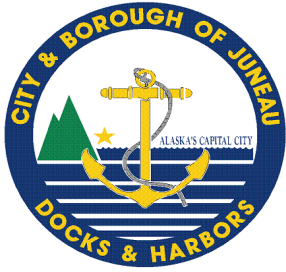


**DOCKS & HARBORS
FINANCE SUB-COMMITTEE
MEETING**



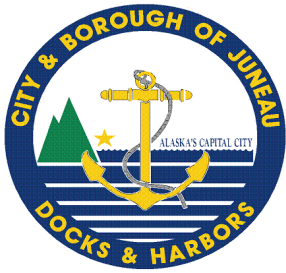
August 25th, 2021
Zoom: <https://bit.ly/3ki9EfE>
Meeting ID: 844 5947 8775
Passcode: 348272
Call In: 253 215 8782

- I. Call to Order** – August 25th, 2021 - 5:00 pm to 6:00 pm
- II. Roll Call** (Lacey Derr, Matt Leither, James Becker, David Larkin, Mark Ridgway, Don Etheridge and Bob Wostmann)
- III. Approval of Agenda**
- IV. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time)
- V. Approval of August 12th, 2021 Finance Sub-Committee Meetings Minutes**
- VI. Items for Information/Discussion**
 1. Review of all Docks & Harbors Fees in Regulation
Presentation by Port Director

Committee Discussion/Public Comment
 2. Charter Vessel Rates at Statter Harbor – Next Steps
Presentation by Port Director

Committee Discussion/Public Comment
 3. Request for Proposal (RFP): Rate Study
Presentation by Port Director

Committee Discussion/Public Comment
- VII. Action Items** – TBD
- VIII. Next Meeting** – September 8th, 2021 @ 5 pm
- IX. Adjournment**



**DOCKS & HARBORS
FINANCE SUB-COMMITTEE
MEETING MINUTES**

August 12th, 2021

I. Call to Order – Mr. Wostmann called the August 12th, 2021 meeting to order at 5:00pm via zoom.

II. The following members were present via zoom or in the Port Director’s conference room: Lacey Derr, Matthew Leither, James Becker, David Larkin, Don Etheridge, and Bob Wostmann.

Absent: Mark Ridgway

Also present were the following: Carl Uchtyl – Port Director, Teena Larson – Administrative Officer

III. Approval of Agenda – The agenda was approved as presented.

IV. Public Participation on Non-Agenda Items - None

V. Items for Information/Discussion

1. Introduction of New Members

Mr. Wostmann asked new member Matthew Leither what he wants to achieve being on this Committee?

Mr. Leither said over the course of the last few months when the Board was reviewing fees he was very interested and wanted to know more of the financial working of Docks & Harbors and that is why he is here.

Committee Discussion – None

Public Comment – None

2. Review Finance Sub-Committee: Purpose, Frequency & Meeting Time

Mr. Wostmann said the purpose of the meeting tonight is to have the members think about how we are going to operate as a Committee. How can we be best structured and have the best approach for the discussions we need to have? How do we create an affective agenda so that we can get things done, and what are the goals for this coming year?

Committee Discussion-

Mr. Etheridge said the main purpose for this Committee is to look at rates, rate increases, spending, and come up with an idea on how we can best stretch our dollars out. How can we increase our income so we can continue to operate and do some of the upkeep that we have to do that has been lacking due to a shortage of finances? With the lease expense at the Juneau Fisheries Terminal and the ROW issue with the State of Alaska DOT at the Auke Bay Loading Facility, we need to seriously look at increasing our income. He hopes this



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

August 12th, 2021

Committee can come up with solutions to our problems and bring them to the Operations Committee. Provide solutions on gates, lighting, safety ladders, and things that have been put aside because of no funding.

Mr. Wostmann said he believes this Committee needs to find the time to dig into the details and understand the financial structures that we have with rates, fund balances, and CIP Projects. This information will need to be organized and discussed and look for opportunity to include the public in those discussions. Work with staff to condense our discussions into a draft proposal to bring to the Operations/Planning Committee for consideration and a possible motion.

Mr. Becker said with the rate structure, he thought to have a review of all the rates, whether they are raised or not and also hire professional services to help us get through analyzing the need for rate increases.

Mr. Wostmann said he believes a meeting that goes longer than an hour or an hour and a half starts to lose efficiency, or people have a hard time staying focused. He asked the members how often they would want to meet.

Ms. Derr asked if there is already a list of needed projects that the Board can look at and start there? With the list, we can start to prioritize between wants and needs. Take the needs list and prioritize by critical, high, medium, and low.

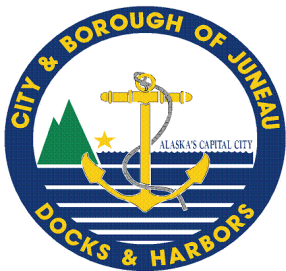
Mr. Wostmann said there needs to be a line where the responsibilities of the Finance Sub-Committee start, the Operations/Planning Committee responsibilities start, and the Board as a whole start. We respond from the direction from the whole Board where the priorities are and we need to look into where we get the money from. He believes the discussion needs to be what are the projects that need to be considered for operations or CIP funding, and what needs to be incorporated into our rate structure based on the priorities from the Board.

Mr. Etheridge said a lot of the prioritizing Ms. Derr was talking about can be discussed at the Boards retreat. There needs to be a list with expenses so we can also prioritize what we can afford.

Mr. Wostmann said he has been doing research on what makes an effective Sub-Committee and a recommendation was to time box meetings. He suggested to have meetings that last an hour or an hour and a half and have a specific amount of goals to achieve in the meeting. If those goals are not achieved move it to the next agenda and keep the time frame.

Mr. Wostmann opened the discussion on when to have meetings.

After much discussion, the members decided on the 2nd and 4th Wednesday of the month at 5pm.



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

August 12th, 2021

Mr. Wostmann said he will get with Mr. Uchytel and plan the year schedule.

Public Comment - None

3. Public Outreach: Opportunities & Challenges

Mr. Wostmann said this is an important topic especially with one of our rate changes not getting through the Assembly due to them not believing we did enough public process. Mr. Wostmann asked the members for comments on how to better engage with the public?

Committee Discussion-

Ms. Derr said the Board did all the proper steps, but our patrons were lacking in information. The patrons need to seek out information that we put out. We cannot read everything to them. However, we could be doing better interacting with our public. She recommended to set a small part of our budget to join up with the State Troopers in the Kids Don't Float program, have Board members mingle with the public on the family fishing day so they know who we are and that we are their voice on the Board. Have the customer appreciation barbecue, tag onto water safety, tourism, just let people know we are here to listen and to please ask questions. She also recommended to send out public notices in the mail to the groups that would be affected by a rate increase.

Mr. Leither recommended to have a sign with a meeting notice at the top of the ramp going down to the Harbor.

Mr. Wostmann said putting up a sign at the top of the ramp is very easy. He asked if staff has the email addresses of most of our patrons?

Mr. Uchytel said yes.

Mr. Wostmann asked if in the past emails have gone out to different user groups on rate increases and such?

Mr. Uchytel said he sent an email out to all live-aboards and a letter was mailed to those that did not provide an email address. Information is put in our newsletter that goes out monthly, we post information on our Facebook site, and our website.

Ms. Larson said we have recently posted our meeting schedules at the top of the ramp of the Harbors.

Mr. Wostmann said in our process going to the different meetings, it needs to be documented better on the public participation and so no one can say there was not enough public time for public to speak up.



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

August 12th, 2021

Mr. Etheridge said he will contact the Mayor in the future so she is aware of what is going on with any large items going forward.

Mr. Leither asked if the Board is allowed to put an op ad in the Juneau Empire?

Ms. Derr said publishing costs are upwards of \$250 per publication.

Mr. Wostmann said that may be a way to get the word out on a large change.

Mr. Leither said his thought would be to have a Board member write a letter to the editor letting people know what we are doing.

Ms. Larson said in regulation it is required to put the changes in the paper and they were all advertised.

Mr. Wostmann said if we embark on a rate increase for moorage, writing a letter to the editor in the beginning of our process and giving reasons for the rate increase would be a good idea and he does not know of a fee that would be charged for that.

Mr. Etheridge said he thinks writing a letter to the editor would be okay with a large change.

Mr. Uchytel said for the last four or five months now, he has been blind copying patrons who came to the meetings and indicated they were not aware of the rate changes. He said he is on Action Line typically the fourth Wednesday of every month at 10:30 and the agendas are always discussed.

Mr. Leither said maybe our goal should be to get people on our side and provide our rationale.

Public Comment - None

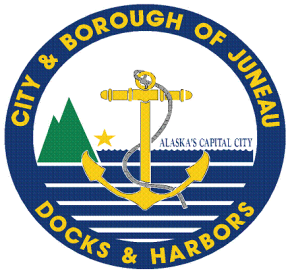
4. Discussion of Goals for Coming Year
 - a. Review & Revise Fee Structure

Mr. Wostmann asked for comments or suggestions on how we should be setting rates? What are the components of a rate to be considered? He asked staff to provide a list of all the rates the Board is responsible for, and at the next meeting he wanted to refresh our discussion on rates for the new for-hire floats at Statter Harbor.

Committee Discussion

Mr. Etheridge said the rates for the for-hire floats need to be done as soon as possible to give the operators an opportunity to adjust their rates for next year.

Mr. Wostmann said looking at any rates, there are components for operations, generate funds to replace the asset, and build a reserve to be able to build new facilities. Each rate



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

August 12th, 2021

will be enacted specifying the rate will be adjusted annually based on the CPI and current circumstances. He asked what a fair rate is and are we currently charging enough?

Ms. Derr said the Committee knows we need to increase our rates and the Assembly has told us they are not opposed to increasing rates but they want to see why and how we did our homework. She asked staff if we do start identifying rates that need adjusting, is there someone in the CBJ Finance department that can assist us with putting these rates in the formulas with the numbers we need to get the outcome. She said her opinion is to go with the Harbor Rate study. We can identify our needs and tell them what we want. The cost will be based on how in-depth we are looking at.

Mr. Wostmann said he is in favor to bring in someone with more expertise on how to identify the components of any particular rate should be. We would have the justification for why a rate is what it is. There could also be another component which is the “catch up” component.

Mr. Etheridge said the Operations and the Board passed a motion to do the rate study and put out a RFP.

Mr. Uchytel said he will draft the RFP and he will have it before the next Finance Sub-Committee meeting.

Mr. Wostmann asked for a list of all the rates charged by Docks and Harbors and when the rates were last revised.

Mr. Uchytel said this was just provided last spring.

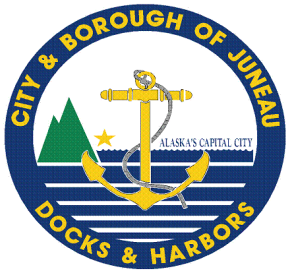
Ms. Derr suggested to focus on areas that our time could be spent better. She said other CBJ Departments have contacts to clean other CBJ restrooms and they are saving upwards of \$30,000 by hiring contractors to clean bathrooms rather than having CBJ staff do that work. She is looking for alternative sources to save money that are cheaper and just as effective.

Mr. Wostmann recommended to add - d. find holes in our expenditures

b. New Revenue Sources

Mr. Uchytel said on page two of the packet is the Docks projected revenue and expenditure which shows a deficit of \$767,000 and that will be a transfer from our fund balance of \$2.6M. The Harbors projected revenue and expenditure show a surplus of \$366,000 for the end of FY21 leaving a \$305,000 fund balance for Harbors.

c. CIP Requirements



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

August 12th, 2021

Mr. Uchytel said on page four is the CIP list six year plan. This is a planning document that CBJ Engineering tracks. In November of every year, Docks & Harbors is asked to update this.

Mr. Wostmann pointed out that the project expense on the slides do not match the six year plan project expenses. He asked where the discrepancies are?

Mr. Uchytel said on page six in the packet is what was presented in January which was a CIP project list put together quickly for the \$500M Bond package that the State was talking about offering. The City Manager asked what projects Docks & Harbors wanted considered and this is what staff came up with. The discrepancies in the smaller numbers in this packet are due to recommendations to not ask for the entire project amount. On page 13 in the packet is a list from the 2017 Board retreat that lists all the good projects that can be completed. He said there are other projects that can be included in this list.

Mr. Larkin left the meeting at 6:17pm.

d. find holes in our expenditures

Public Comment - None

VI. Action Items –

Mr. Wostmann recommended the Committee Members go back and review the rate studies from the three different communities. There is useful information on how a rate structure is created. This will help when working on our rate structure for the for-hire floats in Statter Harbor.

Ms. Derr said she is adding notes for the retreat items.

Mr. Wostmann said he will get with Mr. Uchytel to come up with a schedule for the finance meetings for the coming year.

VII. Next Meeting – August 25th at 5pm. This will be an hour meeting with 15 minute over run to finish business.

VII. Adjournment – The meeting adjourned at 6:20pm.

2021 Docks & Harbors Board Meeting Calendar

2021																							
January							February							March									
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa			
					1	2		1	2	3	4	5	6		1	2	3	4	5	6			
3	4	5	6	7	8	9	7	8	9	10	11	12	13	7	8	9	10	11	12	13			
10	11	12	13	14	15	16	14	15	16	17	18	19	20	14	15	16	17	18	19	20			
17	18	19	20	21	22	23	21	22	23	24	25	26	27	21	22	23	24	25	26	27			
24	25	26	27	28	29	30	28							28	29	30	31						
31																							
April							May							June									
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa			
				1	2	3							1			1	2	3	4	5			
4	5	6	7	8	9	10	2	3	4	5	6	7	8	6	7	8	9	10	11	12			
11	12	13	14	15	16	17	9	10	11	12	13	14	15	13	14	15	16	17	18	19			
18	19	20	21	22	23	24	16	17	18	19	20	21	22	20	21	22	23	24	25	26			
25	26	27	28	29	30		23	24	25	26	27	28	29	27	28	29	30						
							30	31															
July							August							September									
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa			
				1	2	3	1	2	3	4	5	6	7				1	2	3	4			
4	5	6	7	8	9	10	8	9	10	11	12	13	14	5	6	7	8	9	10	11			
11	12	13	14	15	16	17	15	16	17	18	19	20	21	12	13	14	15	16	17	18			
18	19	20	21	22	23	24	22	23	24	25	26	27	28	19	20	21	22	23	24	25			
25	26	27	28	29	30	31	29	29	30	31				26	27	28	29	30					
October							November							December									
Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa	Su	Mo	Tu	We	Th	Fr	Sa			
					1	2		1	2	3	4	5	6				1	2	3	4			
3	4	5	6	7	8	9	7	8	9	10	11	12	13	5	6	7	8	9	10	11			
10	11	12	13	14	15	16	14	15	16	17	18	19	20	12	13	14	15	16	17	18			
17	18	19	20	21	22	23	21	22	23	24	25	26	27	19	20	21	22	23	24	25			
24	25	26	27	28	29	30	28	29	30					26	27	28	29	30	31				
31																							

Operations/CIP - Ashley
 ■ Board/
 Finance Sub – Teena

05 CBJAC 10.040 Tour sales permits.

A tour sales permit authorizes the solicitation and sale of tours and experiences.

- (a) Application process and permit award.
- (1) *How to apply.* No later than December 1, of each year, the port director will publicly announce an application period for tour sales permits. The notice will include a description of how to apply for a permit, the number and type of permits available, and the process that will be used to award the permits. Persons must apply on an application form provided by the port director and must include all required information and attachments.
 - (2) *Application review.* The port director will review each application to determine if it is complete. The port director will reject incomplete applications. The port director will review complete applications to determine if the applicant meets the permit eligibility requirements set out in 05 CBJAC 10.030(f).
 - (3) *How the permits are awarded.* The port director will manage and award the permits by public outcry auction. The minimum bid for a permit is \$30,000.00. Applicants meeting the permit eligibility requirements set out in 05 CBJAC 10.030(f) will be allowed to bid on a permit provided the applicant posts a \$30,000.00 bid bond payable to CBJ. The applicant must agree to forfeit the bid bond in the event the applicant does not honor a winning bid on a permit.
- (b) *Permit requirements.* The port director may issue permits and require permit holders to comply with stipulations as necessary to assure compliance with applicable requirements of this chapter and the Maritime Transportation Security Act of 2002. Permit holders shall also comply with the prohibitions set out in 05 CBJAC 10.020, the tour sales area rules set out in 05 CBJAC 10.040(c), and the general operating requirements set out in 05 CBJAC 10.070.
- (c) *Tour sales area rules.*
- (1) A permit holder shall only sell tours in a booth provided by the port director. The port director will provide booths at the Steamship Wharf Plaza, the Visitor's Center Lot, and the Columbia Lot sales areas. The port director reserves the right to relocate or close booths as required for public safety, security, or other good cause. The booths at each sales area will be assigned by lot. In order to assure equitable exposure for each permit holder, the port director will cause the permit holders to shift one booth on each day of operation. A permit holder shall only occupy the booth assigned by the port director.
 - (2) A permit holder shall not have more than one representative selling tours at a booth, except when training new employees and then for no longer than is necessary to adequately train the employee. A permit holder shall make its best effort to maintain a presence at its booths during all hours when cruise ship passengers are likely to purchase tours in a sales area. The permit holder shall provide the port director with a list of all individuals that will sell tours at its booths and, if requested, staff identification documentation, booth staffing schedules, and other documentation, as determined by the director necessary to demonstrate the permit holder complies with this requirement.
 - (3) The permit holder shall not sell, or permit to be sold, tours on any vouchers or receipts other than their own.
 - (4) The permit holder shall provide the port director with a list of all tours sold pursuant to its permit, including the name of the company providing the tour.

-
- (5) The permit holder may display up to two large signs on a single booth provided the signs do not extend beyond the front profile of the booth. The permit holder may also display one-foot by one-foot signs for each tour the permit holder sells. These signs may not extend more than six inches beyond the front profile of the booth.
 - (6) The permit holder or its representatives shall not engage in hawking or disruptive behavior or interfere with the operations of other sales booths.

(01/19/98; Amended 5-2-2000, eff. 5-16-2000; Amended 1-7-2008, eff. 1-15-2008; Amended 2-7-2011, eff. 2-15-2011; Amended 4-1-2015, eff. 4-8-2015)

05 CBJAC 10.060 Loading permits.

No person shall operate, park, stand, or stop a commercial vehicle, or cause or direct the same, within the designated loading zones in the downtown waterfront area except as authorized by a permit issued hereunder. Vehicular use of designated loading zones for commercial purposes without a permit is a violation of CBJ 85.25.090(11).

(a) *Application process.*

- (1) Application forms for loading permits will be available at the harbor office between April 1 and October 15.
- (2) Applications must be made on the form provided by the department, and must be complete, including all required attachments. Any incomplete application will not be considered for a permit.

(b) *Permit requirements and conditions of operations.*

- (1) The port director is authorized to designate loading zones in the downtown waterfront area and establish rules to assure safety, security, and efficiency of operation.
- (2) The port director may issue loading zone permits and require permit holders to comply with stipulations as necessary to assure safety, security, and efficiency of operation. Permit holders shall also comply with the loading zone rules set out in 05 CBJAC 10.060(c) and the general operating requirements set out in 05 CBJAC 10.070.
- (3) An applicant for a loading zone permit must show that use of the permit will be limited to transportation of passengers and/or crew to or from cruise ships. If the applicant will be transporting passengers, the showing must consist of at least one of the following:
 - A. A tour sales permit in the applicant's name;
 - B. A contract for the sale of tours onboard a cruise ship;
 - C. A contract with a cruise ship for the transportation of passengers;
 - D. A contract for the sale of tours with a tour sales permit holder. An applicant may enter into a contract with one tour sales permit holder only; or
 - E. If the applicant sells tours without the aid of the cruise lines, a cruise ship, or a tour sales permit holder, the applicant must show that it will only transport persons who have purchased tours directly from the applicant, and the applicant shall, upon request, provide the port director with a daily manifest showing the names of passengers to be transported.

(c) *Loading zone rules.*

- (1) No signs are allowed in the loading zone.

-
- (2) Loading zone permits shall be prominently displayed in the lower right corner of the front windshield of the vehicle, or as specified by the director.
 - (3) No person shall sell or solicit the sale of any goods or services in any loading zone.
 - (4) Goods and passengers shall be staged at loading zones so as to minimize vehicular standing time. No vehicle shall be present in a loading zone except as reasonably necessary for loading or unloading goods or passengers.
 - (5) The driver of a vehicle must remain in the driver's seat unless assisting in the loading or unloading of passengers or luggage in the immediate vicinity of the vehicle. No driver may leave a vehicle unattended in a loading zone for any period of time.
 - (6) "A" loading zones.
 - (A) Vehicles greater than 27 feet in overall length may be operated only in loading zones marked "A."
 - (B) Permittees using "A" loading zones shall submit a schedule of all cruise ships they will be meeting. For each meeting, permittees must use the "A" loading zone closest to the terminal or lightering dock designated on the schedule. Permittees may not depart from the schedule unless approval is obtained from the director at least 24 hours in advance. Approval shall be contingent upon the impact of changes upon other permittees, users of the park, and traffic conditions.
 - (7) "B" loading zones. Vehicles 27 feet or less in overall length may be operated only in loading zones marked "B."
 - (8) A vehicle without the appropriate permit may use a loading zone as necessary for a health or safety emergency. Such use shall be the minimum necessary to resolve the emergency.
- (d) *Limited loading permits.* A person may apply for a limited loading permit for designated vehicles to provide services in a designated loading zone to a cruise ship or cruise ship passengers for occasional or off-peak-hour use. Application must be made to the director no less than one business day in advance of use.
- (1) *Nonpassenger vehicles.* If the vehicle will be left standing in a loading zone for any amount of time, or if the driver will not remain with the vehicle for any period of time, the applicant must schedule that time with the director so as not to interfere with the efficient use of the loading zone by other permittees. The permittee must conduct all business efficiently so as to minimize any standing in the loading zone.
 - (2) *Passenger vehicles.* All requirements of subsection (c) of this section apply to vehicles providing passenger services to a cruise ship pursuant to a limited loading permit.
- (e) **Fees.**
- (1) The fee for a loading permit shall be established at least annually by the docks and harbors board.
 - (2) The fee for a limited loading permit shall be \$15.00 per vehicle for each permit day or \$250.00 per year, whichever is less.

(01/19/98; Amended 1-7-2008, eff. 1-15-2008; Amended 3-1-2021, eff. 3-10-2021)

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 per foot for vessels less than 65 feet** in length overall;
 - (2) **\$2.50 per foot for vessels with a length overall from 65 feet up to 200 feet;** and
 - (3) **\$3.00 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 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.

(Eff. 5-1-2005; Amended 12-11-2006, eff. 5-1-2007; Amended 5-18-2009, eff. 5-27-2009; Amended 3-15-2010, eff. 3-22-2010; Amended 5-15-2017, eff. 5-23-2017)

05 CBJAC 15.040 Port maintenance fee.

- (a) *Definition.* The charged assessed for use of the Steamship Wharf, the Cruise Ship Terminal, the Intermediate Vessel Float, and the Marine Park Lightering Float to provide for maintenance, replacement, and improvement of these facilities.

- (b) *Applicability and basis for computing charges.* Port maintenance fees shall be assessed to any vessel over 100 gross tons, carrying passengers-for-hire that makes voyages lasting more than 24 hours of which any part is on the high seas when such vessels tie to, or lighter to, the Steamship Wharf, the Cruise Ship Terminal, the Intermediate Vessel Float, and the Marine Park Lightering Float. Gross tonnage means the gross tonnage measurement of the vessel as set out in 46 U.S.C. Chapter 143 or Chapter 145. The Port reserves the right to obtain the gross tonnage from the vessel's register. Except for lightering operations less than three hours in duration, the port maintenance fee shall be assessed based on the net registered tonnage of the vessel. For lightering operations less than three hours in duration, the port maintenance fee shall be assessed based on one-half of the net registered tonnage of the vessel. If the vessel subsequently moves from anchor to alongside a public dock, the port maintenance fee shall be assessed based on the net registered tonnage of the vessel.
- (c) *Port maintenance fee period; how calculated.* The period of time which the port maintenance fee will be assessed shall commence when the vessel is made fast to an allocated berth or moored, comes within a slip, or begins lightering operations and shall continue until such vessel casts off and has vacated the position allocated, or terminates lightering operations. All time is counted and no deductions are 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, or shifts lightering operations, the total time at such berths or slips, or lightering operation shall be combined when computing the port maintenance fee.
- (e) *Port maintenance fees assessment:*

Time Period	Charge
Each 24-hour period or portion thereof	\$0.055 for each net registered ton of vessel displacement

(Eff. 5-1-2005; Amended 3-5-2007, eff. 3-13-2007)

05 CBJAC 15.050 Potable water fee.

- (a) *Definition.* The charge assessed to vessels for taking on potable water through a metered connection at the Port.
- (b) *Basis for computing charges.* The charge shall be assessed based on water meter readings recorded by the Port staff.
- (c) *Potable water fees assessment:* The fee shall be 150 percent of the CBJ Water Utility Rate for the metered commercial customer class.

(Eff. 5-1-2005; Amended 9-17-2012, eff. 10-1-2012 ; Amended 3-30-2017, eff. 4-11-2017)

05 CBJAC 15.060 Vessel lightering fee.

- (a) *Definition.* The charge assessed to vessels for dropping-off or picking-up passengers at the Marine Park Lightering Float or the Intermediate Vessel Float.
- (b) *Applicability and basis for computing charges.* A vessel lightering fee shall be assessed to any vessel over 100 gross register tons, carrying more than 100 passengers-for-hire which makes voyages lasting more than 24 hours, of which any part is on the high seas when such vessels lighter passengers to the Intermediate Vessel Float or the Marine Park Lightering Float. Gross tonnage means the gross tonnage measurement of the

vessel under 46 U.S.C. Chapter 143 or Chapter 145. The Port reserves the right to obtain the gross tonnage from the vessel's register.

