

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES
For Thursday, September 24th, 2020

I. Call to Order

Mr. Etheridge called the Regular Board Meeting to order at 5:03 pm in the Port Director's Office via Zoom.

II. Roll Call

The following members were present via zoom or in person: James Becker(in person), Chris Dimond, James Houck, David Larkin, Mark Ridgway(in person), Annette Smith, Bob Wostmann, and Don Etheridge (in person).

Absent: Steve Guignon

Also present at the Port Directors Office were the following: Carl Uchytel-Port Director, Erich Schaal- Port Engineer, Matt Creswell – Harbormaster, and Teena Larson- Administrative Officer.

III. Approval of Agenda –

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

Motion passed with no objection.

IV. Approval of July 30th, 2020 Regular Board Minutes.

Minutes were approved as presented.

V. Public Participation on Non-Agenda Items – None

VI. Consent Agenda – None

VII. Unfinished Business – None

VIII. New Business –

1. Ordinance Update – Relating to the Use of Skateboards, Roller Skates, In-Line Skates and Similar Devices.

Mr. Uchytel said on page eight in the packet is a memo that staff is bringing forward for guidance regarding an ordinance change to give oversight to CBJ enforcement officials including JPD, Harbor Officers and some members of Parks & Recreation that have the ability to write tickets. This would recognize the new infrastructure seaward of South Franklin Street and south of the Downtown Parking Garage to the Taku Dock, which would allow us to regulate the activity of skateboards, roller skates, roller blades, and similar devices. Primarily the issue before staff is we have seen some skateboarders using our facility recklessly and used some of the concrete seats as a skateboarding apparatus that have damaged the concrete and often times skateboarders will put wax on their board, which renders the seats unusable. A concern is that the new archipelago bus

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staging lot will be a large area and it could be an attractant nuisance for skateboarders. Staff recommends amending the ordinance through the Assembly to include this new area. This will be the public side from the library (area already covered in the current ordinance), the CT lot, the Taku lot, and the area by the Tram. He said he is looking for guidance from the Board if this is worth pursuing. If it is, he will go back and work on an amendment to the ordinance language and bring it back at a future meeting.

Board Questions

Mr. Becker said his concern is who is responsible for enforcement?

Mr. Uchytel said Harbor officer, JPD, and Parks & Recreation Park Rangers.

Mr. Creswell said Harbor Officers, Parks & Recreation Community Services, JPD or anyone with a CBJ 72.01.070(d)(5) enforcement appointment from the City Manager.

Mr. Ridgway asked if this is really just expanding property for enforcement? Is there a graphic that shows all the areas we want to expand?

Mr. Uchytel said the area is from the Library down to the Twisted Fish.

Mr. Ridgway asked if staff is just looking for the bad actors?

Mr. Uchytel said yes.

Ms. Smith commented that Docks & Harbors already has a code of conduct that covers a broad spectrum of patrons. Do we need to add this upland area or can it be covered under our existing code of conduct?

Mr. Uchytel said the intent of the Harbor code of conduct is for small boat harbor patrons and not for pedestrians.

Mr. Etheridge said JPD does not enforce the Harbor code of conduct but they would on this ordinance.

Mr. Larkin asked if Docks & Harbors had to extend any money in repairs yet?

Mr. Creswell said yes, in 2016 and 2017 staff installed skate stoppers on concreted walls and benches. Several times the first summer they were beaten off with steel pipes and chunks of concrete was also beaten out. Staff has repaired the concrete and the skate stoppers. We have also had damage to the tables mounted in concrete in front of the Port Field Office.

Mr. Ridgway commented that there is an acknowledgment that not all skateboarders are bad actors. He asked staff if there is any consideration to put something for skateboarders to use off to the side with a sign that states, "this can only be used when other people are not around". Should this be considered?

Mr. Uchytel said Page 11 in the packet is the code ordinance already in place and staff would just add locations to the ordinance with the use of skateboarding in these areas is

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prohibited. It does not talk specifics on bad actors but that the use of skateboards is prohibited.

