ships coming to Juneau, the Board could give the options on the remainder of the money they already paid.

Mr. Dimond asked what the cruise ship season looks like for this summer even if the travel ban is lifted?

Mr. Day said there is no real projection and everything is moving very fast. Once the industry can start again when it is safe, there will still be passengers that want to come but there may not be as many ships as originally scheduled. This will be a very difficult season all the way around.

Mr. Wostmann asked if the Committee was ready to make a recommendation to the full Board?

Mr. Ridgway asked if we gave half of the funds back, what is the impact to Harbors Operations?

Mr. Uchtyl said if the \$270,000 is given back we will probably be operating in the red.

Mr. Ridgway said he does not believe anything needs to be forwarded to the entire Board and to do a recommendation as the Committee. His suggestion is to give half back across the board and no strings attached. If anyone wants the other half back, they need to come to the Finance Committee and make their case. In the instance the second half is refunded we somehow tie it to incentivizing the return to doing business with Docks & Harbors next year.



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Mr. Etheridge said the recommendation needs to go before the full Board.

Mr. Wostmann asked if there needs to be a formal motion or what the process is from here?

Mr. Etheridge said no formal motion. As the Chair of the Committee, Mr. Wostmann would bring a recommendation from the Committee to the Full Board.

Mr. Wostmann said he agrees with Mr. Ridgway's suggestion.

Mr. Uchytel said the only other permit fees are the loading zone permits, the passenger for hire permits, and there has been nothing collected at this time. If the season starts late, there would need to be another discussion on what the fee would be starting late in the season.

Mr. Wostmann said he would make a broad recommendation to the Board that we refund half of the fees paid so far and when there is clarity with when the cruise ship season will start, we ask the vendors to come back and choose from options provided at that time.

5 Minute Break

Mr. Wostmann called the meeting back into order.

Roll Call: Mr. Ridgway, Mr. Dimond, Mr. Becker, and Mr. Wostmann

2. Moorage Relief for Small boat Harbors

Public Participation – None

Mr. Etheridge commented that from the calls he has received people are looking for free moorage for the duration of the event we are going through currently. He said he does not think Harbors bottom line will support free moorage. He has concern when this event is over, and we have been giving away free moorage, we will need to raise rates to make up the difference. The other issue is a lot of the boats in our Harbors are owned by people that are still working and not everyone is laid off. The State's emergency plan states that people seeking protection from being evicted need to show they have a hardship case due to COVID19 and his thought is to follow that plan.

Mr. Wostmann agrees that given the fact a lot of the boat owners are still working, moorage relief should be on an individual basis. Give relief to the people that need it but not compromise our revenue stream where it is not necessary.



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Mr. Becker said he personally could make a case for a hardship because of his health but he has the wherewithal to still pay his moorage payments. He believes relief should be given in a payment system for those individuals that are struggling because of health issues.

Mr. Wostmann said this moorage relief would be based specifically on COVID related hardships.

Mr. Ridgway said he believes the Committee could recommend to the full Board boundary kind of conditions. If someone brings a COVID hardship to the Finance Sub-Committee they can determine if they would qualify for relief. The fees would not be waived but pushed forward.

Mr. Wostmann said he agrees the relief should not be open ended and putting a time limit on when this can be applied for. The timeline can be extended out if this goes on past what we think, but right now he would say not longer than three months.

Mr. Etheridge said there are State and Federal grants given out currently to the fishing industry and for all the businesses that are experiencing hardships due to COVID 19. Docks & Harbors are not offered those same grants. His concern is for the individual boat owner that is trying to keep his boat moorage. Those type situations are what he wants to offer a payment plan for.

Mr. Wostmann asked for clarification from Mr. Etheridge that this payment plan would be a deferral and not a forgiveness of moorage.

Mr. Etheridge said yes. The States plan is not forgiving debt, but they can't be evicted and the individual is given options on how to pay off the debt once this event is over.

Mr. Dimond said he agrees with Mr. Etheridge. The relief should go toward the individuals who can show they have a hardship due to COVID 19 and not the businesses because of the relief opportunity being offered for the businesses. Coming up with what the relief for the individuals should look like needs review.

Mr. Wostmann said he would also recommend the individual signs an agreement that they will pay at a specific time and they are not receiving any other type of relief.

Mr. Uchytel said staff are reasonable people and we currently try to work with people that fall upon hard times. Staff will be able to work within boundary conditions put forward from the Board. We do not want to get into the impound process due to non-payment.



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Mr. Wostmann asked if Mr. Uchytel needed specific guidance from the Board or a broad statement that the Board encourages staff to consider hardship cases and negotiate deferral of payments.