- (c) *Vessel lightering fee period.* The period of time which the vessel lightering fee shall be assessed shall commence when the first lightering tender is made fast to an allocated berth or moored, comes within a slip, and shall continue until the last lightering tender such vessel casts off and has vacated the position allocated, or terminates lightering operations. All time is counted and no deductions are 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, or shifts lightering operations, the total time at such berths or slips, or lightering operation shall be combined when computing the lightering fee.
- (e) *Vessel lightering fees assessment:*

Unit	Charge
Each 24-hour period or portion thereof.	\$600.00

(Eff. 5-1-2005)

05 CBJAC 15.070 Tour broker and vending permit fees.

- (a) *Definition.* The charge assessed for obtaining a tour broker or tour vendor permit as set out in CBJ Administrative Code Title 05, Chapter 10.
- (b) *Basis for charge.* Permits are issued to qualifying entities by means of a public bid in accordance with CBJ Administrative Code Title 05, Chapter 10. The public bid usually occurs each January.

(Eff. 5-1-2005)

05 CBJAC 15.080 Loading permit fees.

- (a) *Definition.* The charge assessed for obtaining a loading permit as set out in CBJ Administrative Code Title 05, Chapter 10.
- (b) *Basis for charge.* Permits are issued to qualifying entities pursuant to the regulations set out in CBJ Administrative Code Title 05, Chapter 10. Three classes of permits are issued, "A" permits, "B" permits, and limited loading permits. The "A" and/or "B" permits have two fee components. The first component is assessed to each company obtaining one or more "A" and/or "B" permits. The second component is assessed to each company based on the total number of passenger seats, excluding the vehicle driver's, that are permitted. All fees are assessed on a per calendar year basis.
- (c) *Loading permit fees assessment:*

Permit Type	Fee
"A" or "B" Permit	2017: \$300 per company plus \$7 per passenger seat 2018: \$350 per company plus \$8 per passenger seat 2019: \$400 per company plus \$9 per passenger seat Starting 2025: Adjust this fee every 5 years based on the CPI adjustment
Limited Loading Permit	\$15 per vehicle for each permit day; or \$250 per year, whichever is less.

(Eff. 5-1-2005; Amended 5-15-2017, eff. 5-23-2017)

05 CBJAC 15.090 Electricity fees.

- (a) *Definition.* 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.
- (b) Fees for electricity will be assessed in accordance with the fees and charges in effect at the time the electricity is consumed.

(Eff. 5-1-2005)

05 CBJAC 15.095 Other fees.

- (a) *Definition.* The fee assessed for the use of CBJ Docks and Harbors Department facilities that are not specifically identified in CBJ Administrative Code Title 05, Chapter 15.
- (b) *Basis for charges.* Fees will be established by the CBJ Docks and Harbors Board on a case-by-case basis.

(Eff. 5-1-2005)

05 CBJAC 15.100 Other CBJ fees billed by docks and harbors department.

- (a) *Marine passenger fee.* The CBJ Docks and Harbors Department assesses a marine passenger fee in accordance with CBJ Ordinance 69.20. The marine passenger fee is currently \$5.00 per arriving passenger. The fee is assessed to certain passenger vessels entering into any port within the City and Borough of Juneau. Fee proceeds are deposited into the general fund of the CBJ.
- (b) *Port development fee.*
 - (1) *Imposition.* Beginning on the effective date of Resolution Serial No. 2552, every vessel carrying passengers for compensation on port calls in the City and Borough and not otherwise exempted by subsection (A) of this section, shall pay in addition to any other fee or charge, a Port Development Fee of \$3.00 per arriving passenger per day for all vessels, except for the following:
 - (A) *Exemptions.* The Port Development Fee shall not apply to:
 - (i) vessels under 200 tons;
 - (ii) noncommercial vessels or vessels owned and operated by the state, the United States government, or a foreign government; and
 - (iii) vessels operated by federally recognized Indian tribes.

(Eff. 5-1-2005; Amended 5-13-2013, eff. 5-23-2013)

05 CBJAC 15.110 Boom truck usage fee.

- (a) *Definition.* The charge assessed for obtaining full boom truck services as provided by the CBJ Docks and Harbors Department.
- (b) *Basis for charge.* The charge assessed will be at the rate of \$120.00 per hour for the first hour, and \$60.00 per 30 minutes thereafter.

(Amended 3-5-2012, eff. 3-14-2012)

05 CBJAC 20.020 Special annual moorage fee for skiffs.

An owner with an open-hulled vessel 21 feet or less in length, excluding engines, may apply to the Harbormaster for moorage in the limited access areas of Aurora Harbor, Don D. Statter Harbor Facility, and Mike Pusich Douglas Harbor. The Harbormaster will assign moorage in these areas on a first-come, first-serve basis. If assigned moorage by the Harbormaster, all requirements pertaining to annual moorage apply, except the annual moorage fee that the owner shall pay. The annual moorage fee shall be **\$300.00 per calendar year** (January 1 through December 31).

(Amended 4-11-2005, eff. 4-19-2005; Amended 10-24-2005, eff. 11-1-2005; Amended 12-11-2006, eff. 7-1-2007; Amended 7-15-2013, eff. 7-23-2013 ; Amended 4-11-2016, eff. 4-26-2016)

05 CBJAC 20.030 Daily moorage fees.

- (a) *Definition.* The fee charged on a daily basis to the owner of a vessel for berthing the vessel at the Douglas Boat Harbor, Harris Boat Harbor, Aurora Boat Basin, Norway Point Float, National Guard Float, Fisherman's Terminal, Statter Boat Harbor, and moorage appurtenant to any of these facilities.
- (b) *Payment deadline.* The owner of a vessel must register with the docks and harbors department as soon as possible after arriving in the harbor system. The owner shall pay the daily moorage fees for the expected stay when registering.
- (c) *Daily moorage period.* The period of time for which daily moorage will be assessed shall commence when the vessel is made fast to an allocated berth, is 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 are allowed because of weather or other conditions. The Harbormaster may establish check-in and check-out times to administer the daily moorage period.
- (d) *Daily moorage fees.* Except as provided for reserved daily moorage, daily moorage fees will be assessed for each 24-hour period or portion thereof as follows:
 - (1) From July 1, 2013 through June 30, 2014, **\$0.53 per foot**; and
 - (2) Each moorage year after June 30, 2013, a **fee equal to the previous year's fee adjusted by the Anchorage Consumer Price Index** as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, rounded to the nearest cent, unless the docks and harbors board takes action to keep the fee the same as the previous year.

(Amended 4-11-2005, eff. 4-19-2005; Amended 12-5-2005, eff. 12-12-2005; Amended 3-5-2007, eff. 3-13-2007; Amended 12-11-2006, eff. 7-1-2007; Amended 4-7-2008, eff. 4-15-2008; Amended 7-15-2013, eff. 7-23-2013)

05 CBJAC 20.035 Monthly moorage fees.

- (a) *Applicability.*
 - (1) *Downtown harbors.* The fee charged to the owner of a vessel for berthing the vessel at the Douglas Boat Harbor, Harris Boat Harbor, Aurora Boat Basin, Norway Point Float, National Guard Float, Fisherman's Terminal, and moorage appurtenant to any of these facilities, on a monthly basis.
 - (2) *Statter Harbor.* The fee charged to the owner of a vessel for berthing the vessel at the Statter Boat Harbor and moorage appurtenant to this facility, on a monthly basis.
- (b) *Monthly moorage time period.* Monthly moorage will be assessed on a calendar month basis.

-
- (c) *Payment deadline.* Monthly moorage fees must be paid in advance before the first day of the calendar month for which the owner is obtaining moorage, unless the owner agrees to be billed on a recurring monthly basis and the department establishes an account for the owner. An owner that does not or cannot pay the monthly moorage fee will be assessed a daily moorage fee in accordance with these regulations.
- (d) *Monthly moorage fee.* Monthly moorage fees will be assessed for each calendar month or portion thereof as follows:
- (1) *Downtown harbors.* From July 1, 2016 to June 30, 2017: **\$4.25 per foot.**
 - (2) *Statter Harbor.* From July 1, 2016 to June 30, 2017: **\$7.15 per foot.**
- (e) *Moorage fee adjustment.* Each moorage year, beginning July 1, 2017, the moorage rates at the Statter and Downtown Harbors will be **adjusted by an amount equal to the change in the Downtown harbors moorage rate when adjusted by the Anchorage Consumer Price Index** as reported by the Alaska Department of Labor for the calendar year preceding the moorage year, rounded to the nearest five cents, unless the Docks and Harbors Board takes action to keep the fee the same as the previous year.

(Added 6-13-2016, eff. 6-21-2016)

05 CBJAC 20.042 Monthly **pre-paid discounts.**

An owner that pays moorage in advance will receive the following discount moorage fee.

1. For the period of July 1 to June 30: Ten-percent discount.
2. For the period of July 1 to December 31: Five-percent discount.
3. For the period of January 1 to June 30: Five-percent discount.

(Added 12-11-2006, eff. 7-1-2007; Amended 6-13-2016, eff. 6-21-2016)

05 CBJAC 20.044 Active fishing vessel discount at Statter Harbor.

- (a) *Discount.* In lieu of the requirement to pay daily fees for use of Statter Harbor as set out in 05 CBJAC 25.060 and 05 CBJAC 25.070, the owner of a fishing vessel that pays annual fees as set out in 05 CBJAC 40.020 may, for **up to 20 days in a calendar year, use Statter Harbor without paying daily fees**, provided:
- (1) The owner registers with Statter Harbor Office in advance or upon arrival at Statter Harbor;
 - (2) The owner does not owe past due fees to the Docks and Harbors Department;
 - (3) The owner provides the Harbormaster with proof of significant fish landings within the City and Borough of Juneau during each calendar month the owner uses Statter Harbor; and
 - (4) If the owner has reserved moorage, the owner informs the Docks and Harbors Department of the departure date from and estimated return date to their preferred stall.
- (b) *Exclusions.* This section does not relieve an owner from complying with other applicable requirements for use of Statter Harbor such as maximum time limits or the requirement to pay monthly fees during the winter moorage period.
- (c) *Reciprocation.* Fishing vessels maintaining reserved moorage in Statter Harbor will be allowed 20 days at the downtown harbors during the calendar year provided they comply with the stipulations above.

(Amended 7-11-2005, eff. 7-19-2005; Amended 6-5-2006, eff. 6-13-2006; Amended 1-4-2021, eff. 1-14-2021)

05 CBJAC 20.045 Fee for tenders.

- (a) *Definition.* The fee for tenders applies to cases where the owner of a vessel moors a tender in the water along with their primary vessel. Under this regulation, a tender is defined as an auxiliary vessel that is carried or towed by the primary vessel to allow access to, or escape from, the primary vessel. To qualify for this special fee, the owner of the tender and the owner of the vessel must be the same person. Tenders that are not assessed fees under this section shall be assessed fees under the applicable annual, daily, or monthly moorage fee section.
- (b) *Exclusion.* This regulation does not sanction the mooring of a tender alongside a primary vessel in a manner the Harbormaster judges to interfere with the operation of the harbor. Owners of large tenders must still obtain conditional approval of the Harbormaster before mooring a large tender in a stall along with their primary vessel.
- (c) *Moorage fee.* There is no moorage fee for a tender in cases where the primary vessel is shorter than the designated stall length, the owner pays moorage fees based on the designated stall length, and the tender can fit within the stall without causing the tender or primary vessel to protrude beyond the designated stall length. In all other cases, the owner of the tender shall pay fees as follows:
 - (1) Annual fee of \$150.00 per tender paid in advance;
 - (2) Monthly fee of \$50.00 per tender paid in advance; or
 - (3) Daily fee in accordance with Section [05 CBJAC 20.030] 30 of this regulation.

(Amended 4-11-2005, eff. 4-19-2005)

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] 30 of this regulation in addition to any annual or monthly moorage that may have been paid.
- (d) *Residence surcharge.* The owner shall pay a residence surcharge of \$69.00 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.

Created: 2021-03-25 13:15:30 [EST]

(Supp. No. 128)

(Amended 4-11-2005, eff. 4-19-2005; Amended 4-7-2008, eff. 4-15-2008; Amended 3-15-2010, eff. 3-22-2010)

05 CBJAC 20.060 Recreational boat launch fees.

- (a) *Launch ramp permit required.* A boat trailer owner or vehicle owner (when launching vessels without a trailer) will obtain any and all necessary launch ramp permits for using one or more of the Douglas Harbor Boat Launches, the Harris Harbor Boat Launch, the North Douglas Boat Launch, the Statter Harbor Boat Launch, the Amalga Harbor Boat Launch, and the Echo Cove Boat Launch to launch and recover recreational vessels. Use of the Kayak Launch Ramp at Amalga Harbor is free and does not require a launch ramp permit.
- (b) *Assessment of launch ramp permit fees.* Launch ramp permit fees will be assessed as provided in section (h) of this regulation.
- (c) *Payment of launch ramp permit fees.* An owner may pay the annual launch ramp permit fee at any time during the calendar year. The owner must pay the daily launch ramp fees in advance of use.
- (d) *Application requirements for all launch ramp permits.* An applicant can only purchase a launch ramp permit for trailer(s) or vehicle(s) the applicant owns. Each application for an annual launch ramp permit or supplemental launch ramp permit as provided in these regulations, must affirm the owner's home address by providing a valid driver's license and showing the address on the valid driver's license matches the address indicated on the trailer registration or vehicle registration. Trailers or vehicles with jointly registered owners require the same verification of driver's license address and vehicle or trailer registration address.
- (e) *Permit decal.* Each trailer plate number or vehicle plate number shall be displayed with an indelible marker on the permit decal.
- (f) *Additional launch ramp permits for owners of multiple trailers.*
 - (1) An applicant for a single annual launch ramp permit may obtain up to two supplemental annual launch ramp permits. Administrative fees apply to any and all requested supplemental launch ramp permits.
 - (2) If an applicant seeks to register a fourth trailer, the applicant must purchase an annual launch ramp permit. In purchasing this fourth annual launch ramp permit, the applicant may obtain up to two supplemental annual launch ramp permits. Administrative fees apply to any and all of these requested supplemental launch ramp permits.
 - (3) If an applicant needs additional launch ramp permits beyond the number outlined in (f)(1) and (f)(2) of this section, the applicant must purchase an annual launch ramp permit(s) for each additional trailer.
 - (4) Trailers titled by a business, corporation, partnership, or other legally binding relationship are not entitled to multiple trailer permits under this section.
- (g) *Launch ramp permits for vehicular use of launch ramps by non-trailer vessels.*
 - (1) Vessels (including, but not limited to, kayaks, skiffs, canoes, rowboats, paddleboards, sailboats, inflatables and water toys) launched at facilities as outlined in section (a) of this regulation, to include the adjacent parking lots, are required to purchase a launch ramp permit.
 - (2) The launch ramp permit shall be conspicuously adhered to the vehicle in use at the facility.
 - (3) Individual vehicle owners will be provided the opportunity to obtain multiple additional launch ramp permits as provided in section (f) of this regulation. Administrative fees apply for all additional launch ramp permits.
 - (4) There are no additional fees for vehicles using the facilities noted in section (a) of this regulation which are not engaged in launching or recovering vessels.

Created: 2021-03-25 13:15:30 [EST]

(Supp. No. 128)

-
- (h) *Recreational launch ramp permit fees.* Recreational launch ramp permit fees, including administrative fees, will be assessed as follows:

Annual (January 1—December 31): **\$90.00**

Daily: **\$15.00**

Administrative fee for additional permit(s) or lost decal(s): \$5.00 each

(Amended 7-15-2013, eff. 7-23-2013 ; Amended 11-10-2015, eff. 11-17-2015)

05 CBJAC 20.070 Fees for commercial use of boat launches.

- (a) *Definition.* The fees assessed to an owner for using a Douglas Harbor Boat Launch, the Harris Harbor Boat Launch, the North Douglas Boat Launch, a Statter Harbor Boat Launch, the Amalga Harbor Boat Launch, the Auke Bay Loading Facility, and the Echo Cove Boat Launch for any type of commercial use.

- (b) *Fee.* A commercial user of the launch ramps must pay a fee prior to using a launch ramp as follows:

Daily fee: \$30.00

Annual fee (January 1—December 31): \$250.00 per trailer

- (c) *Freight use fee.* In addition to other fees set out in 05 CBJAC 20, a person using a launch ramp for freight use must pay the fees set out in this subsection. Freight use means the use of a launch ramp for any purpose other than launching and recovering a recreational vessel. The commercial use fee will be as follows:

Commercial Use Fee:

\$60.00 for the first hour; and

\$30.00 for each additional hour

- (d) *Freight staging fee.* A person staging freight shall pay a fee of **\$25.00 per 24-hour period per 1,000 square** feet of staging area space or portion thereof used, except when the staging operation is less than four hours in duration.

- (e) *Special fee for launch ramp tour activities.* Persons using the launch ramps for tour activities are subject to additional fees established through the permit program established in 05 CBJAC 01.

(Amended 4-11-2005, eff. 4-19-2005; Amended 1-9-2006, eff. 1-17-2006; Amended 3-5-2007, eff. 3-13-2007; Amended 12-14-2009, eff. 12-22-2009; Amended 7-15-2013, eff. 7-23-2013 ; Amended 8-10-2015, eff. 8-18-2015 ; Amended 11-10-2015, eff. 11-17-2015 ; Amended 7-31-2017, eff. 8-8-2017)

05 CBJAC 20.080 Passenger-for-hire fee.

- (a) *Definition.* The fee assessed to a person conducting passenger-for-hire activities at Douglas Boat Harbor, North Douglas Boat Launch, Amalga Harbor Boat Launch, Echo Cove Boat Launch, Tee Harbor Launch Ramp, Harris Harbor, Harris Harbor Launch Ramp, Aurora Boat Harbor, Statter Boat Harbor, or Statter Boat Harbor Launch Ramp.

- (b) *Relationship to other fees.* This fee applies in addition to other fees set out in 05 CBJAC 020, except as follows:

- (1) A person paying moorage fees for reservations moorage at Statter Harbor as set out in 05 CBJAC 25.040 shall not be required to pay this fee;

-
- (2) A person paying freight use fees as set out in 05 CBJAC 20.070 shall not be required to pay this fee if the passengers are loaded at a launch ramp;
 - (3) A person conducting passenger-for-hire activities at the Douglas Boat Harbor Launch Ramps, North Douglas Launch Ramp, Amalga Harbor Launch Ramp, Tee Harbor Launch Ramp, and Echo Cove Launch Ramp are assessed fees as set out 05 CBJAC 01 in lieu of this fee; and
 - (4) A person conducting passenger-for-hire activities at the Intermediate Vessel Float or the Marine Park Lightering Float are assessed moorage fees as set out in 05 CBJAC 15 in lieu of this fee.
- (c) *Requirements.* The owner of a vessel must apply to and obtain a permit from the Harbormaster in order to conduct passenger-for-hire activities at Douglas Boat Harbor, North Douglas Boat Launch, Amalga Harbor Boat Launch, Echo Cove Boat Launch, Tee Harbor Launch Ramp, Harris Harbor, Harris Harbor Launch Ramp, Aurora Boat Harbor, Statter Boat Harbor, or Statter Boat Harbor Launch Ramp. Applications are available at any of the Docks and Harbor Department Offices. The Harbormaster is authorized to issue permits with reasonable conditions concerning insurance, operations, and the payment of fees.
- (d) *Inspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is regulated under Subchapter T and S of 40 CFR 33 as follows:
- (1) Calendar year 2015 permit: \$300.00 per vessel plus \$1.25 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity. Calendar year 2016 permit: \$400.00 per vessel plus \$1.50 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity. Calendar year 2017 permit: \$500.00 per vessel plus \$1.50 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.
 - (2) Each calendar year after 2017, a fee equal to the previous year's fee adjusted by the Anchorage Consumer Price Index (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, rounded to the nearest \$1.00 for the vessel permit and nearest \$0.10 per passenger, unless the docks and harbors board takes action to keep the fee the same as the previous year.
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.
- (e) *Uninspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is not regulated under Subchapter T and S of 40 CFR 33 (OUPV - operator of uninspected passenger vessels) as follows:
- (1) Calendar year 2015 permit: \$50.00 per vessel plus \$1.00 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity. Calendar year 2016 permit: \$100.00 per vessel plus \$1.25 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity. Calendar year 2017 permit: \$150.00 per vessel plus \$1.50 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.
 - (2) Each calendar year after 2017, a fee equal to the previous year's fee adjusted by the Anchorage Consumer Price Index (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the moorage year, rounded to the nearest \$1.00 for the vessel permit and nearest \$0.10 per passenger, unless the docks and harbors board takes action to keep the fee the same as the previous year.
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.

(Amended 4-11-2005, eff. 4-19-2005; Amended 12-5-2005, eff. 12-12-2005; Amended 4-24-2006, eff. 5-2-2006; Amended 7-15-2013, eff. 7-23-2013 ; Amended 4-1-2015, eff. 4-8-2015)

05 CBJAC 20.090 Statter Boat Harbor Lower Parking Lot permit fee.

- (a) *Definition.* 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.
- (b) *Requirements.* The owner of a vehicle using the Statter Harbor Lower Parking Lot to pick-up and discharge passengers for passenger-for-hire activities must apply to and obtain a permit from the Harbormaster. Applications are available at any of the Docks and Harbor Department Offices. The Harbormaster is authorized to issue permits with reasonable conditions concerning insurance, operations, and payment of fees.
- (c) *Fees.* The Harbormaster shall assess permit fees to the owner of a vehicle using the Statter Boat Harbor Lower Parking Lot to pick-up and discharge passengers for passengers-for-hire activities as follows:
 - (1) Calendar year permit: \$300.00 per company plus \$15.00 per passenger seat; or
 - (2) Once per week permit: \$25.00 per vehicle per calendar day for companies that use the lot to drop-off passengers for passenger-for-hire activities no more than once per week; or
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.

(Amended 4-11-2005, eff. 4-19-2005; Amended 4-24-2006, eff. 5-2-2006; Amended 7-15-2013, eff. 7-23-2013)

05 CBJAC 20.100 Grid usage fees.

- (a) *Definition.* The fees assessed to an owner for using the Harris Harbor Grid.
- (b) *Grid usage period and requirements.* The period for grid usage is a 24-hour period, or portion thereof. The grid fee is based on the silhouette length of the vessel. All grid usage fees must be paid in advance. Owners of vessels may reserve use of the grid. Payment of grid usage fees is required to obtain a reservation. The Harbormaster will require the owner of a vessel to post a bond or other guaranty before using the grid when the Harbormaster believes such security is necessary.
- (c) *Refunds.* CBJ will refund grid fees for unused grid usage periods if the owner notifies the Harbormaster at least 24 hours before the start of the reservation period.
- (d) *Grid usage fees.* Grid usage fees shall be assessed as follows:

\$ per foot per day	\$1.00
---------------------	--------

(Amended 4-11-2005, eff. 4-19-2005; Amended 7-15-2013, eff. 7-23-2013 ; Amended 3-30-2017, eff. 4-11-2017)

05 CBJAC 20.110 Crane use fees.

- (a) *Definition.* The fees assessed to a person for using a hydraulic crane at one of the CBJ Docks and Harbor Department facilities.
- (b) *Crane use requirements.* A person must obtain approval from the Harbormaster before using a hydraulic crane. Crane use fees must be paid in advance. A person may reserve use of the crane. Payment of the crane use fee is required to obtain a reservation. The Harbormaster will require a person using the crane to post a bond or other guaranty before using a crane when the Harbormaster believes such security is necessary.
- (c) *Crane use fees.* Crane use fees will be assessed at the rate of \$5.00 per each 15 minutes of use.

(Amended 4-11-2005, eff. 4-19-2005; Amended 9-21-2009, eff. 9-30-2009; Amended 8-10-2015, eff. 8-18-2015)

05 CBJAC 20.130 Storage fees.

- (a) A person may apply to the Harbormaster for use of long-term storage space in designated areas. Except as provided herein, the fee for use of this space is **\$0.50 per square foot per calendar month**, or portion thereof. A person who maintains a reserved moorage assignment may store one personal item of up to 200 square feet for \$0.25 per square foot per calendar month, or portion thereof. The Harbormaster is authorized to issue permits and develop written procedures to implement this section.
- (b) Vessel storage. When available, Docks and Harbors will allow vessels to be hauled out and temporarily stored at the Auke Bay Loading Facility. The following rates apply:
 - (1) May through September: \$1.00 per linear foot per day for up to five days.
 - (2) May through September: \$3.00 per linear foot per day after five days.
 - (3) October through April: \$8.00 per linear foot per calendar month.
 - (4) No storage fee will be assessed for the day the vessel is hauled out.
- (c) Boat stand rental. When a vessel is brought to available uplands for storage by an individual or contractor, Docks and Harbors shall assess one hour of prevailing labor rate for blocking and \$100.00 per calendar month for use of boat stands. The Harbormaster or their representative shall approve the blocking of all vessels.

(Amended 4-11-2005, eff. 4-19-2005; Amended 7-17-2009, eff. 7-24-2009; Amended 5-19-2010, eff. 5-31-2010; Amended 8-10-2015, eff. 8-18-2015)

05 CBJAC 20.140 Staff labor fees.

When required in the furtherance of duties set out in CBJ Ordinance Title 85, harbor regulations and rules, fees for services of Docks and Harbors Department staff will be assessed as follows:

- (1) \$75.00 per hour for each staff person with a one-hour minimum charge per staff person;
- (2) \$125.00 boat charge per hour, one-hour minimum, and increments each 30 minutes prorated; and
- (3) The actual cost of contracted services, supplies or materials plus a ten-percent mark-up.

(Amended 4-11-2005, eff. 4-19-2005; Amended 8-10-2015, eff. 8-18-2015)

05 CBJAC 20.150 Reserved moorage waitlist fee.

A person applying for placement on the reserved moorage waitlist shall pay an **initial sign-up fee of \$50.00** and an annual fee of \$10.00 payable by March 1 of each year that the person wishes to remain on the waitlist.