Mr. Becker asked if this would go to the Assembly after Board approval?

Mr. Etheridge said yes.

Mr. Becker said he would like to talk to skateboarders in the community to find out if there was an area set aside to use they would only use that area.

Mr. Dimond suggested in future projects there can be a engineered pieces built into the construction in curbs and benches so they can be used by skateboarders and not be damaged.

Mr. Wostmann agreed with Mr. Becker that it would be useful to get feedback from the skateboarding community.

Mr. Ridgway said he knows there is a longboarding group but does not know them personally. Public involvement would be good but regardless of the public process, we would still get skateboards. He supports moving this forward as is because it is clear it was already approved by the Assembly and adding the other areas should go through the Assembly as well.

Public Comment

Martin Stepetin – Juneau, AK

Mr. Stepetin said he can attest D&H has a real problem with this issue. The Harbor Officers have needed to run down skateboarders and tell them to leave. Now the Harbors crew is far away from where the skateboarders are and they are not able to scare them away during the season. There is very little oversight during the off-season. If this area is expanded, the Assembly will want a solution. If there is no space for the skateboarders, they will just do what they want. He would hate to see all the downtown equipment messed up from the skateboarders.

Paul Swanson, Juneau, AK

Mr. Swanson asked if we could post a fine of so much that they have to pay if they are caught in this area instead of just running them off?

Mr. Etheridge said skateboarders could be ticketed under this City ordinance.

Mr. Ridgway said he has no problem with the way this ordinance is written.

Ms. Smith said she supports this, but are there cameras downtown? If tickets can be written, can the cost of the ticket include the damage that was done?

Mr. Etheridge said there are cameras. The ticket is just for violating the ordinance and once that is established then we can go back for damages.

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Mr. Creswell said JPD has come down and can go after the individual who did vandalism.

Committee Discussion/Action

MOTION By MR. RIDGWAY: TO DIRECT STAFF TO PURSUE DEVELOPING ORDINANCE CHANGE TO PROVIDE GREATER OVERSIGHT OF SKATEBOARDS, ROLLER SKATES, IN-LINE SKATES AND SIMILAR DEVICE ACTIVITY ON CBJ WATERFRONT PROPERTIES AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

IX. Items for Information/Discussion

1. Results of FY2020 US DOT BUILD Grants

Mr. Schaal said staff received notification that Docks & Harbors was not successful on all three applications. The only successful application from Alaska was the Anchorage Ted Stevens Airport cold storage facility project for \$21M. The Juneau fisheries application was refreshed and the highest ranked of our three proposals. The ask was for \$25M, which is the maximum amount to ask for without a match, but it was not successful. One thing staff noticed about the selected projects within the BUILD program was that the projects selected were in the swing states and the projects chosen already had substantial match money. Mr. Schaal said the link in the packet shows where in the nation the projects were located broken down by rural and urban. Staff will just need to continue to submit and also work on funding to be able to bring a match to the table.

Board Discussion/Public Comment

Mr. Becker asked how many years has this been submitted?

Mr. Schaal said he believes this is the third year.

Mr. Ridgway said he could not get the link to work. He asked Mr. Schaal to send it out again. He asked what suggestions were given on what to do better on future applications to improve our chances?

Mr. Schaal said we have in the past sat down with someone from the review committee that provides pointers for future application and staff can set up another appointment for that meeting. One of the things staff did with this last submittal was to take their advice to strengthen the application with making a case in the very beginning pitch. Staff tried with this new proposal to show why this was a good proposal but the Juneau Fisheries was the only one updated and staff can look into refreshing all three for next year. Mr. Schaal said he liked what the Fisherman's proposal looked like; it was fresh and visibly inviting. Having match money also helps in the rankings.

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Mr. Becker asked if it was just staff that sat down with the reviewers? If that is correct, maybe someone from the industry or other sources need to sit down also to support our argument.