Mr. Uchytel said staff can make that work.

Mr. Ridgway commented that there are two types of boats in discussion. The business type and the individual boat owners who use our facilities and pay rent. He asked Mr. Uchytel if it would be beneficial if the Board gave direction for the two main categories of moorage patrons that we are discussing. One is with boats tied up and the other is individuals who have boats tied up that might be losing their job or source of income.

Mr. Uchytel said staff can make it work with general direction from the Board. He is hearing not to forgive moorage payments but to work with patrons to extend the length of time to make the moorage payment.

Mr. Wostmann said that is correct that the Committee is not talking about forgiveness of moorage. If there are specific cases that are asking forgiveness, staff would need to bring those cases to the Board for review.

Mr. Uchytel said due to our payment structure, if you are not able to make your payment you end up on a daily rate, at the end of that month it becomes very punitive because you end up paying triple what the monthly rate would be. It's punitive in such a way that it incentivizes paying ahead. One option for the length of the COVID would be that everyone will be moved to a monthly rate from daily.

Mr. Wostmann said he likes that idea. He would like this in a written direction from Board to staff so there is clarity. He asked Mr. Uchytel to prepare a proposal from staff on how this should be implemented and bring to the Board for their consideration at a follow up meeting.

Mr. Uchytel said this meeting is a work session. Staff can bring a proposal to the next meeting and the Board can tease out some guidance that the Board can deliberate at the appropriate time.

Mr. Wostmann said the Committee does need to continue to work on some of these issues and he is not sure of a good time but it needs to be relatively quickly.

Ms. Smith said the Harbors currently does some level of double dipping with hot berthing. Is it possible that the Harbors temporarily offset some of the moorage fees with



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the hot berthing fees? In other words, not charge people for their regular moorage fees for the amount that we receive from hot berthing.

Mr. Wostmann said he heard this public comment as well and he does not see that as equitable. This is just beneficial to the particular slip holder that has his slip hot berthed but this will not benefit the slip next to this one because there are no boats coming in.

Mr. Etheridge said he has a concern with this. If this is moved forward, everyone's fees will need to be raised to cover the losses. When the current fees were implemented, the hot berthing was taken into consideration so we could keep the fees as low as possible.

Ms. Smith said the concerns from the boat owners she has talked to have a tourist related business and they have stalls in the private stall area in Statter Harbor. They still need to pay for their stalls even when they don't have a boat in that space and they won't have any income. If they lose that stall they will go back on the four year waiting list to get a stall again. We are currently giving refunds for non-refundable fees to those individuals impacted from the tourist industry in the harbor, relief for the stall holders needs to be thought about also.

Mr. Etheridge said those businesses in tourism are the ones eligible for grants, loans, and other government subsidies to carry through this time unlike a harbor patron that does not have a business.

Mr. Uchytel asked what the Committee wanted to do with the fees collected for the 1st night's non-refundable reservation moorage?

Mr. Wostmann said the fees collected until July 1st could be either refunded or applied to a later reservation in the future. Once it is determined what the rest of the season is going to look like this topic is re-addressed.

Mr. Uchytel said the reservation moorage for the rest of this fiscal year is \$8,383, and for fiscal year 21 is \$18,830 with a total of \$27,000.

Mr. Wostmann commented that if the first half of the season was refunded it would be \$8,383.

Mr. Uchytel said that is correct.



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Mr. Wostmann recommended to send a letter out to all the people who paid the 1st night's non-refundable moorage and offer a refund for the fees collected up to July 1st or apply the fees to a future date.

The Committee looked at launch ramp permits, parking rates, shore power rates, and live a board fees. The Committee recommended to keep the same rates. However, the live a board fees will be looked at on a case by case basis. If there is a live a board that can show a hardship due to COVID they can ask for a deferral and staff can work with them to still pay the fee in a payment plan.

3. Support for Capital Improvements Projects (CIP). Public Participation – None

Mr. Ridgway asked if the CIP projects would advance as is unless the Finance Sub-Committee recommends something different to the Board?

Mr. Uchytel said yes. He wants to make sure the projects that have been funded, approved, and moving forward that the Board still wants them to continue to be advanced.

Mr. Ridgway asked if the Statter Harbor bid opening on the CIP list is coming up on April 21st?

Mr. Schaal said that is correct.

Mr. Ridgway asked if the Downtown Waterfront Improvements and Aurora Harbor Phase III is in design?