(Amended 4-11-2005, eff. 4-19-2005)

05 CBJAC 20.150 Reserved moorage waitlist fee.

A person applying for placement on the reserved moorage waitlist shall pay an initial sign-up fee of \$50.00 and an annual fee of \$10.00 payable by March 1 of each year that the person wishes to remain on the waitlist.

(Amended 4-11-2005, eff. 4-19-2005)

05 CBJAC 20.160 Parking lot fees.

- (1) From May 1 through September 30 each year, the fee to park in designated pay spaces at the parking lots for the Douglas Boat Harbor, Harris Boat Harbor, and Aurora Boat Basin is \$1.00 per hour or portion thereof, \$5.00 per 24 hours or portion thereof, or \$75.00 per calendar month or portion thereof. The applicable fee must be paid in advance.
- (2) From May 1 through September 30 each year, the fee to park in designated pay spaces at Don D. Statter Harbor Facilities shall be \$1.00 per hour or portion thereof, \$5.00 per 24 hours or portions thereof, or \$100.00 per calendar month or portion thereof. The number of monthly parking permits shall be managed and issued by the Port Director or representative. From October 1 through April 30, the off-season monthly fee shall be \$50.00 per calendar month or portion thereof. The applicable fee must be paid in advance.
- (3) From May 1 through September 30 each year, the fee to park in designated pay spaces in the Taku Lot (adjacent to the Intermediate Vessel Float) shall be \$2.00 per hour or portion thereof and limited to three hours per calendar day.
- (4) Auke Bay Loading Facility parking privileges shall be assessed at \$100.00 per calendar month as set forth in 05 CBJAC 45.050.

(Amended 4-11-2005, eff. 4-19-2005; Amended 5-18-2009, eff. 5-27-2009; Amended 8-10-2015, eff. 8-18-2015 ; Amended 4-11-2016, eff. 4-26-2016)

05 CBJ AC 20.170 Private boathouse surcharge.

- (a) *Definition.* The fee assessed to the owner of a private boathouse located on the property of CBJ for the use of CBJ tidelands.
- (b) *Basis for computing fee.* The fee shall be based on the product of the area occupied by the owner's boathouse, or portion of a boathouse, and fair market rent for unimproved tidelands.
- (c) *Payment deadline.* The fee is due in the same manner as annual moorage.
- (d) *Fair market rent.* The fair market rent used to compute the annual fee is \$0.13 per square foot.

(Amended 4-11-2005, eff. 4-19-2005)

05 CBJAC 20.175 Fee for delivery and sale of fuel at the Auke Bay Loading Facility.

- (a) *Definition.* Fee assessed on each gallon of fuel sold to a vessel using the Auke Bay Loading Facility for refueling a vessel.
- (b) A fee of \$0.05 per gallon of fuel will be assessed to all retailers selling fuel to a vessel at the Auke Bay Loading Facility.
- (c) *Retailers selling fuel shall register with the Harbormaster.* The Harbormaster is authorized to issue permits with reasonable conditions concerning insurance, operations, and the payment of fees.

Created: 2021-03-25 13:15:30 [EST]

(Supp. No. 128)

(Added 12-14-2009, eff. 12-22-2009)

05 CBJAC 20.180 Other fees.

The Docks and Harbors Board will establish fees for use of CBJ Docks and Harbor Department facilities that are not specifically identified in CBJ Administrative Code Title 05 on a **case-by-case basis**.

(Amended 4-11-2005, eff. 4-19-2005)

05 CBJAC 20.190 Auke Bay Loading Facility—Drive Down Float Fee.

Auke Bay Loading Facility Drive Down Float shall be accessed at a fee of **\$5.00 per vehicle/truck occurrence**. Charges shall be assessed through an electronic key card issued by Docks and Harbors.

(Added 8-10-2015, eff. 8-18-2015)

05 CBJAC 20.200 Auke Bay Loading Facility—Key Card Issuance Fee.

Harbor users intending to utilize facilities requiring remote access shall purchase and register through a Harbor Office electronic key card/key fob for \$10.00.

(Added 8-10-2015, eff. 8-18-2015)

05 CBJAC 20.210 Auke Bay Loading Facility—Float Moorage.

The fee to use the Auke Bay Loading Facility Float shall be as follows:

- (1) No cost for the first two hours using the float.
- (2) **\$0.75 per linear foot per calendar day for using the float for more than two hours** and up to three calendar days.
- (3) **\$1.50 per linear foot per calendar day for using the float for more than three calendar days** and up to seven calendar days.
- (4) **\$3.00 per linear foot per calendar day for using the float for seven calendar days or more.**

(Added 8-10-2015, eff. 8-18-2015)

05 CBJAC 20.220 Auke Bay Loading Facility Float—Mechanical Work Zone.

The rate for the Docks and Harbors Auke Bay Loading Facility Float Mechanical Work Zone shall be as follows:

- (1) **\$0.75 per linear foot per calendar day for the first three days.**
- (2) **\$1.50 per linear foot per calendar day for days four through seven.**
- (3) **\$3.00 per linear foot per calendar day in excess of seven days.**

Chapter 30 SHOREPOWER ACCESS FEES

05 CBJAC 30.010 Shorepower access fees.

- (a) *Definition.* The charge assessed to the owner of a vessel for plugging into a shorepower connection that is under the administration of the Docks and Harbors Department. Sections (b), (e), (f), and (g) do not apply to shorepower connections that are under the administration of a private electrical utility.
- (b) *Basis for computing charges.* The Docks and Harbors Department assesses shorepower access fees based upon the type of connection accessed, the length of time a person accesses the connection, the season of the year, and whether a person uses a boat as a residence. Fees are assessed for five types of connections: 20 amp, 30 amp, 50 amp, 100 amp/208 volt, and 100 amp/480 volt. The Docks and Harbors Department assesses a daily fee for each calendar day, or portion thereof, that a person plugs into a shorepower connection. As an alternate to being assessed the daily fee, a person may elect to pay a monthly fee, good for a calendar month, or portion thereof. To qualify for the monthly fee, a person must pay the applicable fee in advance of the calendar month or arrange for automated monthly billings with the Docks and Harbors Department, if available.
- (c) *Duty to notify.* Prior to accessing any shorepower connection under the administration of the Docks and Harbors Department, a person must notify and obtain approval of the Docks and Harbors Department. The purpose of this requirement is to prevent the theft of electricity and to assure a safe connection.
- (d) *Connection requirement.* A person accessing a shorepower connection must use a cord comprised of UL listed components that is wired in accordance with the standards established by the American Boat and Yacht Council. Pre-manufactured cords, such as those made by Marinco and Hubbell, are compliant with this section. Homemade cords must be approved for use by the Docks and Harbors Department. The Docks and Harbors Department maintains a list of local cord suppliers who can provide cords and components that comply with this section. The Docks and Harbors Department reserves the right to disconnect a cord that does not comply with this section.
- (e) *Daily shorepower access fees.* Fees to access shorepower on a daily basis are as follows:

Connection Type	Fee
20 amp (120V, 1 phase)	\$6.00
30 amp (120V, 1 phase)	9.00
50 amp (208V, 1 phase)	25.00
50 amp (208V, 3 phase)	52.00
100 amp (208V, 3 phase)	86.00
100 amp (480V, 3 phase)	198.00

- (f) *Summer monthly shorepower access fees.* Fees to access shorepower on a monthly basis during the months of May, June, July, August, and September are as follows:

Connection Type	Liveaboard Fee	Non-Liveaboard Fee
20 and 30 amp	\$90.00	\$54.00
50 amp	180.00	108.00
100 amp/208 volt	420.00	252.00
100 amp/480 volt	990.00	588.00

(g) *Winter monthly shorepower access fees.* Fees to access shorepower on a monthly basis during the months of October, November, December, January, February, March, and April are as follows:

Connection Type	Liveaboard Fee	Non-Liveaboard Fee
20 amp	\$120.00	\$72.00
30 amp	162.00	96.00
50 amp	300.00	180.00
100 amp/208 volt	720.00	420.00
100 amp/480 volt	1,680.00	972.00

(h) *Emergency daily and monthly shorepower access fees.* During such times when the Alaska Electric Light and Power Company applies an emergency cost of power adjustment (ECOPA) due to a primary hydroelectric facility being offline, an access fee surcharge will be assessed in addition to the daily and monthly shorepower access fees set out in 05 CBJAC 30.030(e), (f) and (g). The surcharge will be based on the actual cost of the ECOPA as assessed by Alaska Electric Light and Power Company to the Docks and Harbors Department for shorepower service provided under the daily and monthly access fee. The Port Director shall strive to equitably distribute the actual costs of the ECOPA across all of the persons accessing shorepower during the time the ECOPA is applied and shall report the methodology used to assess the surcharge to the Docks and Harbors Board and the public as soon as practicable. The Port Director is authorized to retroactively assess the surcharge in order to apply the actual costs of the ECOPA.

(i) *Shorepower cost adjustment.* The shorepower access fees should be reviewed and adjusted annually.

(Amended 4-25-2005, eff. 5-3-2005; Amended 5-1-2008, eff. 5-2-2008; Amended 1-21-2009, eff. 1-22-2009; Amended 9-21-2009, eff. 9-30-2009; Amended 9-20-2010, eff. 9-28-2010; Amended 9-18-2017, eff. 9-26-2017)

05 CBJAC 40.010 General moorage management policy.

- (a) *Policy.* It is the policy of the City and Borough to favor the use of the small boat harbors by commercial fishermen, government vessels in trade and commerce, and pleasure craft, and by the general public at large. It is further the policy of the City and Borough to prevent and discourage the use of the small boat harbors by boats that have been abandoned by the owners to the point of becoming derelicts as defined in CBJ 85.05 or becoming a charge and nuisance to the City and Borough, the Port Director, and the general public, or boats that are unsafe, or not used, or not fit to be used, regularly for transportation on the water.
- (b) *Applicability and other regulations.* CBJ Administrative Code Title 05, Chapter 40 applies to the small boat harbors under the jurisdiction of the City and Borough of Juneau Docks and Harbors Board. These include the Douglas Small Boat Harbor, the National Guard Dock, Harris Boat Harbor, the Fisheries Terminal Float, Aurora Boat Basin, Statter Boat Harbor, and moorage facilities appurtenant thereto. Where the requirements of 05 CBJAC 40 differ from other small boat harbor regulations in CBJ Administrative Code Title 05, the regulation that is more specific or restrictive shall take precedence.
- (c) *Duty to comply with harbor ordinances and regulations.* As a condition of use, each harbor user shall comply with all applicable requirements of Title 85 of the City and Borough Code and CBJ Administrative Code Title 05.
- (d) *General moorage management.* CBJ Administrative Code Title 05, Chapter 40 does not restrict the Port Director's authority to require the owner or operator of any boat, vessel, or floating structure to change from one mooring space to another, in the interests of safety, order, convenience and health, or to move any boat, vessel, or floating structure that is unoccupied and in violation of City and Borough harbor ordinances and regulations. It is the policy of the Docks and Harbors Board to manage the small boat harbors by using all harbor space as effectively as possible.
- (e) *Duty to register.* Every owner, master, operating or managing agent of any vessel using the small boat harbors shall register on a form provided by the Harbormaster. The owner, master operating, or managing agent of a vessel that is not registered shall register as soon as practical after the vessel enters and moors in any of the small boat harbors.
- (f) *Vessel size restrictions.* The Harbormaster will determine the maximum and minimum length and breadth of a vessel that is allowed to moor in the small boat harbors based on the size of the slip or moorage space available to ensure the maximum use of space available taking into account safety, maneuvering, and other factors. Except when approved by the Harbormaster on a case-by-case basis, no vessel, or part thereof, may extend more than ten feet beyond a finger or have a silhouette length less than three feet shorter than a finger in any slip or mooring space with a finger from 20 to 80 feet in length. For a slip or mooring space with a finger less than 20 feet in length and for side-tie moorage, the Harbormaster will establish the maximum and minimum vessel length on a case-by-case basis.
- (g) *Vessel salvage and disposal.*
 - (1) Prior to obtaining a moorage assignment pursuant to 05 CBJAC 40.035, 050, 055, or 065, the owner of a vessel must
 - (i) provide the Harbormaster with proof of current marine insurance showing, at a minimum, the owner's name, information identifying the vessel, and the dates of insurance coverage; or
 - (ii) pay a non-refundable moorage surcharge \$0.25 per foot per month.
 - (2) The funds collected from the moorage surcharge under this regulation will be used to pay for the unrecoverable costs attributable to vessel salvage and disposal activities in the small boat harbors.

-
- (3) This regulation does not relieve an owner from the responsibility to pay fees as set out in CBJ Ordinance Title 85 or regulations adopted thereunder, and does not constitute marine insurance.
- (h) *Moorage payments.* Except as noted in 05 CBJAC 20.020, the owner of a vessel may pay the daily or monthly moorage fee for moorage that is assigned by the Harbormaster as set out in 05 CBJAC 25, 35, and 40. If the owner fails to pay by the due date shown on an invoice for the moorage assignment, the Harbormaster shall forfeit the moorage assignment, notify the owner, and require the owner to move the vessel from the assigned moorage space within 72 hours of notice. If the owner does not move the vessel from the assigned space, the Harbormaster is authorized to move the vessel from the assigned space in accordance with CBJ Ordinance Title 85.

(Amended 9-12-2005, eff. 9-20-2005; Amended 9-11-2006, eff. 9-19-2006; Amended 12-11-2006, eff. 7-1-2007; Amended 7-15-2013, eff. 7-23-2013)

05 CBJAC 40.065 Vessel anchoring requirements.

- (a) *Purpose.* City and Borough tide and submerged lands are managed to allow limited anchoring opportunities while maximizing public use and enjoyment of that property, minimizing interference with navigation, and equitably managing uses.
- (b) *Applicability.* These regulations apply to all tide and submerged lands owned, leased, or managed by the City and Borough of Juneau. The term vessel in these regulations means all vessels, watercraft, logs, piling, building material, scow, houseboat, structures, and any other article of value. These regulations do not apply to City and Borough of Juneau vessels or vessels owned or operated by authorized agents of the City and Borough of Juneau.
- (c) *Anchoring requirements.*
- (1) A person may anchor a vessel for up to 24 hours without a permit. No person may anchor a vessel or raft to an anchored vessel in one location or within two miles of one location for more than 24 hours unless first having received a permit from the Port Director.
 - (2) A vessel anchored out shall use standard anchoring tackle as designed for the vessel and local conditions.
 - (3) A permanent mooring system is prohibited.
 - (4) No person shall anchor, permit their vessel to be anchored, or raft their vessel to an anchored vessel in a manner that unreasonably or unnecessarily:
 - (A) Constitutes a navigational hazard, or
 - (B) Interferes with another vessel.
 - (5) Anchoring is prohibited:
 - (A) Under or near the Juneau-Douglas bridge,
 - (B) In or adjacent to the entrance of the boat harbors,
 - (C) In or adjacent to a heavily traveled corridor, and
 - (D) Adjacent to the port.

-
- (6) A vessel violating any of these regulations is deemed a public nuisance. In addition to other legal authorities, the Port Director may abate, dispose, or impound a vessel as provided by sections 85.25.120 and 85.25.180.
- (d) *Permits.* The owner, operator, master, or managing agent of a vessel must submit an application for an anchoring permit on a form provided by the Port Director.
- (1) *Short-term permit.* The Port Director may issue a short-term permit for a vessel anchoring out for 14 or fewer days in one location.
- (A) There shall not be a fee, no proof of insurance required, and no proof of an approved marine sanitation system for a short-term permit.
- (B) Upon expiration of the short-term permit, the vessel shall be moved more than two miles from the permitted short-term anchorage location. A vessel subject to a short-term permit is prohibited from receiving another short-term permit for the same geographical area, as determined by the Port Director, within 13 days of the expiration of the prior permit.
- (C) The Port Director may attach other reasonable terms and conditions as necessary to protect public health, safety, and welfare.
- (2) *Long-term permit.* The Port Director may issue a long-term permit for a vessel anchoring out for 14 to 90 days. No vessel may receive a long-term permit or a combination of permits for anchorage of more than 90 days in any 12-month period.
- (A) A \$100.00 non-refundable application fee is required to apply for a long-term permit. In addition, the daily fee for anchorage is \$0.25 per foot.
- (B) The vessel owner must demonstrate that they have enough insurance coverage for recovery of the vessel if it should sink, damage CBJ property, or discharge a hazardous material. A performance guaranty (damage deposit) in an amount determined by the Port Director is required if the Port Director finds the condition of the vessel and the contents on or associated with the vessel present a higher risk of loss or damage.
- (C) The vessel owner must show the vessel is equipped with an approved marine sanitation system pursuant to 05 CBJAC 45.010 and comply with the requirements, compliance, and inspections of 05 CBJAC 45.015.
- (D) The Port Director may attach other reasonable terms and conditions as necessary to protect public health, safety, and welfare.
- (3) *Permit refusal and revocation.* The Port Director may, in the Port Director's discretion, refuse to issue or revoke a permit and provide a written explanation. Such an explanation may be based on the following non-exclusive list of factors: Condition of the vessel; a vessel or the contents on or associated with the vessel are or are likely to become a hazard; when the anchorage would likely interfere with another vessel or a traffic corridor; when there is insufficient space for the vessel; when the anchorage would unreasonably risk public health, safety, or welfare; when anchorage is not in the public's best interest; or the failure to comply with any law related to the anchored vessel or use of Dock and Harbor property or facilities. The Port Director may also revoke a permit upon probable cause that a violation of these regulations occurred. Unless circumstances warrant immediate revocation, the Port Director shall provide reasonable notice of revocation. Upon revocation, the applicant shall be entitled to a pro rata refund of anchorage fees paid in advance, if any, less any other fees or charge the City and Borough of Juneau may have against the vessel, its owner, operator, master, or managing agent.

(Eff. 2-20-2018)

Account Codes

Code	Description	G/L Account	Balance	Category	Tax
C01	Cash Payments	5300101011205-4	Debit	Cash	None
C02	Checks	5300101011205-4	Debit	Cash	None
C03	Credit Card Payments Aurora	5300101011205-4	Debit	Cash	None
C04	Wire Transfers	5300101011205-4	Debit	Cash	None
C05	NSF Check	5300101011205-4	Debit	Cash	None
C06	Online Credit Card Payments	5300101011205-4	Debit	Cash	None
C07	Credit Card Payments Statter	5300101011205-4	Debit	Cash	None
H01	Annual DT Reserved Moorage(10% off)	5305101014300	Credit	Sales	Tax 1
H02	Annual DT Moorage- Non Reserved	5305101014300	Credit	Sales	Tax 1
H03	Monthly DT Reserved Moorage	5305101014300	Credit	Sales	Tax 1
H03M	Six Month DT Reserve Moorage(5%off)	5305101014300	Credit	Sales	Tax 1
H04	Statter Annual Moorage(10%off)	5305101014300	Credit	Sales	Tax 1
H05	Statter Annual NR Moorage	5305101014300	Credit	Sales	Tax 1
H06	Statter Harbor Reserved Moorage	5305101014300	Credit	Sales	Tax 1
H06M	Statter Six Month Reserved (5%off)	5305101014300	Credit	Sales	Tax 1
H07	ABLF drive down float usage	5305101014300	Credit	Sales	Tax 1
H08	ABLF Loading ramp usage	5305101014300	Credit	Sales	Tax 1
H09	ABLF Vessel Launch Staff Fee	5305101014300	Credit	Sales	Tax 1
H10	Downtown Daily Moorage	5305101014300	Credit	Sales	Tax 1
H100	ABLF Haul Out Staff Fee	5305101014300	Credit	Sales	Tax 1
H101	ABLF Vessel Launch Fee	5305101014300	Credit	Sales	Tax 1
H102	Storage Fee Discount	5305101014300	Credit	Sales	Tax 1
H103	To Collections/AR Adj	530010101-1205-2	Credit	Sales	None
H104	Sales Tax Reversal	2150101014215-1	Credit	Sales	None
H105	Daily Anchoring Fee	5305101014300	Credit	Sales	Both
H106	Statter/Harris Harbor Showers	5305101014300	Credit	Sales	Both
H11	Auke Bay-Daily Moorage	5305101014300	Credit	Sales	Tax 1
H12	Harbors Reservations Moorage <65'	5305101014300	Credit	Sales	Tax 1
H12S	Seadrome Winter Reservation Moorage	5305101014300	Credit	Sales	Tax 1
H13	Auke Bay Annual Moorage	5305101014300	Credit	Sales	Tax 1
H14	Auke Bay - Fishing Vessel Credit	5305101014300	Credit	Sales	Tax 1
H15	Downtown Monthly Moorage	5305101014300	Credit	Sales	Tax 1
H15M	Six Months Downtown Moorage(5%off)	5305101014300	Credit	Sales	Tax 1
H16	Auke Bay Monthly Moorage-Deposit	5305101014300	Credit	Sales	Tax 1
H17	Auke Bay Monthly Moorage-Lottery	5305101014300	Credit	Sales	Tax 1
H18	Auke Bay Monthly Moorage	5305101014300	Credit	Sales	Tax 1
H18M	Auke Bay Six Months Moorage(5%off)	5305101014300	Credit	Sales	Tax 1
H19	Tender Fee-Annual	5305101014300	Credit	Sales	Tax 1
H20	Tender Fee-Monthly	5305101014300	Credit	Sales	Tax 1
H21	Tender Fee-Daily	5305101014300	Credit	Sales	Tax 1
H21S	Seadrome Tender Fee Daily	5305101014300	Credit	Sales	Tax 1
H22	Residence Surcharge	5305101014300	Credit	Sales	Tax 1
H22A	Add'l Residence Surcharge	5305101014300	Credit	Sales	Tax 1
H23	Recreational Boat Launch-Annual	5305101014300	Credit	Sales	Tax 1
H230	Recreational Boat Launch/Add'l Annu	5305101014300	Credit	Sales	Tax 1
H24	Recreational Boat Launch-Daily	5305101014300	Credit	Sales	Tax 1

Account Codes

Code	Description	G/L Account	Balance	Category	Tax
H25	Commercial Boat Launch-Annual	5305101014300	Credit	Sales	Tax 1
H25C	Commercial Boat Launch - Daily	5305101014300	Credit	Sales	Tax 1
H26	Commercial Freight-1st 30minutes	5305101014300	Credit	Sales	Tax 1
H27	Commercial Freight->30minutes	5305101014300	Credit	Sales	Tax 1
H28	Personal Freight	5305101014300	Credit	Sales	Tax 1
H29	Freight Staging	5305101014300	Credit	Sales	Tax 1
H30	Launch Ramp Tour Permit Fee	5305101014300	Credit	Sales	Tax 1
H31	Inspected Vessel-Annual Vessel Fee	5305101014300	Credit	Sales	Tax 1
H32	Inspected Vessel-Daily Pass Fee	5305101014300	Credit	Sales	Tax 1
H33	ABLF Boat Stand Rental Monthly	5305101014300	Credit	Sales	Tax 1
H34	Uninspected Vessel Fee OUPV	5305101014300	Credit	Sales	Tax 1
H35	Uninspected Vessel Pass Fee	5305101014300	Credit	Sales	Tax 1
H36	Power Washing	5305101014300	Credit	Sales	Tax 1
H37	Statter Bus Parking-Company Fee	5305101014300	Credit	Sales	Tax 1
H38	Statter Bus Parking-Seat Fee	5305101014300	Credit	Sales	Tax 1
H39	Statter Bus Parking-Daily OffPeak	5305101014300	Credit	Sales	Tax 1
H40	Statter Bus Parking-Annual OffPeak	5305101014300	Credit	Sales	Tax 1
H41	Statter Car Parking-Daily	5305101014300	Credit	Sales	Tax 1
H42	Statter Car Parking-Monthly	5305101014300	Credit	Sales	Tax 1
H43	Private Boathouse Surcharge	5305101014300	Credit	Sales	Tax 1
H44	Grid Fee	5305101014300	Credit	Sales	Tax 1
H45	Crane Fee	5305101014300	Credit	Sales	Tax 1
H46	Crane Fee-2nd 30 minutes	5305101014300	Credit	Sales	Tax 1
H47	Crane Fee-Additional Hours	5305101014300	Credit	Sales	Tax 1
H48	Key Card Charge	5305101014300	Credit	Sales	Tax 1
H49	Pump Use Fee-Minimum Charge	5305101014300	Credit	Sales	Tax 1
H50	Pump Use Fee-Beyond 2 hours	5305101014300	Credit	Sales	Tax 1
H51	Storage Fee	5305101014300	Credit	Sales	Tax 1
H52	Staff Labor Fee	5305101014300	Credit	Sales	Tax 1
H53	Vessel Towing Fee-Staff Labor	5305101014300	Credit	Sales	Tax 1
H54	Vessel Towing Fee-Vessel Fee	5305101014300	Credit	Sales	Tax 1
H55	Vessel Towing Fee-Actual Expenses	5305101014300	Credit	Sales	Tax 1
H56	Moorage Waitlist-Initial Sign-up	5305101014300	Credit	Sales	Tax 1
H57	Moorage Waitlist-Annual Renewal	5305101014300	Credit	Sales	Tax 1
H58	Vessel Demolition-Vessel Disposal	5305101014300	Credit	Sales	Tax 1
H59	Vessel Demolition-Landfill Disposal	5305101014300	Credit	Sales	Tax 1
H60	Vessel Sales	5305101014300	Credit	Sales	Tax 1
H61	Miscellaneous Harbor Fees	5305101014300	Credit	Sales	Tax 1
H61G	Seadrome Garbage (USCG ONLY)	5305101014300	Credit	Sales	Tax 1
H61R	AAHPA Participant Registration	5305104014420	Credit	Sales	None
H61S	AAHPA Sponsorship	5305104014110	Credit	Sales	None
H61V	AAHPA Vendor	5305104014300	Credit	Sales	None
H61W	Seadrome Potable Water (USCG ONLY)	5305101014300	Credit	Sales	Tax 1
H62	Power Daily 20A	5305101014300	Credit	Sales	Tax 1
H62P	Seadrome Power (USCG Only)	5305101014300	Credit	Sales	Tax 1