Mr. Uchytel said we were told that our application did make it to Secretary Chao's desk. This is one of those years that Alaska only gets one project. Staff will keep trying and pushing. The guidance he was given is when the notice comes out make sure to hit every point as detailed as possible. Harbor projects are not being selected in the BUILD program. He said for the rural projects, there can be an ask for up to \$25M without a match and that is what staff did. He feels Docks & Harbors is getting closer every year.

Mr. Ridgway asked if it is appropriate from the Board to thank the Senator for his involvement in pushing this to the Secretary's level. Is the lobbying effort with our congressional representation coordinated with CBJ's own lobbyist? He asked if the thank you should come from Mayor Weldon or Mr. Watt?

Mr. Uchytel said the City has two lobbyist. There is the Federal lobbyist in D.C. and Kevin Jardell is the State lobbyist. Docks & Harbors does not have our own lobbyist. He said the Board could engage however they see fit.

Mr. Ridgway suggested Mr. Uchytel draft a letter to the congressional people that were helpful.

Mr. Uchytel said the Federal lobbyist did receive letters in support of our projects from the Federal delegation.

Public Comment

Dennis Watson

Mr. Watson said he likes the suggestion to reach out with thank you letters so they know we appreciate them. He said he also knows that many communities turn in the same application year after year and the same people that are reviewing the applications are there year after year. He said he encourages not sending the same application or making it look different from the previous years.

2. Regional Moorage Rates

Mr. Uchytel said on page 15 in the packet is research on moorage rates. In 2015, we finished a fee review process. This is the first time since then that we are looking at the fees again. The daily rate is at \$.58 per day per foot and this is at the lower end of our pier group. The monthly rate for Juneau is a single rate per foot. Juneau is the least expensive throughout. Juneau also offers a 10% discount for annual in advance and 5% for six months in advance. Juneau is on the lower side of the fees. This was put together for the Finance Sub-Committee meeting and they are reviewing fees for the new for hire floats at Statter Harbor. He asked if the fees being charged are fair and equitable for 2021 and moving forward?

Board Discussion/Public Comment

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Mr. Becker commented that Juneau fees are straight forward, but other Harbors change their fees based on different size vessels.

Mr. Etheridge said this is another thing with the reasoning, “because this is how it has always been done in Juneau”.

Ms. Smith asked if staff knows how our rates are compared to local harbors?

Mr. Uchytel said no.

Mr. Ridgway asked what the liveaboard rate is?

Mr. Uchytel said \$69 per month for four people and \$25 per each additional person.

Mr. Ridgway asked Mr. Uchytel to describe what the extra benefits and services are at the downtown harbors versus Auke Bay?

Mr. Uchytel said it used to be bathrooms and showers, but we now have bathrooms with showers at Harris Harbor. When we purchased Deharts we kept the rates at Deharts and that is why we have a different fee rate at Auke Bay and also the demand is for Auke Bay. There are 87 vessels on the waitlist for Auke Bay and only six for downtown.

Mr. Etheridge said this was discussed in the fee review that the reason for the increase in fees is because of the demand in Auke Bay.

Mr. Wostmann said he recalls that the rate structure is for the desirability and it is a market driven price. There is a far more demand for Statter Harbor than downtown.

Mr. Ridgway asked if liveaboards are equally distributed in Statter Harbor and the downtown Harbors?

Mr. Creswell said he does not have the numbers but there were higher numbers downtown. He said the C and D floats in Statter do not have water.

Public Comment

Dennis Watson

Mr. Watson said he was paying less in the old Deharts Marina than Fisherman’s Bend but at that time, Fisherman’s Bend was in much better shape. Shortly after the Harbor purchased Deharts, they promptly raised the rates. The quote from previous harbor staff was that “somebody has to pay for the increase in price”. It had nothing to do with competition but the extra cost of finance. He commented that regardless of being more desirable, the downtown has the same facilities. There are other harbors that have far superior facilities than Auke Bay. When looking at rates, he suggested to look at the down south facilities that are open year around and have secure docks. He said having a two-tiered set of rates is unfair to the citizens of Juneau.