Mr. Schaal said in talking about the Downtown Waterfront Improvements project we are only about half way finished with the current construction project. You don't see the value of the property that is already encumbered but you do see the funds that will go toward phase II and we are almost at 95% design. The design was put on hold due to the museum idea. Staff needs to wait to see if that idea formulates more before proceeding. On Aurora phase III, it is in a holding pattern for two reasons. One is we are trying to coordinate demolition to better suit the Army Corps dredging and the other is Harbors does not have enough money to put a bid out. The design is just a schematic layout for grant application uses and for public communication on the project. A full design has not moved forward due to funding.



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Mr. Wostmann said he is not inclined to give a green light to all of the projects on the list. With the bid date for Statter Harbor close, he suggested to move forward with that. When the tourist season does pick up again that will be a very valuable facility to have. He recommended to keep the Downtown Waterfront Improvements and Aurora Phase III on hold (other than the dredging) and put the Electrification Study on hold. Use the remaining funds in projects in a more appropriate manner. Because of all the issues that have come up with the cruise ships, there could be new regulations or processes required, and it would be nice to have some funds not allocated to apply to new requirements. He said he agrees to complete what has already been awarded but hold on everything else with the one exception of Statter Harbor.

Mr. Ridgway said he agrees with what Mr. Wostmann said but before a hold decision can be made, staff needs to provide what the impacts are for the delays in projects and how or where the funds for projects could be potentially better used.

Mr. Becker asked if putting the deck over portion of the Archipelago property on hold until the museum idea unfolds is putting the Morris group behind also?

Mr. Schaal said staff has been in weekly communication with the Morris group and they are stuck with a parking variance issue and now the COVID 19 issue. They have suspended their project until the issues are cleared up. We are not holding them up in anyway. We can still proceed with phase I like we have planned and with some of the reorganization that is done in response to the possibility of the museum, we have a good path forward to finish this fall with a plaza that would be useable at some point.

Mr. Uchtyl said in the meeting he had with the City Manager today, he asked him if the Electrification Study should be on pause and he said no.

Mr. Schaal said speaking to Statter Harbor Phase III and the Electrification Study, they are both very long term projects. We know we are impacted this summer and might be impacted part of next summer but he does not believe cruising to Alaska is going to go away. Focusing on Statter Harbor Phase III, he said this is a good idea because we need this summer to work with our contractor to get ready for next winter's construction. We won't know until we have the impacts from COVID 19 but we want to have this ready so when the season starts we are not impacting ourselves and we are building it at the right time.

VI. Next Meetings –



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Mr. Wostmann asked the Committee members if after the discussion today the Committee was ready to make a recommendation to the full Board?

Mr. Ridgway asked Mr. Uchytel if he had a good sense with regard to the three major topics and if he needs further direction from the full Board or from the Committee?

Mr. Uchytel said staff got a lot out of the meeting and knows what the Committee prefers. He said one of his concerns was does the Committee want to discuss in more detail Statter Harbor phase IIIB with the pending bid opening? Do you want another Finance Sub-Committee meeting, this to go to the next Operations/Planning meeting, or just go right to the Board meeting?

Mr. Etheridge said he suggested there was enough information from this meeting that it could go to the next Operations/Planning meeting to fine tune anything and go to the full Board the following week.

Mr. Uchytel said the next Operations/Planning Committee is April 22nd and the Board meeting is April 30th.

Mr. Wostmann said the Committee wants to move quickly on these items so we would need to schedule a special meeting.

Mr. Etheridge commented he thought working with the scheduled meetings would be enough time.

Mr. Uchytel said we could move our regular scheduled meeting up a week if that was convenient.

Mr. Ridgway asked if the need for speed is based on the permit refunds?

Mr. Etheridge said yes because that needs to go to the full Board in order to refund the fees and that is the only item causing the rush. Staff is already working with patrons on moorage relief and there is no hurry for the CIP projects.

Mr. Ridgway recommended a Special Board meeting to address the permit issue and refund restructure and then keep the other regular scheduled meetings.

Mr. Wostmann agrees to have a Special Board meeting.



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Mr. Dimond said he agrees with the Special Board meeting but he has to leave the meeting at this time.

Mr. Etheridge said he is okay with a Special Board meeting.

Mr. Wostmann said he thought to maybe have a Finance Sub-Committee before the Special Board meeting so the Committee can finalize the recommendation to the full Board.

The Committee recommended the below meetings.

- Special Board meeting will be held at 3:00 pm on April 15th at 3:00 pm - Agenda items Waterfront Vendor Booth reimbursement and 1st nights non-refundable moorage.
Mr. Ridgway recommended providing a draft motion for the Board.
- Finance Sub-Committee meeting April 29th, 2020.

VII. Adjournment – The Finance Sub-Committee Meeting adjourned at 5:42 pm