Account Codes

Code	Description	G/L Account	Balance	Category	Tax
H63	Power Daily 30A	5305101014300	Credit	Sales	Tax 1
H64	Power Daily 50A	5305101014300	Credit	Sales	Tax 1
H65	Power Daily 100A/208V	5305101014300	Credit	Sales	Tax 1
H66	Power Daily 100A/480V	5305101014300	Credit	Sales	Tax 1
H67	Power Summer Liveaboard 20/30A	5305101014300	Credit	Sales	Tax 1
H68	Power Summer Liveaboard 50A	5305101014300	Credit	Sales	Tax 1
H69	Power Summer Liveaboard 100A/208V	5305101014300	Credit	Sales	Tax 1
H70	Power Summer Liveaboard 100A/480V	5305101014300	Credit	Sales	Tax 1
H71	Power Summer 20/30A	5305101014300	Credit	Sales	Tax 1
H72	Power Summer 50A	5305101014300	Credit	Sales	Tax 1
H73	Power Summer 100A/208V	5305101014300	Credit	Sales	Tax 1
H74	Power Summer 100A/480V	5305101014300	Credit	Sales	Tax 1
H75	Power Winter Liveaboard 20A	5305101014300	Credit	Sales	Tax 1
H76	Power Winter Liveaboard 30A	5305101014300	Credit	Sales	Tax 1
H77	Power Winter Liveaboard 50A	5305101014300	Credit	Sales	Tax 1
H78	Power Winter Liveaboard 100A/208V	5305101014300	Credit	Sales	Tax 1
H79	Power Winter Liveaboard 100A/480V	5305101014300	Credit	Sales	Tax 1
H80	Power Winter 20A	5305101014300	Credit	Sales	Tax 1
H81	Power Winter 30A	5305101014300	Credit	Sales	Tax 1
H82	Power Winter 50A	5305101014300	Credit	Sales	Tax 1
H83	Power Winter 100A/208V	5305101014300	Credit	Sales	Tax 1
H84	Power Winter 100A/480V	5305101014300	Credit	Sales	Tax 1
H85	Power-KW Charge	5305101014300	Credit	Sales	Tax 1
H86	Power Account Activation	5305101014300	Credit	Sales	Tax 1
H87	Lease Rental Fees	5305101014570	Credit	Sales	Tax 1
H88	Account Balance Interest	5305101014800	Credit	Sales	Tax 1
H89	Account Late Fee	5305101014800402	Credit	Sales	None
H90	NSF Check Fee	1101704014710	Credit	Sales	None
H91	CBJ Sales Tax	2150101014215-1	Credit	Sales	None
H91M	CBJ Sales Tax Manual	2150101014215-1	Credit	Sales	None
H92	Refunds ONLY	5300101011205-5	Credit	Sales	None
H93	Harbors Reservations Moorage ->65'	5305101014300	Credit	Sales	Tax 1
H93CG	Seadrome Reservation (USCG ONLY)	5305101014300	Credit	Sales	Tax 1
H93S	Seadrome Summer Reservation	5305101014300	Credit	Sales	Tax 1
	Moorage				
H94	Annual Skiff Moorage	5305101014300	Credit	Sales	Tax 1
H95	Vessel Disposal Surcharge	5305101014300	Credit	Sales	Tax 1
H96	Auke Bay Loading Facility Moorage	5305101014300	Credit	Sales	Tax 1
H97	IVF Summer Fish Moorage Fee	5305101014300	Credit	Sales	Tax 1
H98	Surplus Auction Sales	5305101014300	Credit	Sales	None
H99	ABLF Haul Out Vessel Fee	5305101014300	Credit	Sales	Tax 1
P01	Cruise Ship Wharfage Fee	5315201014300-34	Credit	Sales	Tax 1
P02	Port Summer Daily Moorage <65 feet	5315201014300-34	Credit	Sales	Tax 1
P03	Port Summer Daily Moorage ->65 feet	5315201014300-34	Credit	Sales	Tax 1
P04	Port Summer Fish Moorage Fee	5315201014300	Credit	Sales	Tax 1
P05	(Do Not Use)	5315201014300	Credit	Sales	Tax 1

Account Codes

Code	Description	G/L Account	Balance	Category	Tax
P06	Port Maintenance Fee	5315201014300-35	Credit	Sales	Tax 1
P07	Potable Water Fee	5315201014300	Credit	Sales	Tax 1
P08	Vessel Lightering Fee	5315201014300	Credit	Sales	Tax 1
P09	Tour Broker Permit Fee	5305101014410	Credit	Sales	Tax 1
P10	LZ Permits-Company Fee	5305101014410	Credit	Sales	Tax 1
P11	LZ Permits-"A" Seat Fee	5305101014410	Credit	Sales	Tax 1
P12	LZ Permits-"B" Seat Fee	5305101014410	Credit	Sales	Tax 1
P13	LZ Permits-Daily LL Permit	5305101014410	Credit	Sales	Tax 1
P14	LZ Permits-Annual LL Permit	5305101014410	Credit	Sales	Tax 1
P15	Miscellaneous Port Fees	5315201014300	Credit	Sales	Tax 1
P16	Marine Passenger Fees	2250101014420	Credit	Sales	None
P17	Port Development Fee - Public	2325201014300	Credit	Sales	None
P18	Port Development Fees - Private	2325201014300	Credit	Sales	None
P19	Power Daily 20A	5315201014300	Credit	Sales	Tax 1
P20	Power Daily 30A	5315201014300	Credit	Sales	Tax 1
P21	Power Daily 50A	5315201014300	Credit	Sales	Tax 1
P22	Power Daily 100A/208V	5315201014300	Credit	Sales	Tax 1
P23	Power Daily 100A/480V	5315201014300	Credit	Sales	Tax 1
P24	Power Summer Liveaboard 20/30A	5315201014300	Credit	Sales	Tax 1
P25	Power Summer Liveaboard 50A	5315201014300	Credit	Sales	Tax 1
P26	Power Summer Liveaboard 100A/208V	5315201014300	Credit	Sales	Tax 1
P27	Power Summer Liveaboard 100A/480V	5315201014300	Credit	Sales	Tax 1
P28	Power Summer 20/30A	5315201014300	Credit	Sales	Tax 1
P29	Power Summer 50A	5315201014300	Credit	Sales	Tax 1
P30	Power Summer 100A/208V	5315201014300	Credit	Sales	Tax 1
P31	Power Summer 100A/480V	5315201014300	Credit	Sales	Tax 1
P32	Power Winter Liveaboard 20A	5315201014300	Credit	Sales	Tax 1
P33	Power Winter Liveaboard 30A	5315201014300	Credit	Sales	Tax 1
P34	Power Winter Liveaboard 50A	5315201014300	Credit	Sales	Tax 1
P35	Power Winter Liveaboard 100A/208V	5315201014300	Credit	Sales	Tax 1
P36	Power Winter Liveaboard 100A/480V	5315201014300	Credit	Sales	Tax 1
P37	Power Winter 20A	5315201014300	Credit	Sales	Tax 1
P38	Power Winter 30A	5315201014300	Credit	Sales	Tax 1
P39	Power Winter 50A	5315201014300	Credit	Sales	Tax 1
P40	Power Winter 100A/208V	5315201014300	Credit	Sales	Tax 1
P41	Power Winter 100A/480V	5315201014300	Credit	Sales	Tax 1
P42	Power-KW Charge	5315201014300	Credit	Sales	Tax 1
P43	Power Account Activation	5315201014300	Credit	Sales	Tax 1
P44	Lease Rental Fees	5315201014570	Credit	Sales	Tax 1
P45	Account Balance Interest	5315201014800	Credit	Sales	Tax 1
P46	Account Late Fee	5315201014800	Credit	Sales	None
P47	NSF Check Fee	1101704014710	Credit	Sales	Tax 1
P49	Refunds ONLY	5300101011205-5	Credit	Sales	None
P50	Port Maintenance Fee <3 Hr. Lighter	5315201014300-35	Credit	Sales	Tax 1
P51	Surplus Auction Sales	5315201014300	Credit	Sales	None
P52	Downtown Parking/Taku Lot	5315201014300	Credit	Sales	Both

Account Codes

Code	Description	G/L Account	Balance	Category	Tax
P53	Port Dues - Public	2325201014300	Credit	Sales	None
P54	LZ Permits - "C" Seat Fee	5315201014410	Credit	Sales	Tax 1
P55	Refuse Disposal Fee	5315201014300	Credit	Sales	None
P56	Port Summer Moorage Fee_> 200'	5315201014300-34	Credit	Sales	Tax 1
P57	Greywater service	5315201014300	Credit	Sales	Both

187 Account Codes



Port of Juneau

City & Borough of Juneau • Docks & Harbors
 155 S. Seward Street • Juneau, AK 99801
 (907) 586-0292 Phone • (907) 586-0295 Fax

From: *Carl J. Uchytel*
 Port Director

To: Docks & Harbors Board

Via: Docks & Harbors Operations-Planning Committee

Date: April 20th, 2021

Re: REVIEW OF DOCKS & HARBORS REGULATION FEES

1. The Docks & Harbors Finance Sub-Committee met on April 15th to review regulation fees. The minutes are still being transcribed but the summary of the discussion is provided here:
 - a) Boat launch fees (05 CBJAC 20.060 -20.070). The Committee recommends raising the annual launch ramp fee to \$120 (currently \$90), the daily launch ramp fee to \$20 (currently \$15) and the administrative fee for additional trailer decal to \$10. The administrative fee of \$5 was also established in 2015 to limit the number of trailers an owner could register to up to three for \$100 (\$90 + \$5 + \$5). If an individual had a fourth trailers, they would pay an additional \$90.

	Annual Fee	Daily Fee
Prior to 2005	\$0	\$0
2005	\$50	\$10
2006	\$70	\$12
2007	\$90	\$14
2015	\$90	\$15

	FY18	FY19	FY20
Daily permits	297	217	209
Annual	1582	1520	1703
Additional Decals	291	292	292
Commercial	13	16	10
Revenue	\$151,540	\$145,515	\$160,365

Alaska Comparables	First Permit	Multiple Permits	Daily	Commercial
Juneau	\$90	\$5	\$15	\$250
Haines	\$60	\$30	\$15	\$60
Ketchikan	\$64	n/a	\$8	\$465
Petersburg	\$35	n/a	n/a	n/a
Craig	\$35	n/a	\$5	n/a
Sitka	\$75	n/a	\$10	n/a
Skagway	\$50	n/a	\$10	\$300
Wrangell	\$50	n/a	\$10	n/a
Yakutat	n/a	n/a	n/a	\$250
Whittier	\$160	n/a	\$20	\$500
Valdez	\$75	n/a	\$10	n/a
Cordova	\$82.75	n/a	\$25/2 week period	n/a
Seward	\$100	n/a	\$10	n/a
Homer	\$200	n/a	\$20	n/a

- b) Staff labor fees (05 CBJAC 20.140). The Committee recommends changing the Staff Labor Fees from \$75/hour to 150% of the Staff Loaded Rate. The Committee also discussed the \$125/hour boat charge and requested the Harbormaster research the operating cost to ensure it is appropriate. Typically, this fee is associated with inventory of a vessel during impound procedures. This fee was last adjusted in 2015.

	FY18	FY19	FY20
Revenue	\$8363	\$3000	\$5100

- c) Reserved moorage waitlist fee (05 CBJAC 20.150). The Committee recommends raising the annual renewal from \$10/year to \$50/year. Currently there is an initial sign-up fee of \$50 and an annual fee of \$10 to remain on the waitlist. This fee was last adjusted in 2005.

	FY18	FY19	FY20
Revenue	\$976	\$1570	\$1050

- d) Parking lot fees (05 CBJAC 20.160). The Committee provided guidance to the Port Director to consider a downtown harbor parking management system which weighs enforcement resources against available revenue opportunity, in a similar manner to the Statter Harbor parking management system.

	FY18	FY19	FY20
Downtown (Taku Lot)	\$48,949	\$47,809	\$30,315
Statter (Both lots)	\$111,260	\$119,415	\$113,644

- e) Private boathouse surcharge (05 CBJAC 20.170). The Committee recommends raising this fee from \$0.13/sf to \$0.20/sf. This fee was last adjusted in 2005.

	FY18	FY19	FY20
Revenue	\$3631	\$3834	\$3836

- f) Fee for delivery & sale of fuel at ABLF (05 CBJAC 20.175). The Committee did not recommend any changes to this \$0.05/gallon fee.

	FY18	FY19	FY20
Revenue	\$4647	\$2792	\$9239

- g) Shore power access fees (05 CBJAC 30.010). The Committee did not discuss in great detail and requested minutes from the 2017 Board/Committee meetings which adjusted these fees. These minutes are attached as enclosure (1).

	FY18	FY19	FY20
Revenues	\$81,027	\$87,105	\$86,970

- h) Vessel salvage & disposal fee *in lieu of insurance* (05 CBJAC 40.010). The discussion considered significant increases to the fee (currently \$0.25/LF/month) as well as additional vessel surveys and insurance requirements to be a qualified vessel in the harbors. The direction of the discussion was that the fee should be commensurate to the cost of insurance and to require a survey like those required for insurance. The committee did not reach consensus on this issue.

	FY18	FY19	FY20
Revenue	\$16,480	\$15,752	\$16,125

- i) Charge for credit card (Not in regulations). The Committee discussed reduction of discounts offered when the discounted rate is paid with a credit card. The Committee was advised that the Finance Department cannot agree to additional incentives for users to receive a discount should they elect to use a cash or ACH option. The Committee was told “card issuers do not want merchants to deter use of credit cards. By accepting credit card payments, we have agreed to abide by the card issuer rules. In a nutshell, if merchants do not want to pay credit card fees, then our option is to not accept credit cards.” On this issue the committee also did not reach an agreement and it remains unclear if this would pass muster with the Finance Department.

	FY18	FY19	FY20
Expenses	\$58,870	\$62,268	\$80,359

- j) Moorage fees (05 CBJAC 20.030 – 20.042). The Committee did not thoroughly discuss the moorage fees due to time constraints. Attached as enclosure (2) are regional harbor rates collected from September 2020 staff investigations. Although there have been periodic adjustments to the moorage rates with Anchorage CPI, the core moorage rates were last adjusted in 2008.

#

Enclosure: (1) Minutes from 2017 pertaining to Shore Power Access Fees
 (2) Regional Harbor Rates - September 2020

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

- I. Call to Order** The meeting was called to order at 5:00 p.m. in City Hall Conference Room 224.
- II. Roll Call** The following members were present: John Bush, Tom Donek, David Lowell, and Budd Simpson.

Also Present: Carl Uchytel – Port Director, David Borg – Harbormaster, Gary Gillette – Port Engineer, Matthew Creswell – Senior Harbor Officer.

III. Approval of Agenda

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

Motion passed with no objections.

IV. Public Participation on Non-Agenda Items – None

V. Approval of Wednesday, February 15th, 2017 Operations/Planning Meetings Minutes

MOTION: BY MR. LOWELL TO APPROVE THE FEBRUARY 15th, 2017 MEETING MINUTES AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

VI. Consent Agenda- None

VII. Unfinished Business- None

VIII. New Business

1. Shorepower access Fees ([05 CBJAC 30.010](#))

Mr. Borg said after wrapping up the fee review process, we have addressed the last one which was the power usage and fees. The graph on page two shows the current rates and the rounded up rates in which we would like to change to. We also addressed keeping the monthly power fee as is for now and addressing it on an annual basis or as rates change for AEL&P. After much discussion we have arrived at a motion.

Committee Questions - None

Public Comment - None

Committee Discussion/Action - None

MOTION: BY MR. DONEK TO USE 80% MAX USAGE IN CALCULATION FOR DAILY POWER USE AND ROUND PRICE PER DAY COLUMN UP TO

**CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES**

For Wednesday, March 29th, 2017

THE NEAREST FULL DOLLAR ON ALL IN THE CHART AND ADOPT THE CURRENT SUMMER AND WINTER MONTHLY SHOREPOWER ACCESS FEES WITHOUT CHANGING THE RATES, DELETE THE SENTENCE IN 05 CJBAC 30.010 SHOREPOWER ACCESS FEES SUBSECTION (b) (*With approval of the Docks and Harbors Department, a person may use a 50 amp service and be assessed a 30 amp fee provided the service is current limited to 30 amps*), AND ADD A COST ADJUSTMENT PROVISION TO TRACK INCREASES IN THE COST OF OUR RATES IMPOSED BY AEL&P ON AN ANNUAL BASIS SUBJECT TO REVIEW BY THE BOARD AND ASK UNANIMOUS CONSENT.

	Volts	amps	KW per hour	KW per day	Cost per KW from AELP	% of realistic max usage, per day	Price per day	Rounded rate	current
3 phase 100 AMP	208	100	36.0256	864.6144	0.124	0.8	\$85.77	\$86.00	\$48.00
3 phase 60 AMP	208	60	21.61536	518.7686	0.124	0.8	\$51.46	\$52.00	
3 phase 100 AMP	480	100	83.136	1995.264	0.124	0.8	\$197.93	\$198.00	\$120.00
1 phase 30 AMP	120	30	3.6	86.4	0.124	0.8	\$8.57	\$9.00	\$7.20
1 phase 50 AMP	208	50	10.4	249.6	0.124	0.8	\$24.76	\$25.00	\$24.00
1 phase 20 AMP	120	20	2.4	57.6	0.124	0.8	\$5.71	\$6.00	\$4.80

Motion passed with no objections.

Mr. Uchytel stated that Mr. Dennis Harris has arrived and requested for his convenience, to move number four under information to the beginning of the information items.

Mr. Simpson said we will move Transportation Network Companies to the beginning of the information items.

2. Daily Commercial Launch Permit

Mr. Borg said that on page 25 of the agenda is the recommendation by the harbor fee review committee to implement a \$30.00 daily launch ramp permit fee for commercial users as one does not currently exist.

Committee Questions – None

Public Comment – None

Committee Discussion/Action

MOTION BY MR. LOWELL: TO ADOPT STAFF RECOMMENDATION FOR AN ABLF DAILY COMMERCIAL LAUNCH RAMP FEE OF \$30.00 AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

3. Alignment of the Facility Security Plan with Title 85

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

Mr. Uchytel said on page 26 of the agenda is 85.02.045 (F). Mr. Uchytel stated the Facility Security Plan has sensitive security information and should be on a need to know basis. The board only needs to know that the plan has been developed and submitted to the Coast Guard for their approval. If any member of the board would like to discuss the facility risks he would be glad to discuss privately. Contrary to the current regulation, it is unnecessary for the Facility Security Plan to go through the City Manager and the Harbor Board before submitting to the Coast Guard and he would like to delete it.

Committee Questions – None

Public Comment – None

Committee Discussion/Action

Mr. Donek said that this has never been an issue before and we can delete it.

MOTION BY MR. DONEK: TO DELETE 85.02.045 (F).

Motion passed with no objections.

IX. Items for Information/Discussion

1. Transportation Network Companies (i.e. Uber, Lyft)

Mr. Uchytel said as summer is approaching he would like to discuss with the Board regulating transportation network companies. There are already regulations in place for pedicabs but if senate bill 14 passes we will need to discuss how TNCs will operate in our facilities.

Committee Discussion

Mr. Simpson asked to please describe what we do now for taxi cab companies in our facilities.

Mr. Uchytel answered that we have three companies in town which each have independent operators that work for them. We charge \$300 per company and \$7 per seat. That is a B zone permit allowing them to operate in the B zone areas.

Mr. Simpson asked what is meant by operate, are they quickly picking up or do they park there and wait?

Mr. Uchytel answered that they can stage for up to ten minutes then need to keep moving. He mentioned that some questions need to be discussed with the Board. Will Uber jam up our lots? Do we have to allow them to operate in our lots? Should we set up separate spaces for TNC (transportation network companies)?

Public Comment

Dennis Harris owner of 12th Street LLC and Custom Juneau Tours, Juneau, AK

Mr. Harris said that section 8 of the bill is written so that cities are exempt from regulating TNCs in any way. Sente bill 14 has had several amendments introduced attempting to allow cities to regulate TNCs but none have passed. There will be a hearing

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

on the senate version of the bill, as it passed the senate and they will incorporate the amendments that have passed the house side on Friday March 31st. The City of Anchorage has passed a new ordinance to regulate TNCs in the city, but TNCs are defined as not being a commercial passenger vehicle under this proposed statute, so cities will not be able to regulate them. There were amendments proposed to allow state airports to negotiate for access and fees but the cities and Docks & Harbors were not included in these. The way the bill is currently written the cities do not have the ability to charge sales tax either. He would be willing to submit to a city police department check and have his drivers go through background checks. Federal rules require taxi drivers to have background checks to have access to airports. There may be similar rules for access to ports. Uber and Lyft have stated they do not want their drivers to have background checks and will not operate in cities that require them. Uber and Lyft are the two big TNC companies but some cities have local companies as well. In many cases the passengers do not pay the drivers directly. He would be willing to pay for Docks and Harbors fees as well as sales tax if he had to operate as a TNC. The Alaska Municipal League is against this bill. This bill may be stopped in the house as many are not in favor of the way it is currently written. This bill has an immediate effective date clause so if it passes it would be in effect very quickly.

Mr. Simpson asked what other communities with ports are doing to regulate and manage TNCs.

Mr. Harris answered many ports and airports have had problems with TNCs. The Port of Seattle operates both the port and SEA/TAC airport, they eventually arrived at an accommodation making TNCs pay access fees and are only able to come in response to a call request. They have a small pick-up spot at SEA/TAC airport. New York and LAX went through very long litigation to regulate TNCs. Michigan decided to put TNCs under the state taxi cab provisions and gave them the same restrictions. Uber is saying they are not a transportation company and that they are instead a network technology company. They are operating in all states but Alaska right now. Customers are pushing for it to be brought to Alaska. He is concerned about the congestion that will occur as we already have a very busy downtown area on big ship days. Adding Uber and Lyft will further congest the area.

Mr. Uchytel asked what are the restrictions that one can place on Uber and Lyft.

Mr. Harris answered that according to section 8, it will end up in litigation. He feels that if you are operating a separate facility off the street you should be able to restrict access. You will need to consult with your attorney. TNCs without glacier day permits will not be able to drive to the glacier and the Forest Service will be able to stop them.

2. Annual Moorage CPI Adjustment

Mr. Uchytel said on page 29 there is the 2016 Anchorage CPI, the percent change is at 0.4%. When that 0.4% is applied to downtown harbor rate of \$4.25 it would increase by 2 cents. Because our regulations say we only increase by 5 cents, there will be no change to moorage rates this year.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

Committee Discussion/Public Comment

Mr. Uchytel asked when did we last raise the moorage rates.

Ms. Raster answered that the rates in 2013, 2014, and 2015 increased by \$0.05 each but 2016 and 2017 did not raise.

Mr. Simpson stated that the 5 cent regulation is accumulative so that over two or three years then we may reach a nickel eventually.

Mr. Uchytel stated that he agrees it should be accumulative but he's not sure that it is actually written that way in the regulation.

Mr. Donek stated that he believes it is written so that it does not accumulate year after year.

3. Statter Harbor Parking Lot Reconfiguration

Mr. Gillette stated he will be speaking about phase three design and plan for the Statter Harbor parking lot and launch ramps. On page 30 of the agenda, on the lower left there are blue squares on yellow which will be dumpsters as well as recycling containers. There will be some extra parking spaces because the truck and trailer parking will be relocated to the new Statter launch ramp area. The middle of the page shows the temporary configuration for buses. They will pull in from glacier highway across from Squires Rest. They can pull up at the blue line and drop off in the red line. The buses will then turn around and not need to enter the statter harbor parking area at all, relieving congestion problems. This is how they will operate when phase three is completed as well. On page 31 and 32 are a zoomed in photo of the configuration for the parking area and the bus drop off area.

Committee Discussion/Public Comment

Mr. Simpson asked how many single parking spaces are we gaining.

Mr. Uchytel answered 25 additional spots, which is a 30 percent increase.

Mr. Donek asked does the new configuration for the buses include the smaller buses.

Mr. Gillette answered yes it will be for all buses.

Mr. Borg added he will be putting a tent and port a potties in the new bus area, rather than at the top of the statter ramp. He will also be removing the bench and curb which are right at the top of the statter gangway.

Mr. Lowell asked if the old launch ramp is permanently closed now?

Mr. Borg answered yes.

Mr. Lowell asked what is in the island area in the middle?

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

Mr. Borg said the plan is to have 40ft lanes where the buses can stage for a time while waiting for the tour to come in. We believe a couple of coaches as well as three or four 27ft buses will fit parked in that area.

Mr. Lowell asked if the entire guard rail in the middle will be removed?

Mr. Borg answered there has been some discussion about making that area more parking but he is against that as it will be such a busy area. He is not opposed to taking the guardrail out but does not believe more parking spaces are the best use of it. He would like to keep it as a commercial area, separate from recreational parking. He is looking at different options for the old DeHart's reserved parking in the existing statter parking lot.

Mr. Uchytel commented that we met with many companies today including, Alaska Coach, Gastineau Guiding, and HAP; Alaska Galore was out of town. They approved of the idea that the coach area is separate. He wishes that Mr. Doug Ward with Dolphin was there as he may not like this plan. He believes he wants to drop off directly at the gangway and is concerned that the 100 or so yards would take too long to get people there.

Mr. Borg said it is about an additional 120 feet further from where they drop now.

Mr. Uchytel stated that this is temporary for 2017 summer and next year it will be different.

4. Pedicabs Regulation

Mr. Uchytel said that they have treated pedicabs as a B zone permit. Last year was the first year any pedicabs have operated so we wanted to see how it would go. Mr. Hauck is the new owner of that company, Alaska Pedicab Tours LLC. This discussion is to bring up whether we should craft a new classification for pedicabs to operate along the sea walk, Marine Park to S. Franklin Street dock. JPD regulates pedicabs throughout Juneau. Mr. William Quayle was saying that as an independent operator, the Docks and Harbors operating fee at \$300 plus \$7 per seat should be lowered. JPD has a \$1500 dollar company fee for commercial passenger vehicles, which Mr. Quayle also has an issue with. We should discuss if the board would like to change our regulations for pedicab operations.

