

**CBJ DOCKS & HARBORS BOARD**  
**SPECIAL BOARD MEETING AGENDA**

**For Wednesday April 20th, 2022**

Zoom Meeting: <https://bit.ly/3qEgfoE>

Meeting ID: 884 8235 5515

Passcode: 623036

Call In: 253 215 8782

- I. Call to Order** (at 5:00pm in CBJ Room 224 also via zoom)
- II. Roll Call** Lacey Derr, Paul Grant, David Larkin, Matthew Leither, Mark Ridgway, Annette Smith, Bob Wostmann, James Becker and Don Etheridge
- III. Approval of Agenda**  
**MOTION: TO APPROVE THE AGENDA AS PRESENTED.**
- IV. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time).
- V. Public Hearings**  
1. Public Hearing - Dockage Charges (05 CBJAC 15.030)  
Presentation by the Port Director
- Board Questions
- Public Comment
- Board Discussion/Action
- MOTION: TO APPROVE FOR CY22 ONLY, ANY CRUISE SHIP SUBJECT TO PASSENGER FEES SHALL PAY THE DOCKAGE CHARGE (05 CBJAC 15.030) AT THE RATE PRIOR TO THE ASSEMBLY ACTION OF FEBRUARY 28<sup>TH</sup>, 2022.**
- VI. Staff or Member Reports**
- VII. Adjournment**



# Port of Juneau

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**Fro. m:** Carl Uchytel, P.E.  
Port Director

**To:** Docks & Harbors Board

**Date:** April 15th, 2022

**Re:** PUBLIC HEARING APRIL 20, 2022 – DOCKAGE CHARGES (05 CBJAC 15.030)

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1. On February 28<sup>th</sup>, the CBJ Assembly adopted the Docks & Harbor Board recommendation to increase Dockage Charges on vessels less than 200 feet in length when moored 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) in accordance with 05 CBJAC 15.030. Arriving at the recommendation, the Board deliberated whether to exempt vessels which are subject to passenger fees, often referred to as head tax. Docks & Harbors is engaged in a harbor & port rate study; however, the Board has not yet debated whether fees associated with cruise vessels will be increased but has signaled a willingness to consider such action.
2. Based on Assembly action to increase dockage charges, except on cruise ships, is it appropriate to consider exempting the limited number of small cruise vessels under 200 feet, which pay a marine passenger fee. A possible outcome could result in a limited number, no more than 5 small cruise ships, paying a CY21 Dockage Charge of \$2.50 per linear feet in lieu of the newly enacted \$5.00 per linear foot for CY22.
3. Docks & Harbors has the authority to act in accordance with:  
*05 CBJAC 15.030(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.*
4. A draft motion for the April 20<sup>th</sup>, 2022 Public Hearing:  
*For CY22 only, any cruise ship subject to passenger fees shall pay the Dockage Charge (05 CBJAC 15.030) at the rate prior to the Assembly action of February 28<sup>th</sup>, 2022.*

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# REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

## Amendment of Title 05, Chapter 15 FEES AND CHARGES

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

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

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

### **05 CBJAC 15.030 Dockage Charges.**

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

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

- (c) *Dockage period; how calculated.* The period of time which dockage will be assessed shall commence when the vessel is made fast to an allocated berth or moored, or comes within a slip and shall continue until such vessel casts off and has vacated the position allocated. All time is counted and no deductions shall be allowed because of weather or other conditions, except when the Port Director provides for such allowance for good cause shown.
- (d) *Charges when a vessel shifts to different berth.* When a vessel is shifted directly from one position to another berth or slip, the total time at such berths or slips will be considered together when computing the dockage or charge.
- (e) *From May 1 to September 30, dockage for all vessels, except those vessels paying dockage fees set out in 05 CBJAC 15.030(f) and (h), will be assessed for each 24-hour period or portion thereof as follows:*
  - (1) \$3.00 per foot for vessels less than 65 feet in length overall;
  - (2) \$5.00 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~~ \$1.50 per foot of length overall for each 24-hour period or portion thereof, except there will be no charge to vessels staging to offload at Taku Dock, provided the duration of staging is less than four hours.
- (g) From October 1 to April 30, dockage will be assessed as set out in 05 CBJAC 20.030 and 05 CBJAC 20.040.
- (h) From May 1 to September 30, vessels loading passengers as part of a for-hire tour or experience with a duration less than 24 hours shall comply with the requirements set out in 05 CBJAC 20.080(c) and shall pay passenger-for-hire fees as set out in 05 CBJAC 20.080(d).
- (i) *Dockage specials.* The Docks and Harbors Board may after public hearing establish special and promotional rates of a temporary nature in order to encourage use of facilities, to respond to unusual economic circumstances, or to promote revenue development.

**Section 3. Notice of Proposed Adoption of a Regulation.** The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on February 1, 2022, which is not less than 21 days before the date of adoption of these regulations as set forth below.

#### Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: 3/1/2022

Matthew Creswell Acting Port Director  
 Carl Uchytel  
 Port Director

#### Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority following each section; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: 25 February 2022

Benjamin E. Brown  
 Benjamin E. Brown  
 Assistant Municipal Attorney

**Assembly Review**

These regulations were presented to the Assembly at its meeting of 2/28/2022. They were adopted by the Assembly.

Date: March 2, 2022


  
Elizabeth J. McEwen, Clerk

**Filing with Clerk**

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

- (1) These regulations were accepted for filing by the office of the clerk at 8:30 a.m. p.m. on the 2nd day of March, 2022.
- (2) After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
- (3) A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
- (4) Effective date: March 9, 2022.

Date: March 2, 2022

  
Elizabeth J. McEwen, Clerk