3. Code of Conduct

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Mr. Uchytel said last week at the Operations meeting there was discussion on the code of conduct. In the discussion on the code of conduct, not every board member was able to participate in the discussion. Last week some of the discussion involved banning someone because you do not like them, which would be very difficult. It is even difficult to ban someone if they have a criminal record. It is a little easier if there was direct assault with a harbor employee or patron. There is not a lot of teeth in the Harbor Code of Conduct. He said he likes the Hospital's Patient Rights and Responsibility pamphlet. He said staff might work over the winter on a segway from the harbor code of conduct to Harbor Patrons Rights and Responsibility statement. This may be a more positive document to produce.

Board Discussion/Public Comment

Ms. Smith said she agrees that it does not matter if we do not like someone or have a criminal record. She said they should be banned from the Harbor based on their current behavior and not something they did in the past. She said she would personally always support Harbor staff if a person is being banned from the Harbor based on their behavior and their behavior expectations are clearly defined in the code of conduct.

Mr. Ridgway said he thinks it is a great idea to work on the Harbors rights and responsibility statement. Mr. Becker and Mr. Etheridge agreed.

X. Committee and Member Reports

1. Operations/Planning Committee Meeting – Wednesday, September 16th
Mr. Ridgway said several items that the Committee discussed was talked about tonight but most of the discussion went toward the code of conduct.
2. Finance Sub-Committee meeting – Thursday, September 17th
Mr. Wostmann said this Committee met twice. On August 7th the Committee mostly focused on orientation and looked at financial reports and rates. At the September 17th meeting, the Committee specifically focused on the Statter Harbor for-hire rates. The Committee plans to meet again in mid-October. There was discussion on how to set the rates. They want to know what the capital investment is so they have some numbers to use to make a recommendation to the Board. There was a sense of the sub-committee that next year there will not be a justification to go up to the full rates for the for-hire floats because we may likely still be dealing with the pandemic and many of the companies will be struggling to recover from their lost revenue from this year. He said there might be a plan A for this next season and plan B for the following season. He said Docks & Harbors needs to set the rates soon so the companies can plan for the rate adjustment.
3. Visitor Industry Task Force DRAFT Recommendation Special Committee – September 21st
Mr. Etheridge said the Committee had two meeting. At both meetings, the Committee went through the document and recommended changes. He said Mr. Uchytel will draft language from the recommendations and it will be reviewed at another VITF meeting and then send it to the Board for their review.

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4. Member Reports –
Mr. Ridgway said there was a small discussion about what the Harbor is going to do with the North end of Aurora with no plans or money. He said he has some ideas on how to put this together with trying to continue down the road of making our Harbors safer and better. He said he spoke with liveboards discussing the idea of having a secure area of the Harbor with additional expense and there was some interest. He is looking into a high-end neighborhood at the north end of Aurora.
5. Assembly Lands Committee Liaison Report – Mr. Dimond said nothing to report.
6. Auke Bay Steering Committee Liaison Report – Mr. Wostmann said nothing to report.
7. South Douglas/West Juneau Plan Liaison Report
Ms. Smith said she was given an overview. There probably will not be much going on until after there is relief from COVID.