Committee Discussion/Public Comment

Mr. Bush asked what are pedicabs currently allowed to do?

Mr. Borg answered that they are currently allowed to operate on the seawalk, except alongside where the ADA ramp is located.

Mr. Uchytel added that this year, the decision was made that pedicabs will be able to operate along the ADA ramp, because the yellow barriers will be gone and it will be wider.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

James Hauck, owner of Alaska Pedicab Tours LLC

Mr. Hauck stated that we may operate in the area of the ADA ramp and it will be up to the drivers to decide if traffic is too heavy. They will not add to the congestion and will go around the block if need be. He understands that the ADA ramp is changing and will be modified.

Mr. Borg answered that not this year but soon, the ADA ramp will be taken out and the dock will be re-graded to have less incline.

Mr. Uchtyl said currently pedicabs are allowed to stage behind the visitors center and by the vender booths near the library. And there were no complaints last year about operating this way. Also, last year we didn't allow pedicabs to operate with advertising signs on them as it violated our no sign ordinance. The City Manager has made a unilateral change to the code which now allows small signs to be on Class C vehicles like pedicabs.

Mr. Hauck stated that he is glad the alignment has taken place so that small advertising signs are now allowed on pedicabs. He said that compared to all other expenses, the price of the Docks and Harbors permits is fair and he has no problem with paying them to stay on good terms with all other cab companies. He urges Dock and Harbors to continue to charge the fees as they are. Perhaps after a year of operation he would be willing to give a recommendation to the Board. He would like to make the pedicabs as useful as possible in the movement of people.

Mr. Donek asked what happened to the electric scooters that Bob Janes had?

Mr. Uchtyl answered that they are not used as a tour and are only used to move his staff around.

Mr. Uchtyl asked if we need to change anything about the way we run pedicabs?

Mr. Simpson said that it seems there were no issues and that we should continue on.

Mr. Uchtyl stated that Mr. Quayle is still interested in getting the B zone permit from Docks and Harbors to operate. The B zone permits will be increasing \$50 in FY18 to \$450 and another \$50 the following year.

Mr. Simpson stated that we will keep an eye on it and make changes in the future if needed.

5. USCG Live Aboard Boat Rental Requirements

Mr. Borg explained that the Coast Guard has produced a flier referencing title 46 of the United States Code, found on page 33 of the agenda. This states that using a vessel as a rental property, in which the owner receives consideration for someone to stay overnight on the vessel is deemed a commercial operation. These vessels would need to operate as a charter vessel such as a bare boat charter, an uninspected passenger vessel or as a Coast Guard inspected small passenger vessel. He wanted to make everyone aware of this Coast

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

Guard regulation. He recommends incorporating some of this language in our own regulations when we go to re-write the liveaboard section this fall.

Committee Discussion/Public Comment

Mr. Simpson stated that a loophole could be that a person becomes a bare boat charter and assumes there are not a lot of requirements for that boat other than basic safety.

Mr. Borg stated that even a bare boat charter may have to also be registered with the state as a charter vessel.

Mr. Simpson asked if we already have a rule saying vessels cannot be rented out for housing?

Mr. Borg stated that we do not. As of now it is not considered commercial in our regulations.

Mr. Lowell asked if we are in conflict with the Coast Guards assertion that this is actually a commercial operation?

Mr. Borg answered that the Coast Guard can make that determination. We will fully cooperate with them if they approach us about this issue. He recommends adding to our regulations that patrons must be in compliance with this USCG code.

Mr. Lowell asked who the written bare boat charter contract with? Is it between the owner and the patrons?

Mr. Borg answered it would be a contract with the charter company.

Mr. Bush said we could in the future add a blanket statement to our regulations saying that everyone is required to follow all federal, state, and city rules and regulations.

6. MXAK Parking Request

Mr. Borg said that staff was contacted by Marine Exchange and they are asking to lease four parking spots in Harris Harbor. They have a completion date for the new building sometime in July. On page 34 and 35 of the agenda is the letter and diagram describing the request. Brett Farrell, the assistant director, is looking to improve that entire area and have it paved. He would like to work out some compensation in the price of the lease for the improvements. He would be willing to meet with the Board if they'd like. Marine Exchange has suggested \$50 a spot.

Committee Discussion/Public Comment

Mr. Gillette said they charge \$50 at the parking garage.

Mr. Simpson said at archipelago the lowest space is \$85 and he pays a \$100 a spot for an outdoor space. He believes \$50 is below the market value. If they are willing to pave they should get some consideration for it.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

Mr. Uchytel said we need to have snow removal and maintenance considered.

Mr. Borg said there have been no problems with enforcement for the State of Alaska Fish and Game spaces near there.

Mr. Gillette said as we are working on the master plan we probably shouldn't enter into a long term lease.

Mr. Borg said he will respond to them that we tentatively may be able to work out a lease.

X. Staff & Member Reports

Mr. Uchytel said that we had a hearing with Miller Construction about whether to assess up to a 10% penalty for failure to follow the award contract to their subcontractor for paving. Roger Healy was the hearing officer and he will make a recommendation to the City Manager.

Mr. Gillette said once Mr. Healy makes his recommendation the City Manager has 45 days to come to a decision.

Mr. Simpson asked what is the estimate about what will happen with this.

Mr. Gillette answered he does not know.

Mr. Lowell asked if the 10% is on just the subcontract or the entire contract?

Mr. Uchytel answered only on the subcontract, up to \$72,000.

Mr. Uchytel stated that Phase II of Aurora Harbor will be an action item at the full Board meeting tomorrow. The owner of Northern Construction Service will be at the meeting to answer any questions. Mr. Uchytel has asked the Department of Labor(DOL) to provide any information regarding the investigation between NCS and the project they completed in Sitka. DOL is not willing to give any information about an ongoing investigation.

Mr. Simpson encouraged all the Board Members to read the letter from NCS dated March 28, 2017 prior to the full Board meeting, due to its length.

Mr. Lowell asked if there has been any efforts made by the City to determine whether they are a non-responsible bidder in regards to their standing with previous contracts?

Mr. Gillette answered they are in good standing with the City of Juneau.

Mr. Lowell asked if the assertion from Mr. Trucano that he is owed \$200,000 on a previous contract not affect us?

Mr. Uchytel answered that contract has been closed out. We have no legal standing with either party at this point as the contract has closed. We do not monitor prompt payment to subcontractors. A contractor may be disbarred by the City if they fail to pay their subcontractors in 30 days. This never happens. If the prime requests payment, we have 30

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

days to make that payment. If the subcontractor asks for payment, we have the right to have 30 days to pay the prime their dues after their request.

Mr. Simpson stated in the letter, NCS gives their explanation about the Trucano issue. This issue is an ongoing dispute and there are two different positions.

Mr. Gillette said Trucano has filed a suit against them for payment.

Mr. Bush asked in their contract for Phase I, NCS signed papers that all subcontractors have been satisfied, if it is proven in court that they have not, does that create a problem for us?

Mr. Uchytel answered that if we want this project to move forward all we can do is use the information we have. He has no reason to believe they will get disbarred. We typically do not get involved in issues between a contractor and subcontractor.

Mr. Simpson stated that they have an explanation for each issue. This Committee is not in a position to judge either way.

Mr. Donek stated that reading the letter from NCS, it is not so cut and dry. It is a dispute between what Trucano thinks he's owed and what NCS thinks he's owed.

Mr. Simpson stated that it looks like Trucano put in charges months later after everything had been closed.

Mr. Donek stated it is not sufficient grounds for us to deny the contract.

Mr. Bush asked if we are in a position where we can move forward?

Mr. Gillette stated NCS was asked to prove that they are able and capable to do the project and they came back with an answer to every question. Our rules say the bid goes to the lowest responsible bidder and NCS is the lowest bidder.

Mr. Uchytel stated that the Board acts as quasi-judicial body at times and this Friday he will be the hearing officer for a venter booth permit holder. He will render a decision based on available information, and if the decision is unfavorable to the permittee, he may render and appeal that decision to the Board.

The Tracys Crab Shack process is with CDD, they have made notice of a Planning Commission hearing on the 25th of April. The process will be a meeting with Charles Horan tomorrow to go through the appraisal process for the 60 sq. ft. CDD is making sure it is compliant. A motion will be made on the 25th, and then the Board will be asked for approval at the next Board meeting on April 27th. In addition, liveaboard regulations need to be looked at again. He asked if we should bring forward a regulations change or have public meetings to discuss how we manage and regulate liveaboards and the challenges we have and have the public suggest changes?

Mr. Donek stated he would not like to propose regulations but instead do outreach to gather public opinion.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, March 29th, 2017

Mr. Simpson stated we should have a meeting at the yacht club and listen to public before we create regulations. This is a constant issue on many levels and it needs to be addressed.

Mr. Lowell said considering public attendance at the last meeting regarding liveboards, there are a lot of people wanting to be heard.

Mr. Bush asked if liveboards are helpful.

Mr. Borg answered yes there are a handful that are very helpful.

Mr. Simpson suggested that we assign a committee to this.

Mr. Borg stated that North Douglas launch ramp is back operational as of today. We are closing up CT lot and are cleaning it out. The Galatea/Crystal Dawn was crushed today. This was Jeremy McNeil's boat; he has been in contact with me multiple times today. Seasonal workers will be starting April 3rd. Crane 2 and 3 remain down at Fisherman's Terminal but they should be fixed by mid next week.

Mr. Uchytel stated that the language will be brought forward to the Board tomorrow in regards to the Auke Bay Marine Station agreement with UAS to acquire half the property. He thinks we are close to an agreement.

XI. Committee Administrative Matters

1. Next Operations/Planning Committee Meeting- **Wednesday, April 19th, 2017.**

XII. Adjournment - The meeting adjourned at 6:35 p.m.

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES
For Thursday, August 31st 2017

I. Call to Order

Mr. Donek called the Regular Board Meeting to order at 5:01 pm in the Assembly Chambers.

II. Roll Call

The following members were present: Weston Eiler, Don Etheridge, Bob Janes, David Lowell, Robert Mosher, Mark Ridgway, David Seng, and Tom Donek.

Absent: Budd Simpson

Also present were the following: Carl Uchytel – Port Director, Matthew Creswell – Harbor Operations Manager, Erich Schaal – Deputy Port Engineer, and Mary Becker – Assembly Liaison.

III. Approval of Agenda

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

Motion passed with no objection.

IV. Minutes from the July 27th, 2017 Regular Board Minutes.

Hearing no objection, the July 27th, 2017 Regular Board minutes were approved as presented.

V. Public Participation on Non-Agenda Items – None

VI. Consent Agenda –

- A. Public Requests for Consent Agenda Changes - None
- B. Board Members Requests for Consent Agenda Changes - None
- C. Items for Action

1. FY17 Docks Enterprise Supplemental Appropriation

RECOMMENDATION: THAT THE ASSEMBLY APPROVE A FY2017 DOCKS ENTERPRISE SUPPLEMENTAL APPROPRIATION FOR \$176,400.

2. ADOT & PF Land Disposal and Easement Requests

RECOMMENDATION: THAT THE BOARD DEFER TO THE EFFORTS BY CBJ LANDS & RESOURCES DIVISION IN THE DISPOSAL OF DOCKS & HARBORS MANAGED LANDS WHICH ARE CONTAINED IN THE FRACTION OF LOT 3, USS 3566 AND FOR GRANTING 8 PERMANENT EASEMENTS AND 10 TEMPORARY CONSTRUCTION EASEMENTS TO THE DOT&PF NECESSARY FOR THE 10TH STREET TO SEWARD STREET RECONSTRUCTION PROJECT

CBJ DOCKS AND HARBORS BOARD

REGULAR MEETING MINUTES

For Thursday, August 31st, 2017

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

Motion passed with no objection

VII. Unfinished Business-

1. Public Hearing for Regulation Changes amending the Docks & Harbors Shorepower Access Fee (05 CBJAC 30.010)

Mr. Uchytel said this was brought forward from the comprehensive fee review. The change updates daily electrical fees throughout the Harbor. The current fees have not been updated since 2010. The new fees are based on 80% of the maximum draw for a 24 hour period. The Committee elected not to make any changes to the monthly fees. Staff received one email from Mr. Clayton Dale who recommended to not make any changes to the daily rate.

Board Questions- None

Public Comment- None

Board Discussion/Action

Mr. Seng asked to clarify the 80% max draw use to determine the rate? He said in looking at the rate increase for all the daily rates the percentages of rate increases are all different.

Mr. Uchytel said the 2010 rates were probably more arbitrary than mathematically calculated. He is not totally sure why they are so varied. The current proposed rates staff tried to use a more deliberate approach.

MOTION By MR. SENG: TO RECOMMEND THE ASSEMBLY ADOPT REGULATION CHANGES AMENDING THE SHOREPOWER ACCESS FEES AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

VIII. Items for Information/Discussion

1. Lucity – Asset Management Program
Presentation by Erich Schaal

Mr. Uchytel said Erich Schaal is the Deputy Port Engineer. He will give a presentation on Docks & Harbors Lucity program. This program is still new and what we are trying to do is be more intentional on how we maintain our facilities. A few years ago there was not a planned maintenance schedule. He said we are recapitalizing all of our Harbors and we need to have a preventative maintenance schedule. We need to capture what systems fail as well as the costs to maintain a certain system/Harbor in material as well as personnel. Mr. Schaal will show that we are trying to manage our facilities in a much more coherent manner than we have in previous years.

Mr. Schaal said this maintenance management program is a portion of an overall enterprise asset management program. It is basically so the leaders can manage with data to plan years into the future and understand what state their assets are in and make long term decisions that will optimize their facilities. If you don't know what your daily maintenance needs or costs are you

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, August 31st, 2017

can't make long term decisions. Mr. Schaal provided a presentation of the Lucity program and how it works for Docks & Harbors.

Board Discussion/Public Comment –

Mr. Ridgway asked if Docks & Harbors assets have been valued to know replacement value for each asset?

Mr. Schaal said that has not been completed yet, but intends to do that.

Mr. Ridgway asked if this program allows you to prioritize one asset or maintenance of one asset over another?

Mr. Schaal said yes, when setting up the preventative maintenance you can choose your priority.

Mr. Ridgway asked if the Board would have access to this program?

Mr. Schaal said Board member access has not been discussed and not really sure what access would be useful. Staff can provide reports with requested information.

Mr. Janes asked if the program accounts for the time that staff is putting into the data entry? Is there a graph that shows that?

Mr. Schaal said it logs data that shows entry and when changes were made. He will look into that reporting.

Mr. Seng asked as the supervisors are entering time and cost, is this program causing a double entry where someone enters this in Lucity and also in the CBJ time entry system? Is there any opportunities for integration between time keeping and Lucity with data coming in or out?

Mr. Schaal said the current program used by CBJ would not couple with Lucity in that way. The entry of an employees time is really a small portion of the data we collect. We don't want staff to spend time keeping track of their time but be very specific and keep the data clean on the work that has been completed for protecting future failures.

Mr. Seng said he questioned this for data accuracy. What if the time put into Lucity and CBJ time entry don't match? He also asked if there was a plan to have the public have capabilities to report a problem online or have a mobile app?

Mr. Schaal said yes Lucity has a public portal, but we have not moved toward that option yet.

Mr. Uchytel said this program is still very new to Docks & Harbors. There is lots of capacity for this program and staff is still being trained.

Mr. Etheridge asked how the preventative maintenance is set up through this program to tell you when to look at a maintenance item?

Mr. Schaal said staff populates the maintenance schedule and the program will send out a reminder from that schedule.

Mr. Eiler asked how widely management wants to deploy this? How does this differ from what is currently tracked?

CBJ DOCKS AND HARBORS BOARD

REGULAR MEETING MINUTES

For Thursday, August 31st, 2017

Mr. Uchytel said one of the things that determined this was needed was the comprehensive fee review process which the Board asked the questions of operation costs for specific areas under Docks & Harbors management and he had no specific data just estimated costs. Previously there was nothing tracked and things ran to failure. This program is a systematic approach to maintaining our facilities and also uploads O & M manuals that will now be all in one location.

Mr. Janes asked the cost for the Lucity program annually?

Mr. Schaal said the initial purchase was \$30,000 which included licenses and 4 modules to get started. There is a \$4,000 annual subscription cost.

Mr. Seng asked where the data is being held? Is it City server or the cloud?

Mr. Schaal said City servers.

Mr. Ridgway asked if the long range goal for this program is for recapitalization and would the Board be involved with that?

Mr. Schaal said yes.

IX. Committee and Member Reports

1. Operations/Planning Committee Meeting- August 23rd, 2017

Mr. Donek reported that everything the Committee discussed was heard here tonight as well as a lot of information items.

2. Finance Committee Meeting –CANCELLED

3. Member Reports- Mr. Eiler reported Mr. Bonnet passed away this last month. His memorial service is tomorrow evening at the Yacht Club.

4. Assembly Lands Committee Liaison Report- Mr. Eiler said the Lands Committee met briefly and discussed the North Douglas pioneer road. There was left over funds and they discussed extending it a little further than originally anticipated.

5. Auke Bay Steering Committee Liaison Report – Mr. Janes said nothing formal to report. He was asked what the status of the speed buoy is in Auke Bay?

Mr. Uchytel said the buoy is actually on State tidelands. Staff has tried to deal with wakes and impose speed restrictions through TBMP.

Mr. Janes said the members of TBMP have been focused on the buoy, routing and TBMP self monitoring. He does not see moving the buoy out will make a difference on the wakes in Auke Bay. He said most operators are following the speed and route suggested by TBMP.

Mr. Uchytel said Mr. Erickson with Alaska Glacier Seafood (AGS) has expressed interest in getting involved with helping to control the wakes at Auke Bay because it is causing issues at AGS.

Mr. Janes asked if Mr. Erickson has looked into a floating breakwater in front of his facility and can that be combined with a net float?

CBJ DOCKS AND HARBORS BOARD

REGULAR MEETING MINUTES

For Thursday, August 31st, 2017

Mr. Uchytal said there is a bridge project that has surplus floating pontoons. If the Board identifies this as a priority staff could move forward on this.

Mr. Janes said he believes this is a priority especially with the possibility of getting discounted docks.

Mr. Donek suggested to put it on the OPS/Planning Committee agenda.

X. Port Engineer's Report

Mr. Schaal said Mr. Gillette's written report is in the packet. He reported;

- The artwork for the cruise ship dock is almost completely fabricated and they are preparing it for shipment. It is expected to arrive in Juneau in September and installation should only take a few days.
- Aurora Harbor Phase II fabrication has started and the contractor is preparing their barge in Ketchikan. The barge will arrive in the middle of October. Staff has been working with the Boat Shelter owners to get ready for the move. They need to vacate their shelters by Monday September 19th.
- Staff is working with our term contractor on a repair at the breakwater in Statter Harbor that is 1,000' long and made up of four sections. At each connection, there are rubber energy bushings that are bolted to both sides and staff found last weekend that one side of the second and third module joint bolts have sheared off.

Mr. Janes asked if staff has received a disposal plan from CCHITA for razing the old thane ore house building?

Mr. Uchytal said no. He did receive a call from Myrna Gardner about squatters on the property and she was told that is an issue CCHITA needs to deal with.

Mr. Janes asked if they were given a time line to submit the disposal plan?

Mr. Uchytal said no.

XI. Harbormaster's Report

Mr. Creswell reported;

- Last official day for seasonal staff is October 1st.
- Staff is getting the word out about the new sewage regulation.
- Working on a Harris Harbor water leak.
- Fishing traffic has slowed down significantly.
- Moving boats out of Aurora Harbor for the phase II work. Dennis Holloway has done an outstanding job to get the boats moved. On target and tracking to get the boats moved in time for the construction.
- Staff held the second live-aboard meeting facilitated by Robert Barr at the Yacht Club. Officer Colon with JPD approached him and wanted to give a presentation which was originally thought as a great thing. The presentation ran a little long and took us off the topic's on our agenda but he passed along a lot of good information. Some took it well and

CBJ DOCKS AND HARBORS BOARD

REGULAR MEETING MINUTES

For Thursday, August 31st, 2017

others not so well. Staff will keep pushing forward on the topics of concern from the live-boards. Next meeting will be sometime in October.

Mr. Eiler said one of the improvements for the seasonal staff was more customer service training and Docks & Harbors did have a customer service training session early on in the year and wanted to know how management sees the improvement in customer service?

Mr. Creswell said the results from the last cultural survey customer service continues to improve.

Mr. Uchytel said the cultural survey is a survey that CBJ does every year in April which is when the seasonal staff return. Because of the timing of the survey, Docks & Harbors requested to do another survey in the fall after a full season. Since Mr. Creswell started the survey numbers have increased and he said he would be happy to share the results with the Board.

XII. Port Director's Report

Mr. Uchytel reported;

- The urban plan meeting on Tuesday went well and the next meeting is Wednesday.
- At the Mayor's request he has been engaging Fish & Game, NOAA, and Coast Guard trying to do some waterfront coordination with the idea that Docks & Harbors has areas of interest at the Auke Bay Marine station for them and they have areas of interest for Docks & Harbors downtown.
- Staff should have the Auke Bay Marine Stations Quit Claim Deed sometime in November.
- He will be meeting with Connie Mckenzie from Senator Sullivans staff to be put on the FY18 Federal budget designation of a new start for the Auke Bay floating attenuator.
- At the invitation of Senator Sullivan, he attended a luncheon in Anchorage where he was able to speak about the TIGER Grant funding for three projects.
- Mr. Schaal has been working on the Tier II Harbor grant applicaton for the zinc anodes for Harris and Douglas and will deliver it tomorrow to DOT.
- Mr. Uchytel said he just recently found out that when Harris Harbor needs to be rebuilt there is still available a \$5M Tier 1 grant opportunity.
- He will be out of office several different times in September and will not be attending the September 20th OPS/Planning meeting.

XIII. Assembly Liaison Report –

Ms. Becker reported

- The extension for the North Douglas road was approved through the Assembly. Construction could start spring of 2018.
- The Assembly voted no to the hotel tax.
- DOT is making street changes from 10th to Main. They will decrease the street size from 12' to 11' and add a bike path.
- The Merchants Wharf retaining wall will be repaired.
- The dedication of the Whale at Overstreet Park happened last Saturday.

XIV. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Wednesday, September 20th, 2017.

CBJ DOCKS AND HARBORS BOARD

REGULAR MEETING MINUTES

For Thursday, August 31st, 2017

- b. Finance Committee Meeting – Cancelled
- c. Board Meeting – Thursday, September 28th.

XV. Executive Session

- 1. Discussion of Personnel Matters relating to the Port Director’s Evaluation

MOTION By MR. ETHERIDGE: MOVE TO ENTER INTO EXECUTIVE SESSION FOR THE PURPOSE OF DISCUSSION ON THE PORT DIRECTORS EVALUATION AT 6:14PM AND ASK UNANIMOUS CONSENT.

MOTION By MR. EHTERIDGE: RETURN FROM EXECUTIVE SESSION AT 6:28PM.

XVI. Adjournment – The regular Board Meeting adjourned at 6:28 pm.



Port of Juneau

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

NOTICE OF PROPOSED CHANGES TO REGULATION Amendment of Title 05, Chapter 30 Docks and Harbors Shorepower Access Fees

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

05 CBJAC 30.010 Shorepower access fees.

(b) Basis for computing charges – *the proposed change is to remove (With approval of the Docks and Harbors Department, a person may use a 50 amp service and be assessed a 30 amp fee provided the service is current limited to 30 amps).*

(e) Daily shorepower access fees.

<u>Connection Type</u>	<u>Current Fee</u>	<u>Proposed Fee</u>
20 amp(120V, 1 phase)	\$4.80	\$6.00
30 amp (120V, 1 phase)	\$7.20	\$9.00
50 amp (208V, 1 phase)	\$24.00	\$25.00
50 amp (208V, 3 phase)	-----	\$52.00
100 amp (208V, 3 phase)	\$48.00	\$86.00
100 amp (480V, 3 phase)	\$120.00	\$198.00

(i) Shorepower cost adjustment - The shorepower access fees should be reviewed and adjusted annually.

These regulations are proposed for adoption pursuant to CBJ’s 01.60 and CBJ 85.02.060, and CBJ 85.02.100. Interested persons may obtain a full copy of the proposed regulations at any of the harbor offices, at the CBJ libraries, at the CBJ Clerk’s Office, and online at www.juneau.org/harbors/proposed_regulations.php

The Board is holding a public hearing and intends to take final action on the proposed changes on **August 31st at 5:00 pm in the Assembly Chambers.** This date has changed from what was previously advertised for July 27th at 5 pm in the Assembly Chambers. This will be introduced to the Assembly on **September 11th at 7:00 p.m. in the Assembly Chambers.** 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 online by web form at the above web address until 4:30 p.m. on August 31st.

Interested persons may obtain more information by calling Port Director Carl Uchtyl at 586-0292.

Daily Transient moorage rates by vessel length (dollars per foot)

26'		36'		44'		56'		60'	
Wrangell (Prepaid)	\$0.48	Wrangell (Prepaid)	\$0.48	Wrangell (Prepaid)	\$0.48	Wrangell (Prepaid)	\$0.45	Wrangell (Prepaid)	\$0.48
Wrangell (Prepaid)	\$0.49	Skagway	\$0.52	Skagway	\$0.52	Skagway	\$0.52	Skagway	\$0.52
Skagway	\$0.52	Wrangell (Prepaid)	\$0.58	Wrangell (Prepaid)	\$0.58	Juneau- Auke Bay	\$0.58	Juneau- Auke Bay	\$0.58
Juneau -DT Harbors	\$0.58	Juneau -DT Harbors	\$0.58	Juneau- Auke Bay	\$0.58	Juneau- DT Harbors	\$0.58	Juneau- DT Harbors	\$0.58
Juneau- Auke Bay	\$0.58	Juneau- Auke Bay	\$0.58	Juneau- DT Harbors	\$0.58	Wrangell Summer Floats	\$0.65	Wrangell Summer Floats	\$0.65
Wrangell Summer Floats	\$0.65	Wrangell Summer Floats	\$0.65	Wrangell Summer Floats	\$0.65	Haines	\$0.65	Haines	\$0.65
Haines	\$0.65	Haines	\$0.65	Haines	\$0.65	Wrangell (Prepaid)	\$0.68	Wrangell (Prepaid)	\$0.68
Craig	\$0.68	Craig	\$0.68	Craig	\$0.68	Craig	\$0.68	Craig	\$0.68
Hoonah	\$0.70	Hoonah	\$0.70	Hoonah	\$0.70	Kodiak ¹	\$0.69	Kodiak ¹	\$0.69
Petersburg	\$0.72	Petersburg	\$0.72	Petersburg	\$0.72	Hoonah	\$0.70	Hoonah	\$0.70
Seward	\$0.80	Seward	\$0.80	Seward	\$0.80	Petersburg	\$0.72	Petersburg	\$0.72
Seattle (Active C. Fishing)	\$0.83	Seattle (Active C. Fishing)	\$0.83	Seattle (Active C. Fishing)	\$0.83	Seward	\$0.80	Seward	\$0.80
Ketchikan	\$0.84	Ketchikan	\$0.84	Ketchikan	\$0.84	Seattle (Active C. Fishing)	\$0.83	Seattle (Active C. Fishing)	\$0.83
Wrangell (Invoiced)	\$0.98	Bellingham	\$1.10	Bellingham	\$1.10	Ketchikan	\$0.84	Ketchikan	\$0.84
Bellingham	\$1.10	Whittier	\$1.12	Whittier	\$1.12	Bellingham	\$1.10	Bellingham	\$1.10
Whittier	\$1.12	Wrangell (Invoiced)	\$1.16	Wrangell (Invoiced)	\$1.16	Whittier	\$1.12	Whittier	\$1.12
Seattle- Fish Trml Recreation	\$1.18	Seattle- Fish Trml Recreation	\$1.18	Seattle- Fish Trml Recreation	\$1.18	Seattle- Fish Trml Recreation	\$1.18	Seattle- Fish Trml Recreation	\$1.18
Sitka	\$1.18	Sitka	\$1.18	Sitka	\$1.18	Sitka	\$1.18	Sitka	\$1.18
Homer	\$1.56	Homer	\$1.56	Homer	\$1.56	Wrangell (Invoiced)	\$1.36	Wrangell (Invoiced)	\$1.36
Kodiak ¹	\$1.90	Kodiak ¹	\$1.90	Kodiak ¹	\$1.90	Homer	\$1.56	Homer	\$1.56
Seattle- Bell Harbor	\$1.93	Seattle - Bell Harbor	\$1.96	Seattle- Bell Harbor	\$1.96	Seattle - Bell Harbor	\$2.25	Seattle- Bell Harbor	\$2.25

NOTES:
¹Kodiak no data return upon request

Monthly moorage rates by vessel length (dollars per foot)

26'		36'		44'		56'		60'	
Wrangell	\$4.24	Juneau	\$4.45	Juneau	\$4.45	Juneau	\$4.45	Juneau	\$4.45
Juneau	\$4.45	Wrangell	\$4.77	Wrangell	\$4.77	Skagway	\$5.20	Skagway	\$5.20
Skagway	\$5.20	Skagway	\$5.20	Skagway	\$5.20	Wrangell	\$5.30	Wrangell	\$5.30
Craig	\$5.45	Craig	\$5.45	Craig	\$5.45	Craig	\$5.45	Craig	\$5.45
Bellingham (Active C. Fish)	\$6.39	Bellingham (Active C. Fish)	\$6.39	Bellingham (Active C. Fish)	\$6.39	Bellingham (Active C. Fish)	\$6.39	Bellingham (Active C. Fish)	\$6.39
Haines	\$6.50	Haines	\$6.50	Haines	\$6.50	Haines	\$6.50	Haines	\$6.50
Petersburg	\$7.20	Petersburg	\$7.20	Petersburg	\$7.20	Petersburg	\$7.20	Petersburg	\$7.20
Juneau- Auke Bay	\$7.35	Juneau- Auke Bay	\$7.35	Juneau- Auke Bay	\$7.35	Juneau- Auke Bay	\$7.35	Juneau- Auke Bay	\$7.35
Hoonah	\$7.54	Hoonah	\$7.54	Hoonah	\$7.54	Hoonah	\$7.54	Hoonah	\$7.54
Ketchikan	\$8.70	Ketchikan	\$8.70	Ketchikan	\$8.70	Ketchikan	\$8.70	Ketchikan	\$8.70
Seattle (Active C. Fishing)	\$8.72	Seattle (Active C. Fishing)	\$8.72	Seattle (Active C. Fishing)	\$8.72	Seattle (Active C. Fishing)	\$8.72	Seattle (Active C. Fishing)	\$8.72
Bellingham (Recreational)	\$8.76	Homer	\$8.84	Homer	\$8.84	Homer	\$8.84	Homer	\$8.84
Homer	\$8.84	Bellingham (Recreational)	\$9.02	Bellingham (Recreational)	\$9.57	Bellingham (Recreational)	\$9.95	Seward (Reserved)	\$9.97
Seward (Reserved)	\$9.97	Seward (Reserved)	\$9.97	Seward (Reserved)	\$9.97	Seward (Reserved)	\$9.97	Seward (Transient)	\$10.92
Seward (Transient)	\$10.62	Seward (Transient)	\$10.62	Seward (Transient)	\$10.62	Seward (Transient)	\$10.92	Bellingham (Recreational)	\$11.58
Seattle- Fish Trml Recreation	\$13.56	Seattle- Fish Trml Recreation	\$13.56	Seattle- Fish Trml Recreation	\$14.75	Seattle- Fish Trml Recreation	\$14.75	Seattle- Fish Trml Recreation	\$14.75
Seattle-Shilshole	\$14.90	Seattle-Shilshole	\$14.90	Seattle-Shilshole	\$14.90	Seattle-Shilshole	\$14.90	Seattle-Shilshole	\$14.90
Sitka - Transient	\$20.21	Sitka - Transient	\$20.21	Sitka - Transient	\$20.21	Sitka - Transient	\$20.21	Sitka - Transient	\$20.21
Whittier	\$21.83	Whittier	\$21.83	Whittier	\$21.83	Whittier	\$21.83	Whittier	\$21.83
Seattle- Bell Harbor	² \$483.75	Seattle- Bell Harbor	² \$692.39	Seattle- Bell Harbor	² \$980.58	Seattle- Bell Harbor	² \$1,235.60	Seattle- Bell Harbor	² \$1,235.60

NOTES:
¹Kodiak did not return data request
² Bell Harbor does not provide linear foot rate.

Annual moorage rates by vessel length (dollars per foot)

26'		36'		44'		56'		60'	
Skagway	\$14.30	Skagway	\$14.30	Skagway	\$14.30	Skagway	\$14.30	Skagway	\$14.30
Craig	\$22.00	Craig	\$22.00	Craig	\$22.00	Craig	\$22.00	Craig	\$22.00
Hoonah	\$26.00	Hoonah	\$26.00	Hoonah	\$26.00	Hoonah	\$26.00	Hoonah	\$26.00
Seward- (Reserved)	\$26.97	Haines	\$27.00	Haines	\$27.00	Seward- (Reserved)	\$26.97	Seward- (Reserved)	\$26.97
Haines	\$27.00	Seward- (Reserved)	\$29.97	Seward- (Reserved)	\$29.97	Haines	\$27.00	Haines	\$27.00
Kodiak ¹	\$30.00	Kodiak ¹	\$30.00	Ketchikan (Inside City)	\$34.48	Ketchikan (Inside City)	\$34.48	Ketchikan (Inside City)	\$34.48
Wrangell	\$30.03	Ketchikan (Inside City)	\$34.48	Wrangell	\$35.72	Ketchikan (Outside City)	\$40.98	Ketchikan (Outside City)	\$40.98
Ketchikan (Inside City)	\$34.48	Wrangell	\$35.72	Ketchikan (Outside City)	\$40.98	Kodiak ¹	\$41.00	Kodiak ¹	\$41.00
Petersburg	\$37.00	Petersburg	\$37.00	Kodiak ¹	\$41.00	Wrangell	\$41.14	Wrangell	\$41.14
Ketchikan (Outside City)	\$40.98	Ketchikan (Outside City)	\$40.98	Petersburg	\$41.25	Sitka	\$45.60	Sitka	\$45.60
Sitka	\$45.60	Sitka	\$45.60	Sitka	\$45.60	Petersburg	\$48.00	Juneau- Downtown	\$48.06
Juneau - Downtown	\$48.06	Juneau- Downtown	\$48.06	Juneau- Downtown	\$48.06	Juneau- Downtown	\$48.06	Homer	\$52.00
Homer	\$52.00	Homer	\$52.00	Homer	\$52.00	Homer	\$52.00	Petersburg	\$54.50
Seward (Transient)	\$58.94	Seward (Transient)	\$58.94	Seward (Transient)	\$58.94	Seward (Transient)	\$58.94	Seward (Transient)	\$58.94
Whittier	\$67.13	Whittier	\$67.13	Whittier	\$67.13	Whittier	\$67.13	Whittier	\$67.13
Juneau - Auke Bay	\$87.32	Bellingham (Recreational)	\$83.43	Juneau- Auke Bay	\$87.32	Juneau- Auke Bay	\$87.32	Juneau- Auke Bay	\$87.32
Bellingham (Recreational)	\$98.01	Juneau- Auke Bay	\$87.32	Seattle (Active C. Fishing)	\$104.64	Seattle (Active C. Fishing)	\$104.64	Seattle (Active C. Fishing)	\$104.64
Seattle (Active C. Fishing)	\$104.64	Seattle (Active C. Fishing)	\$104.64	Bellingham (Recreational)	\$107.09	Bellingham (Recreational)	\$129.67	Bellingham (Recreational)	\$129.67
Seattle- Fish Trml Recreation	\$162.72	Seattle- Fish Trml Recreation	\$162.70	Seattle- Fish Trml Recreation	\$177.00	Seattle- Fish Trml Recreation	\$177.00	Seattle- Fish Trml Recreation	\$177.00

NOTES:

¹Kodiak did not provide return data when requested

Seattle Terminals do not offer annual moorage rates, multiplied monthly rate by 12.

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES (CONTINUED)
For Thursday, October 29th, 2020

Mr. Uchytel said on page 38 in the packet is recommended language from staff. If the Board approves this, he will go to Law and start the change. The intent of what is in red (c) is that we want to recognize that there may be commercial fishing vessels that have reserved moorage at Statter Harbor and we want to provide them the same courtesy that fishing vessels downtown get when they go out to Statter Harbor to fish.

Committee Questions - None

Public Comment - None

Committee Discussion/Action - None

MOTION BY MR. BECKER: TO PURSUE A REGULATION CHANGE TO ACKNOWLEDGE STATTER HARBOR COMMERCIAL FISHING VESSELS ARE ENTITLED TO DOWNTOWN HARBOR DISCOUNTS AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

4. Charter Vessel Rates at Statter Harbor (05 CBJAC 20.080 - Passenger-for-hire fee)
Mr. Uchytel said there is a Finance Sub-Committee looking at our budget and the Statter Harbor for-hire-float rates. With the completion of these floats in May, and the purpose of serving the charters for whale watching vessels and fishing charters, we should be adjusted the rates accordingly. The Finance Sub-Committee met on the 15th of this month and will meet again in late November to continue the discussion on an appropriate rate for passenger-for-hire. The Committee wanted to signal the charter operators that we would not make any changes to calendar year 2021. The Committee will continue to work on an appropriate fee for Statter Harbor passenger-for-hire activities for the following year.

Committee Questions

Public Comment

Dennis Watson, Juneau, AK

Mr. Watson asked if Mr. Uchytel is talking about the moorage rate of \$7.00 plus per foot for the charter boats as well?

Mr. Uchytel said this rate has not been determined yet.

Committee Discussion/Action

MOTION BY MR. BECKER: NOT TO PURSUE ANY CHANGES TO THE STATTER HARBOR PASSENGER FOR HIRE FEE FOR CY2021 AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

X. Items for Information/Discussion

1. UA/UAS Lease Agreement – Juneau Fishermen’s Terminal



From: Port Director
To: Dock & Harbors Finance Sub-Committee
Date: October 15th, 2020
Re: STATTER HARBOR – FOR HIRE FLOAT – FEE DISCUSS

1. Statter Phase III(B) is scheduled for completion on May 28th, 2021. This infrastructure investment will benefit all Statter users but especially the charter vessel operators. Discussions regarding the appropriate fee structure for the charter vessel are in the infancy but this document helps to bracket what is a fair rate to apply to those using the for hire floats, once they become operational.

Statter Phase III	Construction Award
III (A) – Dredging	\$4.1M
III (B) - Floats	\$4.3M
III (C) – Uplands	\$4M (Estimated)
Total	\$12.4M

Phase III (C) is not yet fully designed but will provide restrooms, covered waiting area, curb & gutter and paving for the parking lot. The CLIA Settlement in 2019 did not object to using 75% of head tax in support of the Statter Phase III project. This implies that 25% must come from Harbor Enterprise fund or local CBJ match. We have sufficient Harbors Enterprise match for Phase III(A) and III(C).

2. The latest FY20 Available Fund Balance Summary:

	Revenue (FY20)	Expenditure (FY20)	Fund Balance (7/1/2020)
Docks Enterprise	\$1,708,507	\$1,399,191	\$2,588,939 (+\$309,316)
Harbor Enterprise	\$4,570,689	\$3,995,742	\$389,812 (\$574,947)

3. Currently the charter operator using Statter Harbor pay moorage (\$7.35/linear foot) and pay a passenger for hire fee as described in regulations (05 CBJAC 20.080 - Passenger-for-hire fee) for inspected vessels as \$500.00 per vessel plus \$1.50 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity, adjusted annually for Anchorage CPI. It is our intentions that the newly constructed for-hire floats will be primarily used for Inspected Vessels and we will manage the Uninspected Vessels (i.e. 6 passenger operator) outside of the new facility. In 2019, Docks & Harbors collected \$150,703.50 under the Passenger-for-hire fee and \$73,780 from moorage from the vessels engaged in this activity. Collectively we received \$224,483.50 from the inspected charter operations in Statter Harbor.

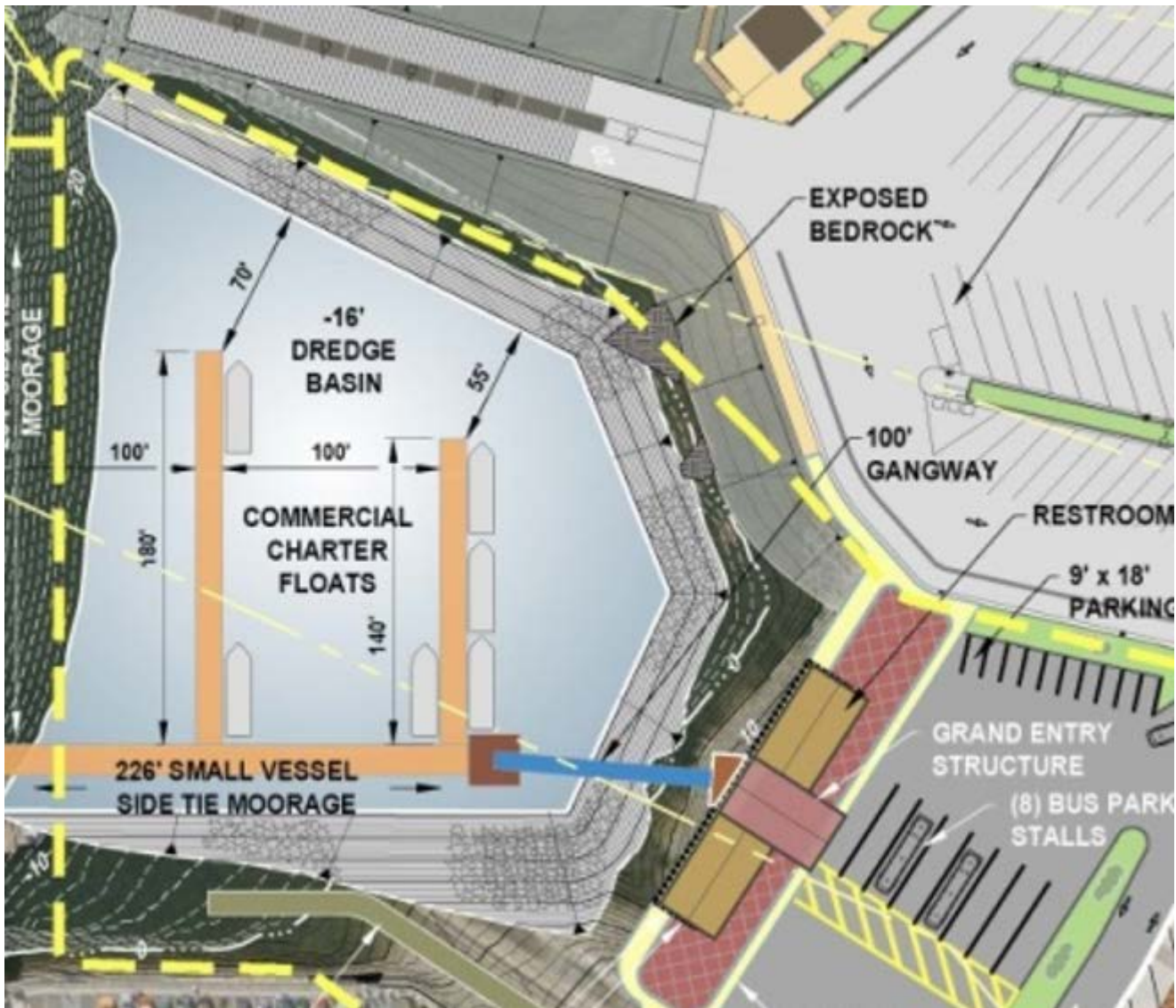
4. In an attempt to discuss the appropriate fee structure, the following comments may be appropriate to consider:

- Estimated construction award cost Phase III (all phases) is \$12.4M.
- Estimate permitting, design, construction inspection & contract administration adds 17% to \$14.5M
- CLIA Settlement allows up to \$11M to be funded with head tax
- Harbor match of approximately \$3M is required – of which \$2M has been accounted for.
- The user group which most benefits from Statter Phase III is the Inspected Charter Vessel Operators.
- In 2019, the Inspected Charter Vessel Operators paid nearly \$225K.
- There are 8896 square feet of new floats in Phase III(C)
- For the Statter Phase III construction (all phases), the approximate cost is \$1600/sf.
- The approximate cost per of new float at Douglas Harbor was \$360/sf (excludes USACE dredging).
- The approximate cost per of new float at Aurora Harbors (Phase I & II) was \$273/sf.

#

- Encl: (1) Rendering Statter Harbor Improvements
(2) Small Scale – Statter Harbor Phase III
(3) Revenue Collected by Passenger For Hire Fees





Passenger For Hire Trends

	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019
Total # of Uninspected Companies (Total Boats)	18 (26)	13 (19)	11 (17)	15 (23)	10 (19)	13 (24)	16 (40)	12 (30)	10 (22)	11 (25)	10 (26)
Boat Fee	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$50.00	\$100.00	\$150.00	\$151.00	\$156.00
Passenger Fee	\$15 per seat one time fee	\$15 per seat one time fee	\$15 per seat one time fee	\$15 per seat one time fee	\$15 per seat one time fee	\$15 per seat one time fee	\$1.00	\$1.25	\$1.50	\$1.50	\$1.50
Uninspected Vessels per passenger totals \$	\$2,299.95	\$5,700.00	\$5,100.00	\$2,070.00	\$5,700.00	\$2,160.00	\$8,725.13	\$9,078.61	\$9,517.50	\$8,818.50	\$9,291.00
Total # of Inspected Vessel Companies (Total Boats)	8 (13)	9 (27)	5 (17)	7 (21)	7 (19)	7 (19)	7 (25)	7 (29)	8 (32)	9 (35)	10 (41)
Boat Fee	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	\$300.00	\$400.00	\$500.00	\$518.00	\$518.00
Passenger Fee	\$1.00	\$1.10	\$1.10	\$1.10	\$1.10	\$1.10	\$1.25	\$1.50	\$1.50	\$1.50	\$1.50
Inspected Vessels per passenger totals \$	\$45,571.16	\$38,616.10	\$51,408.00	\$65,929.66	\$57,842.49	\$57,855.24	\$85,770.20	\$106,518.40	\$82,826.00	\$119,979.00	\$150,703.50



Port of Juneau

City & Borough of Juneau • Docks & Harbors
 155 S. Seward Street • Juneau, AK 99801
 (907) 586-0292 Phone • (907) 586-0295 Fax

From: *Carl J Uchytel*
 Port Director

To: Docks & Harbors Finance Sub-Committee

Date: November 24th, 2020

Re: Cost Estimate Attributable to Statter Harbor For-Hire Charters

1. In its efforts to determine an appropriate fee schedule for charter vessel who will benefit with the Statter Phase III project, the Docks & Harbor Finance Sub-Committee requested the Port Director identify operations and maintenance costs associated with this \$12M infrastructure investment. This question, although reasonable and commonly asked in a variety of ways, is difficult to provide in a direct, repeatable manner. This is primarily because our facilities including harbor officers, harbor technicians and administrative assistants are rarely conducting tasks so specific to separate one user group (i.e. recreational vessels with moorage, trailerable boats using launch ramp facilities, live-aboard patrons, commercial fishing vessels, commercial transport/landing craft, commercial charter vessels using Statter Harbor) from another with regards to their impact to Docks & Harbors staffing and budget.
2. We do know our Harbors Enterprise FY21 budget is \$4.25M. One way to roughly estimate direct costs would be to prorate the budget based on the 7 personnel (4 year round plus 3 seasonals) assigned to Statter relative to the 10 personnel (7 year round plus 3 seasonals) assigned downtown. Using this proportion, our annual Statter Harbor/Out the Road Activities amounts to \$1.75M. In addition to Statter Harbor proper, this would include costs (personnel, fixed and discretionary) for ABMS, ABLF, Amalga and Echo Cove. Assuming 75% of resources are expended at Statter Harbor proper, results in \$1.3M annual operating cost for that facility or approximately \$100K/month. Furthermore, if we assume one-third of the operating costs from May through September can be attributable to the 80K embarking charter guests, then \$150K is a reasonable annual cost to charter operations.
3. Another manner to estimate level of cost to support the charter operations is by line item.

Harbor Officer – 0.5 FTE (April thru September)	\$45,833
Harbor Technician – 0.5 FTE (April thru September)	\$35,616
Admin Assistant II – 25% of 1 FTE (April thru September)	\$10,228
Port-a-Potty – 5 @ \$855.80/month (May thru September)	\$21,395
Restroom supplies – 75% of total usage (May –September)	\$2,854
Water/Waste Water – 75% of total use (May – September)	\$4,530
Refuse Disposal – 25% of total use (May – September)	\$8,847
Sweeping & Striping of bus parking lot (LS)	\$3,682
TOTAL	\$133,000

#



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

Monday November 30th, 2020

I. Call to Order – Mr. Wostmann called the November 30th Finance Sub-Committee meeting to order at 5:00 pm via Zoom Meeting.

II. Roll Call

The following members were present via zoom or in the Port Director's conference room: James Becker, Chris Dimond, David Larkin, Don Etheridge, and Bob Wostmann.

Also present were the following: Carl Uchtyl – Port Director, Matt Creswell – Harbormaster, Teena Larson – Administrative Officer, and Tiara Ward – CBJ Finance Accountant

III. Approval of Agenda

THE AGENDA WAS APPROVED AS PRESENTED.

IV. Participation on Non-Agenda Items - None

V. Approval of October 15th, 2020 Finance Sub-Committee Minutes – Hearing no objection the minutes of October 15th, 2020 are approved as presented.

VI. Items for Information/Discussion

1. Estimated Statter Harbor expenses related to charter vessel operations

Mr. Uchtyl said he was asked from this Committee to separate costs attributable to the charter operations at Statter Harbor. What does it cost our staff through time and resources to support the charter operations at Statter Harbor? This is a difficult task because none of the user groups believe they are a burden on the operating costs. On page 15 in the packet is a memo that show costs attributable to Statter Harbor For-Hire Charter operations. In paragraph two, he estimates 75% of all Harbor operations at Statter Harbor are for the Statter Harbor facility which is \$1.3M of the annual operating costs or roughly \$100K/month. Broken down further, he estimated 1/3 of the \$1.3M is directly for charter operations for efforts to maintain Statter Harbor which results in a reasonable amount of \$150K. Mr. Uchtyl said the other way he looked at the costs associated with charter operations was to assume one Harbor Officer and one Harbor Technician are fully engaged with charter operations seven days a week from early morning to 8pm in the evening, the administrative portion is approximately a quarter of the seasonal time spent permitting, and monthly passenger billing. The port-a-potties are primarily at Statter Harbor for the charter operations which is five at \$855.50 per month. He assumed 75% of the restroom supplies and water/waste water is used directly on the charter operations. For the refuse disposal he estimated 25% of the total cost is for the charter operations.



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

Monday November 30th, 2020

The sweeping and striping of the bus lot is a lump sum with 100% associated with the charter operations. Adding all of these costs together are \$133K which is in line with the \$150K estimated in paragraph two of the memo.

Mr. Wostmann asked if the Harbor Officer, Harbor Technician, and the Administrative costs include benefits?

Mr. Uchytel said they include benefit costs.