XI. Port Engineer's Report

Mr. Schaal reported;

- The Downtown Archipelago project is going well and they completed all the major concrete deck pours. They have the driveway entrance and asphalt along south Franklin to pour. The electricians have been working very hard and it is all coming together. The seawalk will be closed off for about a month and a half to address the grade issues to have the plaza flow with the seawalk.
- Statter Harbor III(a) Dredging project. PPM had left over material from the excavation phase of the shore based excavators could not reach. They have partnered with Western Marine Construction and will do two days of cleanup work for PPM.
- Statter Harbor III(b) is the construction of the concrete block wall and the installation of the new floats, gangway and water. The Subcontractor on this project is Coogan Construction and they will begin around October 1st to start the wall fabrication and construction. This work is tide dependent. Trucano will start installing floats around the first of the year with completion around the end of April 2021.
- Staff is gearing up for Army Corp dredging project affecting Harris and Aurora. The demolition of the floats in Aurora has been done in house by staff. Harris will also be impacted due to vessel's needing to move so that the large barge equipment with fit in the small basin. The dredging will begin at the end of October in Harris and begin early 2021 in Aurora.
- Staff sent out a request for quotes for the Statter Breakwater. The float system on the breakwater is held with dozens of anchors with very large chain. One of the chains has broken at the breakwater and fallen to the bottom and has caused a dogleg in the breakwater. Staff is not comfortable to go through the winter with this broken chain. The project would be, get the chain, splice it into the chain weld that exists, and get well protected for the winter. We should receive quotes next week.

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Mr. Becker asked if the plan is to replace the chain and assume it will work the second time?

Mr. Schaal said the chain failed because of its age. He believes the problem is abrasion and corrosion right at the water line. This is about a 35 years old chain. The project is to fix this chain and get us more raw material in case there is another chain failure. The trouble is this failure point of this chain would require a crane to inspect. There are 40 chains at 350 to 400 feet long. We will be ready to address future failures but Statter Harbor is a preventative maintenance concern because of its age and design.

Mr. Ridgway asked if when the Army did the diving at the Breakwater, did that just give a base line?

Mr. Schaal said it was a good inspection but you cannot see inside the structure and that is where the chain failed. Not every chain was inspected because that would have taken weeks to complete.

Ms. Smith asked if the seawalk closure will have published dates of closure and staff will put it on Docks & Harbors Face Book page so the public will be aware of the closure.

Mr. Schaal said yes, it will be posted on our page as well as the City page. We are waiting until we receive the specific start dates. There will also be detour signs directing around the closed area.

Mr. Houck said typically the chains wear uniformly across the structure. Where it failed on this one structure, it will also fail in the other four to six connection points the next time it gets a beating.

XII. Harbormaster's Report

Mr. Creswell reported:

- North Aurora project demo being done in house with seasonal staff is progressing well and we are 60% complete. All floats are being towed to the cove at the Yacht Club and when the tide is right they are taken out of the water and hauled to the yacht club but the birds made a huge mess from eating the muscles off the floats. Harbor staff is cleaning the Yacht Club area and staff will continue to clean until this project is completed. AJC is hauling the floats to the dump.
- Staff is working hard to find space for the boats that have to move out of Harris Harbors for the dredging. It is a struggle this year because of all the boats that had to move from the North end of Aurora.
- Lumberman is still awaiting its destiny. Staff is hopeful we should see EPA approval early next week.
- Staff will advertise when North Douglas floats will come out. It is scheduled to be removed sometime between October 12th and October 16th. It will be based on the tide and weather.
- The nail map has been completed again on the seawalk.

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- The season is winding down and this has been a great success all summer, the cleaning of the lumberman, the recovering of the CT and AS floats, and now the North Aurora demo.
- Staff will next be preparing for winter snow removal and sanding.

Mr. Etheridge asked how many boats were impounded from the North end of Aurora?

Mr. Creswell said he is unsure.

XIII. Port Director's Report –

Mr. Uchytel read a thank you letter from Eric Wiseman for Harbor staff.

XIV. Assembly Liaison Report – None.

XV. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Wednesday, October 21st at 5:00 pm
- b. Board Meeting – Thursday, October 29th at 5:00 pm
- c. Finance Sub-Committee Meeting Scheduling – TBD

Mr. Uchytel said he would send out a doodle poll for VITF and the Finance Sub-Committee meetings tomorrow.

XVI. Adjournment - The meeting was adjourned at 6:34 p.m.