Mr. Wostmann said there are two components to the fees associated with the charter operations. One being the direct costs that were identified in the memo and either using the \$150K or the \$133K, and the other being the capital costs for the facility that is being built for the charter operations. He said he has been doing some calculations to determine a depreciation cost and he estimates \$270K annually which may not be a good number right now because he used the standard straight line depreciation and it may not be calculated this way. There was previous discussion about reimbursement from the charter operators for about half of the capital costs which is around \$137K. These are estimated numbers to have something to work with and think about. He said taking the \$137K and adding the \$150K it comes to a little under \$300K annually. Currently, the inspected vessels paid in fees \$225K. Using these numbers, there could be an approximate fee increase of 30% to get to the \$300K from the \$225K. If this approach seems reasonable, staff would need to work with CBJ Finance to figure out how they do the depreciation to get an accurate number. The 30% increase could possibly be carried out over a few years.

Mr. Etheridge asked if the numbers used for replacement is for the full cost of the Statter Harbor For-Hire facility or just the 25% that Harbors has to provide?

Mr. Wostmann said that is the full cost of the project. This would be paying off the full investment of the facility so the funds can be set aside to replace the facility 50 years from now. He put these numbers together to get a general scope of what the Committee wanted to do. Another calculation he was working with was the estimated 80,000 passenger that go on whale watching tours at \$150 per person he estimates the charter operators receiving revenue of \$12M. The \$300K contribution from the fleet as a whole seems like a reasonable cost. Providing this vastly improved facility, the charter operators should predict there would be an increase in fees.

Mr. Larkin asked if the charter operators asked for the new facility or is this something Docks & Harbors decided to do?

Mr. Uchytel said it is a little bit of both. Statter Harbor is the highest requested facility. Staff knows the demand exceeds capacity and the charter operators has brought up that



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

Monday November 30th, 2020

they need a place to tie up every night. The charter operators have indicated they are a value to the community and they provide some of the economic engine of tourism. The charter operators has requested additional facilities and staff has seen how packed Statter Harbor can be. Staff looks at this as a win/win because it provides a place for the charter operators but it also relieves the stress for others to use Statter Harbor.

Mr. Larkin said the raising of the fees will be a little easier knowing this facility was built from their request.

Mr. Wostmann said he was a charter operator and he avoided Statter Harbor whenever he could to avoid the congestion during the summer. He said his perspective of this facility is that it is going to be a huge improvement.

Mr. Etheridge said when he was a charter operator he would never go to Statter Harbor due to congestion. If there was not space of the IVF downtown they would anchor out and lighter back and forth with skiffs.

Mr. Becker said this will be a great benefit for the charter operators. He asked what the estimate for adjustment was going to be and how the phasing in over a few years would work?

Mr. Wostmann said his rough numbers were estimated off the entire investment of \$14.7M and over a 50 year amortization so the amount that will be going toward that in a given year is about 2%. If the idea is to just pay back the City's portion, they would probably want to be reimbursed a whole lot sooner. The phasing over a few years idea would be to do increments of 10% over a few years.

Public Comment –

Brent Bitterman, Alaska Luxury Tours

Mr. Bitterman asked if this project is paid for by cruise ship head tax money?

Mr. Uchytel said three quarters of the funding for this project is from head tax and one quarter from local sources.

Mr. Bitterman said the reason he believes this is important is when you talk about raising fees. He said regarding the idea of the facility being paid for by the charter industry because it would not need to be built if it was not for the charter industry being there, it is already being paid for by the cruise lines so it seems like it is double dipping from his perspective. To pass along a rate increase does not seem fair in his estimation.

Kirby Day, Juneau, AK

Mr. Day said he was making sure there would be no increase in calendar year 2021.



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

Monday November 30th, 2020

Mr. Wostmann said that is correct and this would not take effect until 2022.

Mr. Day said as operators, we all want to keep our costs down especially given the uncertainty of where we are today. It is important to remember that if we did not do this project that was three quarters of the way funded by passenger head tax, in all likelihood, the City would have had to cap this business and limit the capacity because we were out of room and out of residential patience. This project does benefit the charter operators, the cruise industry, the passengers, and the residents. He said in general, most operators do not want their costs to increase right now but it may be a good idea to sit down with the operators after the first of the year and talk through thoughts and ideas on how to have a fee increase over the next five years. Given the uncertainty that may creep into 2022, maybe have a gradual increase for that year and a normal increase in the following years. He is not speaking for the operators. This comes out of their bottom line and in turn needs to charge the guest as well. He asked if it was the intent to make up this increase based off the per passenger or also on the moorage, or both?

Mr. Wostmann said what the increase is based off is undecided. He agrees that the charter operators need to be involved in the discussion and could be over the next six to nine months. Ultimately, the Committee is looking for a fee structure to have in place in 2022 but if there still is not a full season we would undoubtedly not raise the fees or raise them a lot less. In correcting his earlier statement, only 1% of the value would be depreciated because we are looking at half the value. There are multiple ways to approach this reimbursement or even if that is something the Committee wants to do.

Mr. Etheridge said there will be several meeting if there is a proposed fee increase and a lot of opportunity for public comment.

Mr. Wostmann asked about Mr. Uchytel's memo dated October 15th. In the last sentence in paragraph one which says, "We have sufficient Harbors Enterprise match for Phase III(A) and III(C)", but what about III (B)?

Mr. Uchytel said that is an error, it should say Phase III(A) and III(B). Harbors does not have enough funds for Phase III(C).

Mr. Wostmann asked why the uninspected vessels will not be operating in the new facility?

Mr. Uchytel said this is an attempt to maximize or manage the new facility as best as possible.

2. CY22 Statter Harbors For-Hire Fee Rate Discussion- This was discussed in the previous item.



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

Monday November 30th, 2020

3. FY21 Docks and Harbors Budget Review

Mr. Uchytel said the Docks & Harbors revenue and expense projections was put together today for FY21. Looking at the Docks projections, staff is estimating \$785,628 in revenue and \$1,321,413 in expense and this will leave Docks with a deficit of \$535,785. At some point staff will need to go forward to the Assembly and ask for fund balance money to cover the deficit. Mr. Uchytel said looking at the Harbors projections, staff is estimating \$4,393,680 in revenue and \$3,979,833 in expense this will leave \$413,847 up in revenue at the end of FY21.

4. FY22 Budget Process Calendar

Mr. Uchytel said this is the first year the Finance Department provided this calendar and he wanted to share this with the Board. He pointed out important dates for the Board. By Charter, the date the Assembly is required to approve the budget is June 15th. The process is broken down into three waves with Docks & Harbors in wave 3. The MPF requests are due January 4th, December 7th is the first round of training for the budget process and provide the spreadsheets to be completed by the Department. On January 25th is when the spreadsheets are due to finance with the updates for this current fiscal year FY21 and make changes to the next fiscal year FY22. Once the Finance Department has the budget updates they will add their portion of the budget numbers, such as debt service, interest, and make other appropriate adjustments. The City Manager will schedule a presentation from Docks & Harbors to address Assembly concerns with our budget. This date is typically in March or April and then all the budgets are approved at the June 15th deadline. He said Tiara Ward is our Finance Accountant who is also on this zoom meeting if you have any questions.

Ms. Ward said this is a new schedule for the Finance Department as well due to our new budget analyst. The plan is to have the budget completed earlier so as to not be scrambling at the last minute City-wide.

Mr. Wostmann said he would like to focus on the dates from December 7th to January 25th. December 7th is the date staff receives the working spreadsheets to update and January 25th is when they need to be submitted to Finance. During this time there will need to be a Finance Sub-Committee meeting, an Operations meeting, and a Board meeting in order to approve the budget numbers for submission.

Mr. Uchytel said if we did not complete all the meetings before the January 25th deadline it would be okay. We have an Operations meeting on January 20th and the Full Board on January 28th. He is sure the Finance Department would accept the working draft that we could have approved at the January 28th Board meeting.



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

Monday November 30th, 2020

Ms. Ward said if the Board needed a little more time that would be appropriate. The goal is to have most of a budget ready so the Manager's office can look at all the needs and set the MPF and CIP schedules. She believes the January 28th date would be fine.

Mr. Wostmann asked when staff would have a preliminary review of the budget with the Finance Sub-Committee?

Mr. Uchytel said the 20th of January is the Operations Committee meeting and recommended having a Finance Sub-Committee review anywhere between the 6th and the 14th of January.

Mr. Wostmann asked Mr. Uchytel to send out a doodle poll for the dates between January 6th and the 14th.

Mr. Uchytel asked what level the Committee wants to see the budget. The Assembly approves a very high level biennial review.

Mr. Wostmann said the Sub-Committee should get into the weeds that leads up to the total budget which he believes is the duties of the Finance Sub-Committee. In part so when this goes to the Operations and the Full Board there is not a need for the Board as a whole to dig into the detail items again. He wants to review all the detail line items and believes this could be a two part process. Staff could send out the draft budget to the Finance Sub-Committee members to have a little time to review it before the meeting date.

Mr. Uchytel said he will send out a doodle poll for the January 6th to the 14th time period.

5. Graphic ideas to communicate to the Docks & Harbors Board

Mr. Uchytel said he had a discussion with Mr. Wostmann, Mr. Etheridge and Mr. Ridgway about better way to communicate the financial health of Docks & Harbors on a periodic basis. He said he has nothing to present and is asking what the members would like to see with the budget numbers.

Mr. Becker said he would like to have a one on one to get caught up on budget numbers with Mr. Uchytel.

Mr. Wostmann said he wanted to pull some other reports that had some effective graphics but he was unable to find the time for that for this meeting but he would like this topic on the next agenda. If any other members have a finance report they would like to see to please send it to Mr. Uchytel.

VII. Next Meeting – January meeting TBD.

VIII. Adjournment – The Finance Sub-Committee Meeting adjourned at 6:15 pm.



REQUEST FOR PROPOSALS

RFP DH21-00x

**PROFESSIONAL SERVICES
FOR
HARBOR RATE STUDY**

SMALL BOAT HARBOR FACILITIES

JUNEAU, ALASKA

Issued by: _____
Carl Uchytel, Port Director

Date: September xx, 2021

Request for Proposals

RFP DH21-00x

Professional Services for Harbor Rate Study for Small Boat Harbor Facilities in Juneau, Alaska

SERVICES REQUESTED: The City and Borough of Juneau (CBJ) Docks and Harbors requests proposals from qualified firms to provide professional services in developing sustainable and equitable harbor rates for the existing facilities and to strategically guide future development within CBJ Docks and Harbors managed small boat harbor facilities.

DOCUMENTS: Request for Proposal (RFP) documents may be obtained from the CBJ Port Director's Office, 76 Egan Drive, Juneau, AK 99801, telephone (907) 586-0292. Documents may also be found on the Docks and Harbors website at http://www.juneau.org/harbors/proposed_regulations.php. It is advisable to sign up for the plan holders list with the Port Director's office in order to be notified of addenda that may be issued for this RFP.

QUESTIONS REGARDING THIS RFP: Carl Uchytel, Port Director, is the sole point of contact for all issues pertaining to this procurement (phone 907-586-0292, fax 907-586-0295, Carl.Uchytel@juneau.org).

PRE-PROPOSAL MEETING: A non-mandatory pre-proposal meeting will be held in TBD of the CBJ Municipal Building at 155 S. Seward Street, at **10:00 a.m., Alaska Time on September xx, 2021.** Persons interested in submitting proposals are encouraged to attend. Conference call capability may be available for the Pre-Proposal meeting. Proposers intending to participate via teleconference shall notify the Port Director's Office, at 907-586-0292, or email teena.larson@juneau.org by 4:30 p.m., on September xx, 2021.

DEADLINE FOR PROPOSALS: Seven (7) copies of the proposal, in a ***sealed envelope***, must be received by the Port Director prior to **2:00 p.m. Alaska Time on October xx, 2021,** or such later time as the Port Director may announce by addendum to plan holders at any time prior to the submittal date. Proposals will be time-stamped by the Port Director's Office, which will establish the official time of receipt of proposals. Late proposals will not be accepted and will be returned unopened. Faxed or emailed proposals will not be accepted.

Proposal documents delivered in person or by courier services must be delivered to:

PHYSICAL LOCATION:

City and Borough of Juneau
Docks and Harbors, Port Director's Office
76 Egan Drive, Second Floor
Juneau, AK 99801

The Port Director's Office phone number is 907-586-0292, and fax number 907-586-0295.

Proposal documents delivered by the U.S. Postal Service must be mailed to:

MAILING ADDRESS:

City and Borough of Juneau
Docks and Harbors, Port Director's Office
155 South Seward Street
Juneau, AK 99801

Note: Mailing/delivery times to Alaska may take longer than other areas of the U.S.

Please affix the label below to the lower left hand corner of the envelope in which the RFP is submitted.

<p>IMPORTANT NOTICE TO PROPOSER</p> <p>To submit your proposal:</p> <ol style="list-style-type: none">1. Print your company name and address on the upper left corner of your envelope.2. Complete this label and place it on the lower left corner of your envelope <table border="1"><tr><td><p>RFP NUMBER: DH21-00x</p><p>SUBJECT: Professional Services for Harbor Rate Study for Small Boat Harbor Facilities</p><p>DATE OF SUBMITTAL AT 2:00 P.M. ALASKA</p><p>_____</p><p>TIME:</p></td></tr></table> <p>SEALED PROPOSAL</p>	<p>RFP NUMBER: DH21-00x</p> <p>SUBJECT: Professional Services for Harbor Rate Study for Small Boat Harbor Facilities</p> <p>DATE OF SUBMITTAL AT 2:00 P.M. ALASKA</p> <p>_____</p> <p>TIME:</p>
<p>RFP NUMBER: DH21-00x</p> <p>SUBJECT: Professional Services for Harbor Rate Study for Small Boat Harbor Facilities</p> <p>DATE OF SUBMITTAL AT 2:00 P.M. ALASKA</p> <p>_____</p> <p>TIME:</p>	

Disadvantaged Business Enterprises are encouraged to respond.

DRAFT

(Page Intentionally Left Blank)

TABLE OF CONTENTS

1.0 GENERAL INFORMATION	4
1.1 Purpose.....	4
1.2 Background.....	4
1.3 Project Description	5
1.4 Scope of Services	5
1.5 Schedule of Work.....	6
1.6 Questions	6
1.7 Standard Contract Language	6
1.8 Contract Terms.....	6
2.0 RULES GOVERNING COMPETITION	7
2.1 Pre-Proposal.....	7
2.2 Proposal Development	7
2.3 Disclosure of Proposal Contents	7
3.0 PROPOSAL CONTENT REQUIREMENTS	8
3.1 Title Page.....	8
3.2 Table of Contents.....	8
3.3 Letter of Transmittal.....	8
3.4 Scope of Services and Work Plan.....	8
3.5 History and Experience	8
3.6 Proposer’s Organization and Personnel Qualifications.....	9
4.0 EVALUATION OF PROPOSALS	9
4.1 Criteria	9
4.2 Evaluation Process	9
4.3 Evaluation Data	10
5.0 SELECTION AND AWARD PROCESS	11
6.0 INSURANCE REQUIREMENTS	11
7.0 JUNEAU PROPOSER POINTS	11
8.0 PROTESTS	12
9.0 CONSULTANT’S GOOD STANDING WITH CBJ FINANCE DEPARTMENT	12
PROPOSAL EVALUATION / RANKING FORM	13
ATTACHMENT 1 – SAMPLE CONTRACT	Error! Bookmark not defined.

1.0 GENERAL INFORMATION

This Class 2 Request for Proposals (RFP) defines the scope of the project, defines the documents required to respond to the RFP, and explains the procedures for selecting a firm to provide the requested services. The Class 2 process is used for acquisition of professional services contracts estimated to be greater than \$25,000 but less than \$50,000. The current budget for this project is \$30,000. The Consultant contract may be amended by CBJ Docks and Harbors for additional work related to the subject area based upon the findings and recommendations as a result of this particular project.

1.1 Purpose

The purpose of this document is to solicit proposals from qualified consultants to enter into a contract to conduct a study of the Docks & Harbors rate fee structure. The intent is to determine a sustainable, equitable rate structure based on the existing facility infrastructural and services to support commercial and recreational users of the harbor facilities.

1.2 Background

Juneau is Alaska's Capital City. The year round population is approximately 33,000 residents. During the summer months over 1,000,000 visitors arrive by cruise ship. Approximately 400 visiting vessels use Aurora and Harris Harbors per year. Juneau hosts a significant fishing fleet, many of which base out of the downtown harbors (Aurora, Harris, Douglas) along Gastineau Channel. Significantly more transient vessels (commercial fishing, recreational and yacht) moor at the Don D. Statter Harbor facility in Auke Bay.

The City and Borough of Juneau (CBJ) Docks and Harbors is an enterprise fund directed by an Assembly appointed Board of volunteer citizens. The Port Director sits at the pleasure of the Board and is in charge of all operations of Docks and Harbors. He is supported by an Administrative Officer; Administrative Assistant; Port Engineer and staff; and the Juneau Harbormaster and staff. The Port Director's Office is located on the Second Floor of the Seadrome Building at 76 Egan Drive in Juneau, Alaska.

Docks and Harbors has a vision to be the *Southeast Alaska Marine Center of excellence providing safe, secure, modern, vibrant facilities meeting the needs of the users it serves*. The mission statement pledges to develop and provide opportunities, services, and facilities to support marine related commerce, industry, fisheries, recreation, and visitors. The intent of this harbor fee review is to develop funding strategies to support the vision and mission.

The projected FY22 revenue for the Harbor Enterprise is \$4.68M of which \$3.34M are derived from fees considered "charges for service". Generally speaking, these revenues are derived from moorage, associated fees and launch ramp proceeds.

Following is a list, and web link, of past documents that may have relevance to this project:

Harbor Enterprise FY21 Adopted Budget (page 166)
[FY21-Adopted-Budget-Book-Final-for-Printing.pdf \(netdna-ssl.com\)](https://netdna-ssl.com/FY21-Adopted-Budget-Book-Final-for-Printing.pdf)

CBJ Docks & Harbor Facilities
[Harbors – Facilities – City and Borough of Juneau](#)

Summary of Harbor Fees in CBJ Regulations
[Finance Sub-Committee meeting](#)

1.3 Project Description

The proposed deliverable under this contract would develop a “cost based” harbor rate study and provide strategic financial guidance to Docks and Harbors to manage facilities throughout its Harbor Enterprise portfolio. The harbor rate study will be loosely applied to those facilities in the Harbor Enterprise and not specific to fees associated under the Dock Enterprise in support of large cruise ship related commerce.

The City & Borough of Juneau – Docks & Harbors Enterprises will enter into a professional services contract with the successful firm. This contract will detail the agreed costs, work schedule, scope of work, and will serve as the notice to proceed. The successful proposer will work with Docks & Harbors Staff to collect the data necessary for the completion of the contracted scope of work. A final report will then be prepared and presented to the Docks & Harbors Board. Should any changes occur to the agreed contract, including changes in the team members involved, the firm will be required to submit a change request in writing to Docks & Harbors. Changes in the contract will not be approved until both parties have signed the contract change request.

1.4 Scope of Services

The Consultant will work with the Docks and Harbors staff and Board, to develop a defensible “cost based” harbor rate study. The intended purpose is to produce supporting documentation for a harbor rate schedule which is fiscally sustainable and provides funding opportunities to meet future community needs. The selected proposer would collect information on the current rates (i.e. moorage, dockage, launch ramps, etc) and evaluate operational and maintenance costs, planned or recapitalization needs in determining appropriate fee schedules. This study may incorporate life-cycle costing modeling to determine the rates needs to support harbor-related expenses, allocation of shared costs, intergovernmental transfers, future demand, and market position competitiveness and other related information or data deemed relevant from the consultant’s experience to the project.

Specific tasks may include, but not be limited to, a cursory review of existing facilities; identification of potential revenues not previously identified by CBJ; participation at stakeholder and public meetings; developing alternate land use and financial strategic concepts to meet facility needs today and into the future; present concepts to the public and stakeholders for review and comment; present to the Docks and Harbor Board for comment and direction; prepare final concept plan upon consideration of comments received and staff direction; investigate financial strategies for funding planned developments; and prepare a written report of findings and recommendations.

1.5 **Schedule of Work**

The Consultant shall propose a schedule of work that identifies the various tasks as outlined in the Scope of Work allowing time to adequately address the issues; study various concepts and scenarios; allow for adequate public participation; develop final concept plans; prepare recommendations and timing of improvements; develop planning level cost estimates; develop financial strategies; and prepare a report of the process and the results of the project.

For purposes of the schedule, the Consultant, should anticipate a Notice To Proceed of December x, 2021. The schedule would be adjusted if NTP is delayed.

1.6 **Questions**

Questions regarding this proposal should be directed to:

Carl Uchytel, Port Director
email: Carl.Uchytel@juneau.org
City and Borough of Juneau
Docks and Harbors - Port of Juneau
Seadrome Building – 2nd Floor
76 Egan Drive
Juneau, Alaska 99801
Telephone: (907) 586-0292 Fax: (907) 586-0295

Office hours are 8:00 a.m. to 4:30 p.m. local time, Monday through Friday.
Mailing address for written questions and clarifications should be addressed to:

Carl Uchytel, Port Director
City and Borough of Juneau
Docks and Harbors - Port of Juneau
155 South Seward Street
Juneau, Alaska 99801

1.7 **Standard Contract Language**

Attached to this RFP is a CBJ sample contract (Attachment 1) which should be carefully reviewed by proposers, as it is the basis of the agreement that the CBJ intends to contract with the selected Consultant in the event of acceptance of its proposal.

1.8 **Contract Terms**

It is anticipated that this RFP would result in a contract for services to develop a cost based harbor rate schedule and fiscal revenue strategy plan for the Docks and Harbors managed Harbor Enterprise facilities commonly referring to the four small boat harbors, six launch ramp facilities and the commercial facilities at the Juneau Fisheries Terminal and Auke Bay Loading Facility. Fees would be negotiated and result in a lump sum and/or a not-to-exceed time and materials contract based on the proposed billing rates for the life of the contract, unless adjustments are approved by CBJ. There shall be no mark-up for expenses or for sub-consultant fees.

2.0 RULES GOVERNING COMPETITION

2.1 Pre-Proposal

Proposers should carefully examine the entire RFP, sample contract, and any addenda thereto, and all related materials and data referenced in the RFP. Proposers should become fully aware of the nature of the services requested and the conditions likely to be encountered in performing the services. It is the sole responsibility of the proposer to assure they are in receipt of any and all addenda.

2.2 Proposal Development

The content of proposals will be kept confidential until the selection of the Consultant is publicly announced. All materials submitted in response to this RFP will become the property of the CBJ. One copy will be retained for the official files of CBJ Docks and Harbors and become public record after announcement of the successful Proposer. The CBJ will not return proposals to the Proposer. The CBJ reserves the right to reject any or all proposals.

Proposals are to be prepared in such a way as to provide a straightforward, concise delineation of the Proposer's capabilities to satisfy the requirements of this RFP. Emphasis should be concentrated on conformance to the RFP instructions, responsiveness to the RFP requirements, and on completeness and clarity of content.

This solicitation does not commit CBJ Docks and Harbors to select any Consultant(s) for the requested services. All costs associated with the respondents' preparations, submission and oral presentations (if applicable) shall be the responsibility of the Proposer.

All proposals must be signed. Proposals must be received in the number of copies stated in the RFP no later than the date and time specified in the cover letter. All copies of the proposals must be under sealed cover and plainly marked. Proposals not received by the date and time specified in the cover letter will not be considered and will be returned to the proposer unopened.

2.3 Disclosure of Proposal Contents

The City and Borough of Juneau, a municipal corporation and political subdivision of the State of Alaska, is subject to the Alaska Public Records Act codified at AS 40.25.100-220, and the public records provisions in the CBJ Charter, section 15.7. The contents of proposals submitted in response to this RFP will be kept confidential a final selection is made and announced by CBJ Docks and Harbors. Immediately following announcement, all proposals become public information. Trade secrets and other proprietary data contained in a proposal may be held confidential, to the extent allowed by law, by the Port Director, upon request in writing by a proposer. Material considered confidential by the proposer must be clearly identified and marked (page, section, etc.) by the proposer, and the proposer must include a brief statement that sets out the reasons for confidentiality. Marking the entire proposal confidential is not acceptable and may be cause for the City to reject your proposal as nonresponsive.

3.0 PROPOSAL CONTENT REQUIREMENTS

To achieve a uniform review process and obtain the maximum degree of comparability for the Selection Committee, proposals should be organized in the manner specified below:

3.1 Title Page

Show the RFP name and number, the name of the firm, address, telephone numbers, and name of contact person and date of submission.

3.2 Table of Contents

Clearly identify the materials by section and page number.

3.3 Letter of Transmittal

Limit to one (1) or two (2) printed pages.

3.3.1 Briefly state your firm's understanding of the proposal requirements and summarize your capability to meet same.

3.3.2 Give names of the person(s) who will be authorized to represent your firm, their title(s), address (es) and telephone number(s).

3.3.3 The transmittal letter must be signed by a corporate officer who has authority to bind the firm. Name and title of the individual signing the proposal must be printed below or adjacent to the signature.

3.3.4 Acknowledge receipt of all addenda. Failure to acknowledge addenda may result in the proposal being considered non-responsive and subject to rejection.

3.4 Scope of Services and Work Plan

3.4.1 Discuss the Scope of Services and how the firm will provide the desired services. Include a statement of approach and methodology for accomplishing the requested services.

3.4.2 Provide a work plan, which includes a proposed project schedule. This schedule should identify major tasks and critical components of the project. If the Consultant's team anticipates delays or problems with the design schedule, describe these issues in detail.

3.4.3 Discuss the incorporation of this project into the firm's current workload and the ability of the Consultant's team to meet the project schedule. Provide a staff schedule, identifying primary personnel and sub-consultants and their proposed work schedule during different phases of the project. How much priority can/will this project be given?

3.5 History and Experience

- 3.5.1 Provide company names, individual contacts, and telephone numbers of references for at least three recent projects similar in scope and scale to that subject of this RFP.
- 3.5.2 Provide general background information on the firm including specialized experience, capabilities, and unique qualifications in the field. This should include information outlining the firm's experience in the specific professional services requested. Provide examples of projects that demonstrate unique, well planned, and executed solutions to program, budget, and design challenges.
- 3.5.3 Provide information to establish a high level of client satisfaction for the firm's previous work with CBJ, other government agencies, and private clients.
- 3.5.4 Provide information that demonstrates the ability of the firm to deliver professional planning services that result in successful projects within established budget and on schedule.

3.6 Proposer's Organization and Personnel Qualifications

- 3.6.1 Describe the organizational structure of the Consultant team for this project with an organizational chart or other diagrammatic explanation.
- 3.6.2 Specify the project manager and other key personnel who will be directly providing services for the CBJ Docks and Harbors in various areas of the described project and state their position, role, and responsibility. The names, titles and resumes of listed personnel should be provided. Please indicate the experience of each member specifically as it applies to this type of project.

4.0 EVALUATION OF PROPOSALS

4.1 Criteria

Proposals will be evaluated and scored, using the criteria on the PROPOSAL EVALUATION/RANKING FORM, found at the end of this document, in order to ascertain which proposal best meets the needs of the CBJ. The items to be considered during the evaluation are explained below at Section 4.3 Evaluation Data. The associated point values are shown on the PROPOSAL EVALUATION/RANKING FORM.

4.2 Evaluation Process

Evaluation of the written proposals will be performed by a committee selected by the Port Director. Written proposals will be the primary basis for selection of the consultant team, unless the selection committee determines that oral interviews are necessary.

If oral interviews are used, the selection committee will prepare a "short list" of at least two finalists, who will then be invited to attend oral interviews in Juneau. Finalists will be notified and informed of specific interview requirements and procedures prior to the oral interview. Proposers will be allowed a maximum of three team members to participate in the interview process.

Oral interviews, if used, will be scored and ranked independently of the written proposal and will determine the outcome of the RFP process. All costs associated with attendance of the

interviews, if held, will be the responsibility of the Proposer. The intent of the CBJ is to make award based on written proposals if possible.

4.3 Evaluation Data

The evaluation Data discussed below is presented in an effort to delineate what criteria will be used to score proposals. Please do not include a separate section in your proposal for Evaluation Data. The information discussed below should be included in the proposal as part of the Proposal Content Requirements discussed in SECTION 3.0 of this RFP.

4.3.1 Proposed Method to Accomplish the Project

Work schedule and methodology will be evaluated according to budget sensitivity, efficiency, completeness and pertinence of the tasks submitted by the Proposer, as well as the creativity and logic of the overall approach. The proposal should show interest and insight about this project.

4.3.2 Capacity of Firm

Evaluation will be made on the Proposer's ability to perform the desired services within the established schedule.

4.3.3 Past Record of Performance

Evaluation of the Proposer's experience with the CBJ, other governmental agencies and private industry will be made. Detailed references including companies, specific contact persons and their phone numbers and locations should be provided. Information presented should demonstrate how the firm accomplishes the following.

- a. Monitors and maintains project schedules.
- b. Establishes overall project success through close coordination with all parties.
- c. Controls construction budgets, maintaining best interests of Owner.
- d. Delivers high quality services within established budgets.

4.3.4 Firm's Experience with Similar Projects

Evaluation will be made of the Proposer's experience with projects of similar scope and scale, as well as other projects with the CBJ, other government agencies and private industry.

4.3.5 Firm's Representation

The proposal should specify readily available personnel to accomplish the desired services. The level of involvement should be displayed in a way which is consistent with the scale of the project. The proposal should establish the:

- a. Schedule of availability of personnel.
- b. Scale of involvement is appropriate to the project.

4.3.6 Proposer's Organization and Personnel Qualifications

Evaluation will be made of the Proposer's organization and the ability to perform the desired services within the established schedule.

Evaluation will be made based on proposed personnel, their relevant qualifications and experience, and their proposed scale of involvement.

4.3.7 Quality of the Proposal

Evaluation will include the clarity and professional quality of the document(s) submitted.

- a. Is proposal clear and concise?
- b. Is proposal responsive to the needs of the project?

4.3.8 Juneau Proposer according to SECTION 7.0

Juneau Proposer points will be awarded if the Prime Consultant meets Juneau Proposer requirements as stipulated in Section 7.0 – Juneau Proposer Points.

5.0 SELECTION AND AWARD PROCESS

An evaluation committee will review, evaluate, score, and rank proposals in accordance with criteria identified in Section 3 and the Evaluation Form located at the end of this RFP. Each member of the Selection Committee will independently score the proposals. Each member's scores, as they relate to the group of proposals, are then ranked. The proposal receiving the highest score is given a ranking value of "one", the second highest scored proposal receives a ranking of "two", and so on. The scores and rankings of each member are then forwarded to the Port Director. These rankings are checked for accuracy and combined to form a composite ranking.

The Proposer with the lowest composite numerical rank will be declared the apparent successful Proposer. In the event of a tie in the ranking totals, the raw scores of the Proposers who are tied will be totaled to determine the successful Proposer. If oral interviews are used, the successful proposer will be chosen as provided in Section 4.2 of this RFP.

After issuance of a notice of apparent successful proposer, the protest period begins. Once the protest period is over, the successful Proposer will be invited to enter into contract negotiations with the CBJ. If negotiations are unsuccessful, discussions with the lowest ranked Proposer will be terminated and the second lowest ranked Proposer may be contacted for negotiations.

Award of contract, if made, will be to the responsible Proposer selected in accordance with the criteria described in Section 4 of this RFP, and whose final proposal and fee is accepted by the CBJ. The CBJ reserves the right to award the contract to the successful firm without further discussion.

6.0 INSURANCE REQUIREMENTS

The insurance requirements for this project are specified in Attachment 2 – Sample Contract, under Appendix C.

7.0 JUNEAU PROPOSER POINTS

Juneau proposer points shall be awarded if the Proposer is determined to be a "Juneau proposer" meeting the criteria of CBJ's Purchasing Ordinance 53.50, Section 53.50.010. CBJ Ordinance

53.50 can be viewed electronically at the following internet address: www.juneau.org/law. **Note:** *The criteria for meeting Juneau Proposer requirements have changed. Please review the new requirements and contact the CBJ Docks and Harbors with any questions.*

A paper copy of the CBJ Purchasing Ordinance is available upon request from the Port Director's Office.

8.0 PROTESTS

The protest period begins with the posting of a notice of apparent successful proposer, in the Port Director's Office and expires at the close of business on the next day.

Protests shall be executed in accordance with CBJ Ordinance 53.50.062 PROTESTS and 53.50.080 ADMINISTRATION OF PROTEST. Copies of the ordinances describing protest procedures are available from the CBJ Port Director's Office, 76 Egan Drive, Juneau, Alaska. Questions concerning protests or protest procedures should be directed to the CBJ Port Director (Purchasing Officer for Docks and Harbors) at 907-586-0292. CBJ Ordinance 53.50 can be viewed electronically at the following internet address: www.juneau.org/law.

9.0 CONSULTANT'S GOOD STANDING WITH CBJ FINANCE DEPARTMENT

Consultants must be in good standing with the CBJ prior to award, and prior to any contract renewals, and in any event no later than **seven business days** following notification by the CBJ of intent to award. **Good standing** means: all amounts owed to the CBJ are current and the Consultant is not delinquent with respect to any taxes, fees, assessment, or other monies due and owed the CBJ, or a Confession of Judgment has been executed and the Consultant is in compliance with the terms of any stipulation associated with the Confession of Judgment, including being current as to any installment payments due; and Consultant is current in all CBJ reporting obligations (such as sales tax registration and reporting and business personal property declarations). Failure to meet these requirements may be cause for rejection of your proposal. To determine if your business is in good standing, or for further information, contact the CBJ Finance Department's Sales Tax Division at (907) 586-5265 for sales tax issues, Assessor's Office at (907)586-0930 for business personal property issues, or Collections Division at (907) 586-5268 for all other accounts.

Note: Juneau Proposer preference (7.0) has requirements regarding a firm's good standing with the City at the time a proposal is submitted. Please review the Purchasing Code cited.

PROPOSAL EVALUATION / RANKING FORM

PROPOSER: _____

SCORED BY: _____ **DATE:** _____

	POINTS AWARDED	
	<u>Points Possible</u>	<u>Score</u>
4.3.1. Proposed Method to Accomplish the Project	0 – 50	_____
4.3.2. Capacity of Firm	0 – 15	_____
4.3.3. Past Record of Performance		
a. Monitors and maintains project schedules.	0 – 10	
b. Establishes overall project success through close coordination with all parties.	0 – 10	_____
c. Controls budgets, maintaining best interests of Owner.	0 – 10	_____
d. Delivers high quality services within established budgets.	0 – 10	_____
4.3.4. Firm's Experience with Similar Projects	0 – 25	_____
4.3.5. Firm's Representation		
a. Schedule of availability of personnel.	0 – 15	_____
b. Scale of involvement is appropriate to the project.	0 – 15	_____
4.3.6. Proposer's Organization and Personnel Qualifications	0 – 20	_____
4.3.7. Quality of Proposal		
a. Is proposal clear and concise?	0 – 10	_____
b. Is proposal responsive to the needs of the projects?	0 – 10	_____
	Subtotal	_____
The Port Director will assign points for criterion 4.3.9. below.		
4.3.8. Juneau Proposer (according to SECTION 7.0).	0 or 10	_____
TOTAL POINTS	210	_____
INDIVIDUAL RANKING		_____



Port of Juneau

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

PROFESSIONAL SERVICES CONTRACT For

Project Name

Contract No. RFP Contract Number

This Agreement is entered into by and between the City and Borough of Juneau, Alaska ("City"), and **Consultant Name** ("Consultant"), whose address is **Consultant Address**, phone is **Consultant Phone**, and fax is **Consultant Fax**.

Whereas, the City desires to engage the Consultant for the purpose of rendering certain professional services, and

Whereas, the Consultant represents that it is in all respects licensed and qualified to perform such services,

Now, therefore, the parties agree as follows:

- 1. CONTRACTUAL RELATIONSHIP.** The parties intend that an independent Consultant/City relationship will be created by this Contract. City is interested only in the results to be achieved, and the conduct and control of the work will lie solely with the Consultant. Consultant is not considered an agent or employee of City for any purpose, and the employees of Consultant are not entitled to any benefits that City provides for City's employees. It is understood that the City does not agree to use the Consultant exclusively. It is further understood that the Consultant is free to contract for similar services to be performed for others while it is under contract with the City.
- 2. SCOPE OF SERVICE.** The Consultant shall carry out in a professional and prudent manner all of the services required by the Contract. These services include all of the services described in Appendix A. Consultant will diligently proceed with the Scope of Services, and will provide such services in a timely manner.
- 3. PERSONNEL, EQUIPMENT, SUPPLIES, AND LICENSES.**

- (A) Except as noted in Appendix A, the Consultant represents that it has or will secure at its own expense all personnel, equipment, and supplies required in performing the services under this Contract.
- (B) All of the services required hereunder will be performed by the Consultant or under its supervision.
- (C) None of the work or services covered by this Contract shall be subcontracted without prior written approval of the City.
- (D) Consultant warrants that it is fully licensed under all applicable local, state, and federal laws to perform the services to be provided hereunder.

4. TIME OF PERFORMANCE. The services of the Consultant are to commence after the execution of the Contract and issuance of Notice to Proceed and Purchase Order. All work shall be completed no later than the time specified in Appendix A. Amendment to this Contract may be made upon mutual, written agreement prior to the contract expiration date.

5. REPORTING. Except as authorized within Appendix A, the City's primary representative for this Contract shall be the **Port Director, Carl Uchytel**. The City shall not be liable for Consultant's expenses incurred in reliance on directions received from any other municipal officer or employee. The Consultant's representative shall be **Consultant Representative**. Reliance by the City on representations by any other person shall be at the City's own risk.

6. COMPENSATION. The City agrees to pay the Consultant according to the provisions of Appendix B. The Consultant's fee schedule is attached to this contract and hereby incorporated into this contract by reference.

7. TERMINATION OF CONTRACT FOR CAUSE. If, through any cause, except causes beyond the control of the Consultant, the Consultant shall fail to fulfill in a timely and proper manner its obligations under this Contract; or if the Consultant shall violate any of the covenants, agreements, or stipulations of this Contract, the City shall have the right to terminate this Contract by giving written notice to the Consultant of such termination and specifying the effective date thereof, at least ten days before the effective date of such termination. In that event, all finished or unfinished documents, or other data, in whatever form, prepared by the Consultant under this Contract shall, at the option of the City, become its property, and the Consultant shall be entitled to receive just and equitable compensation for any satisfactory work completed on such documents and materials, not to exceed the Contract amount.

8. TERMINATION FOR CONVENIENCE OF CITY. The City may terminate this Contract at any time by giving written notice to the Consultant of such termination and specifying the effective date thereof, at least thirty days before the effective day of such termination. In that event, all finished or unfinished documents and other materials as described in paragraph 7 above shall, at the option of the City become its property, and the Consultant will be paid an amount not to exceed the amounts set forth in Appendix B for work satisfactorily completed on or before the date of termination, less payments of compensation previously made.

9. CONTRACT AGREEMENT. All parties mutually agreed to the terms of this Contract. The Contract should not be construed in favor of or against any party. This Contract contains the entire agreement between the parties; there are no other promises, terms, conditions, or

obligations other than those contained herein; and this Contract shall supersede all previous communications, representations or agreements, either oral or written, between the parties.

- 10. CHANGES.** The City may, from time to time, require changes in the scope of services to be performed under this Contract. Such changes, including any increase or decrease in the amount of the Consultant's compensation, must be mutually agreed upon in writing before they will be regarded as part of this Contract.
- 11. EQUAL EMPLOYMENT OPPORTUNITY.** The Consultant will not discriminate against any employee or applicant for employment because of race, color, religion, sex, or national origin.
- 12. CONFLICTS OF INTEREST.** Consultant agrees that no employee of the City, who has exercised or will exercise any authority over the specifications, procurement, supervision or payment for this Contract, and no member of the employee's immediate family, has had or will have any direct or indirect financial interest in this Contract. If the Consultant learns of any such interest, the Consultant shall immediately inform the Port Director.
- 13. ETHICS.** Consultant shall discharge its duties fairly, impartially and maintain a standard of conduct that competently serves the City and the interests of the City. Consultant shall at all times exercise unbiased judgment when performing its duties under this contract.
- 14. PUBLIC RELATIONS.** Consultant shall issue press releases, respond to press inquiries, make public speeches, appear on broadcast media or otherwise engage in public relations regarding the project only with the specific approval of the Port Director.
- 15. ELECTED OFFICIALS.** The Consultant shall respond to project-related inquiries from elected officials by providing impartial, factual information, but shall not initiate contact or attempt to persuade an elected official to agree with any viewpoint or to take any official action. The Consultant will promptly notify the City's primary representative of any request by an elected official for project-related information.
- 16. ASSIGNABILITY.** The Consultant shall not assign any interest in this Contract and shall not transfer any interest in the same without the prior written consent of the City; however, claims for money due or to become due to the Consultant from the City under this Contract may be assigned to a bank, trust company, or other financial institution without approval. Notice of any such assignment or transfer shall be furnished promptly to the City.
- 17. FINDINGS CONFIDENTIAL.** Any information given to or prepared by the Consultant under this Contract that the City requests to be kept as confidential shall not be made available to any individual or organization by the Consultant without the prior written approval of the City.
- 18. IDENTIFICATION OF DOCUMENTS.** All reports, maps, and other documents completed as a part of this Contract, other than documents exclusively for internal use within the City, shall carry a City notation or logo as directed by the City.
- 19. PUBLICATION, REPRODUCTION, AND USE OF MATERIALS.** No services, information, computer program elements, reports or other deliverables that may have a potential patent or copyright value produced in whole or in part under this Contract shall be subject to copyright in the United States or any other country.

If a copyright applies by law to the work produced under this Contract, that copyright will either be signed over to the City or the City will be given unrestricted license to the copyright. The City shall have unrestricted license to publish, disclose, distribute, and otherwise use, in whole or in part, any reports, data, or other materials prepared under this Contract. If this Contract includes architectural and/or engineering design services, any use of the design features or details produced under this Contract on other City facilities will be at the City's risk.

20. RECORDS. During performance and after termination of this Contract, each party shall make available to the other party for inspection and copying, all records, whether external or internal, having any relevance to this Contract.

21. INSURANCE REQUIREMENTS . Consultant has secured and agrees to keep and maintain in full force and effect, at its own expense, the insurance approved by CBJ Risk Management as outlined in Appendix C. All insurance required under this contract shall name the CBJ as an additional insured, except with respect to any required Professional Liability or Workers Compensation policies. At least 30 days prior to the cancellation, non-renewal or reduction in the amount of coverage, Contractor shall provide written notice to the CBJ's Risk Management. The Contractor's insurance shall be primary and any insurance maintained by the CBJ shall be non-contributory. If the Contractor maintains higher limits than shown below, the CBJ shall be entitled to coverage for the higher limits maintained by the Contractor. Failure of CBJ to demand such certificate or other evidence of full compliance with these insurance requirements or failure of CBJ to identify a deficiency from evidence that is provided shall not be construed as a waiver of the obligation of the Contractor to maintain the insurance required by this contract.

22. INDEMNIFICATION AND HOLD HARMLESS. The Consultant agrees to defend, indemnify, and hold harmless CBJ, its employees, and authorized representatives, with respect to any action, claim, or lawsuit arising out of or related to the Consultant's negligent performance of this contract without limitation as to the amount of fees, and without limitation as to any damages, cost or expense resulting from settlement, judgment, or verdict, and includes the award of any attorney's fees even if in excess of Alaska Civil Rule 82. This indemnification agreement applies to the fullest extent permitted by law, meaning that if there is a claim of, or liability for, a joint act, error, or omission of the consultant and the CBJ, the indemnification, defense, and hold harmless obligation of this provision shall be apportioned on a comparative fault basis. This agreement is in full force and effect whenever and wherever any action, claim, or lawsuit is initiated, filed, or otherwise brought against CBJ relating to this contract. The obligations of Consultant arise immediately upon actual or constructive notice of any action, claim, or lawsuit. CBJ shall notify Consultant in a timely manner of the need for indemnification, but such notice is not a condition precedent to Consultant's obligations and may be waived where the Consultant has actual notice.

23. CHOICE OF LAW; JURISDICTION. This Contract shall be governed by the laws of the State of Alaska. Jurisdiction shall be in the State of Alaska, First Judicial District.

24. SUCCESSORS. This Contract shall be binding upon the successors and assigns of the parties.

25. PRECEDENCE OF DOCUMENTS. In the event of a conflict between the provisions of this document and its appendices, the order of precedence shall be this document, Appendix A, Appendix B and Appendix C.

In Witness Whereof, the parties have affixed their signatures the date first above set out:

DRAFT

CITY AND BOROUGH OF JUNEAU

Carl Uchytel, P.E.
Port Director

Date

CONSULTANT NAME

Representative Name
Title

Date

SAMPLE CONTRACT
DRAFT

APPENDIX A: SCOPE OF SERVICES

Project Name
Contract No. Project Number

SCOPE OF SERVICES: The Scope of Services for this contract shall be (insert scope).

PERSONNEL: The Consultant's primary personnel for this work will be Name. Other qualified staff may be assigned to the project as required.

SCHEDULE: The Consultant shall perform the Work of this contract in a timely manner in accordance with the schedule as outlined below.

DRAFT

APPENDIX B: COMPENSATION

Project Name

Contract No. Project Number

Amount of Payment

Lump Sum

Consultant shall be compensated a **lump sum** amount of **Amount** for satisfactory performance of professional services described in this contract and in accordance with the Consultant's Fee Proposal dated **Date** (copy attached).

Time and Materials

Consultant shall be compensated based on **time and materials** in an amount not-to-exceed **Amount** for satisfactory performance of professional services described in this contract in accordance with the Consultant's Fee Proposal dated **Date** (copy attached).

Hourly rates shall remain the same for the life of this contract including all amendments unless the Consultant and the City negotiate a fee increase.

Method of Payment

Monthly Payable within 30 days of receipt of an invoice approved by the City's primary representative and progress report stating the amount of services completed.

Consultant Invoice Requirements

- Itemized invoices must be submitted that indicate the services performed.
- Invoices for this contract must be submitted separately from invoices for services performed under any other contract(s).

Compensation Based on Time and Materials

If compensation is based on time and materials, the following shall apply:

Compensation shall be computed based on the hourly billing rates, approved by the City's Primary representative, times the actual number of hours spent in the performance of services. The hourly billing rate for each employee is the amount to be paid to the Consultant, and is full compensation for all salary, benefits, taxes, overhead and profit. There shall be no change in rates during the term of this Agreement and no additional compensation for overtime, weekend, or holiday work, unless agreed to pursuant the above section.

Compensation for sub-consultants shall be equal to the amounts actually paid to subconsultants hereunder who have been retained after the written approval by the City's Primary representative of: a) the sub-consultant, b) the compensation to be paid the sub-consultant, and c) the terms and conditions of the subcontract. No markup allowance is allowed.

Compensation for expenses shall be an amount equal to reimbursable expenses approved in advance by the City's Primary representative, necessary and reasonably incurred and actually paid by the Consultant in the performance of the services hereunder. No markup allowance is allowed. Reimbursable expenses are expenses that are unique to the performance of the services under the Contract and generally contemplate the purchase of outside ancillary services, such as mailing and delivery charges for submittal of drawings, specifications and reports, long distance telephone calls, rentals of equipment, travel and local transportation, meals and lodging on overnight trips.

Reimbursable expenses do not include expenses that are usually and customarily included as part of the Consultant's overhead. For the purposes of this Agreement reimbursable expenses do not include amounts for typing, utilization of computer systems, computer aided design and drafting (CADD), cameras, recording or measuring devices, flashlights and other small, portable equipment, safety supplies, phones, telephone calls, electronic messaging including FAX, Telex and telegrams, e-mail accounts, Internet service, or expendable office supplies. Unless otherwise indicated, required insurance is not a reimbursable expense.

The Consultant shall obtain the City's written approval prior to making expenditures for reimbursable expenses in excess of \$500 per specific expenditure and for all overnight trips, which are reimbursable expenditures as set forth above. The Consultant shall substantiate all billings for reimbursable expenses in excess of \$25 with receipted bills and provide said receipts with the appropriate billing.

The Consultant shall keep, and cause any sub-consultants to keep, daily records of the time spent in the performance of services hereunder by all persons whose billing rates will be the basis for compensation as well as records and receipts of reimbursable expenditures hereunder. Failure to do so shall be a conclusive waiver of any right to compensation for such services or expenses as are otherwise compensable hereunder.

The City shall have the right to inspect all records of the Consultant, and of any sub-consultants, pertaining to this project. Records shall be maintained by the Consultant and sub-consultants for a period of three years after completion of services.

When travel is necessary as part of the professional services to be provided, the following shall be followed:

- ◆ Airline tickets should be purchased at the 14 day advanced purchase price whenever possible. The CBJ will not pay for First Class travel. Any deviation shall be approved in writing in advance by the City's Primary representative.
- ◆ Per Diem meal allowance shall be: \$60.00 (\$12.00 for breakfast, \$16.00 for lunch and \$32.00 for dinner).
- ◆ The Consultant shall stay at the hotel with a daily rate not to exceed \$150.00, unless unavailable.
- ◆ Travel agent fees, tips, alcohol or bar tabs shall not be paid by the City.
- ◆ Car rental, parking, and taxi fees shall be reasonable and not excessive. This reimbursement is for services in Juneau only. Parking fees, etc. outside of Juneau will not be reimbursed.

APPENDIX C: INSURANCE REQUIREMENTS

Project Name
Contract No. Project Number

The Consultant must provide certification of proper insurance coverage or binder to the City and Borough of Juneau. Failure of the City to demand such certificate or other evidence of full compliance with these insurance requirements or failure of the City to identify a deficiency from evidence that is provided shall not be construed as a waiver of the obligation of the Contractor to maintain the insurance required by this contract. Should any of the below described policies be cancelled before the expiration date thereof, notice will be delivered in accordance with the policy provisions. Proof of the following insurance is required before award:

Commercial General Liability Insurance. The Consultant must maintain Commercial General Liability Insurance in an amount it deems reasonably sufficient to cover any suit that may be brought against the Consultant. This amount must be at least one million dollars (\$1,000,000.00) per occurrence, and two million dollars (\$2,000,000.00) aggregate. The City will be named as an additional insured on this policy for work performed for the City.

Professional Liability Insurance. The Consultant must maintain Professional Liability Insurance in an amount not less than one million dollars (\$1,000,000.00) aggregate to protect the Consultant from any claims or damages for any error, omission, or negligent act of the Consultant, the Consultant's firm and employees. This requirement applies to the Consultant's firm, the Consultant's subcontractors and assignees, and anyone directly or indirectly employed to perform work under this contract.

Workers Compensation Insurance. The Consultant must maintain Workers Compensation Insurance to protect the Consultant from any claims or damages for any personal injury or death, which may arise from services performed under this contract. This requirement applies to the Consultant's firm, the Consultant's subcontractors and assignees, and anyone directly or indirectly employed to perform work under this contract. The Consultant must notify the City as well as the State Division of Workers Compensation immediately when changes in the Consultant's business operation affect the Consultant's insurance status. Statutory limits apply to Workers Compensation Insurance. The policy must include employer's liability coverage of one hundred thousand dollars (\$100,000.00) per injury, and five hundred thousand dollars (\$500,000.00) policy limits. If the Consultant is exempt from Alaska Statutory Requirements, the Consultant will provide written confirmation of this status in order for the City to waive this requirement. The policy shall be endorsed to waive subrogation rights against the City.

Comprehensive Automobile Liability Insurance. The coverage shall include all owned, hired, and non-owned vehicles to a one million dollar (\$1,000,000.00) combined single limit coverage. The City will be named as an additional insured on this policy for work performed for the City.