

CBJ DOCKS AND HARBORS BOARD
SPECIAL MEETING AGENDA AMENDED
For Tuesday, December 21, 2010

- I. Call to Order (5:00 p.m. at the Assembly Chambers).
- II. Roll (Greg Busch, Tom Donek, Don Etheridge, Kevin Jardell, Cheryl Jebe, Eric Kueffner, Mike Williams, Bob Wostmann and Jim Preston).
- III. Public Participation on Non-Agenda Items (not to exceed 5 minutes per person, or twenty minutes total).
- IV. Items for Action.

1. Waterfront Sales Permit Regulations

Public Comments

Board Discussion/Action

MOTION: TO PROPOSE CHANGES TO THE WATERFRONT SALES REGULATIONS SET OUT IN 05 CBJAC 10 AS RECOMMENDED BY THE JOINT OPERATIONS AND FINANCE COMMITTEE, TO HOLD PUBLIC HEARINGS ON JANUARY 18, 2011 AT THE OPERATIONS COMMITTEE AND ON JANUARY 27, 2011 AT THE REGULAR BOARD MEETING, TO ACCEPT WRITTEN COMMENTS ON THE CHANGES UNTIL THE JANUARY 27 REGULAR MEETING, AND TO TAKE FINAL ACTION ON THE REGULATIONS IMMEDIATELY AFTER THE PUBLIC HEARING AT THE JANUARY 27, 2011 REGULAR MEETING.

2. Auke Bay Loading Facility Conditional Use Permit Amendment.

Public Comments

Board Discussion/Action

MOTION: TO DIRECT THE PORT DIRECTOR TO APPLY FOR AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR THE AUKE BAY LOADING FACILITY ALLOWING FOR THE LOADING OF FUEL TO VESSELS BY TANK TRUCKS AT THE DRIVE DOWN FLOAT.

CBJ DOCKS AND HARBORS BOARD
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IV. Items for Action(continued).

3. Docks and Harbors FY 12 Marine Passenger Fee Requests

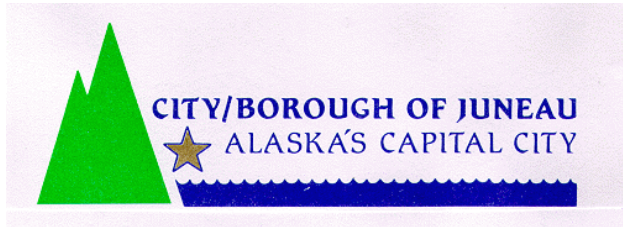
Presentation by Port Director

Public Comment

Board Discussion/Action

**MOTION: TO SUBMIT MARINE PASSENGER FEE REQUESTS AS PRESENTED BY THE
PORT DIRECTOR TO THE MANAGER FOR CONSIDERATION BY THE ASSEMBLY IN
THE FY 12 BUDGET.**

V. Adjournment.



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

Port of Juneau

To: Docks and Harbors Patrons
CC:
From: John M. Stone, P.E. Port Director
Date: December 21, 2010
Re: Proposed Changes to Waterfront Sales Permit Regulations

The Docks and Harbors Board is proposing to amend the waterfront sales permit regulations listed in 05 CBJAC 10. The Board is proposing changes to sections of the regulation dealing with the prohibition of owning more than one permit, the section dealing with allowable signage on the sales booths, and the section dealing with behavioral conduct of persons selling tours at the booths.

Interested persons may obtain a 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 public hearings on the proposed changes on January 18, 2011 at 500 p.m. in the Aurora Harbor Office and on January 27, 2011 at 7:00 p.m. in the CBJ 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.

The Board intends to take final action on the regulations immediately after the public hearing on January 27, 2011. This action is not expected to cause an increased appropriation of general funds.

Interested persons may obtain more information by calling Port Director John Stone at 586-0294.

Attachment

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Adoption of Title 05, Chapter 10 Waterfront Sales Permits

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

Section 1. Authority. These regulations are proposed for adoption pursuant to CBJ 01.60 and CBJ 85.02.060, 85.02.100, and 85.20.010.

Section 2. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended by the repeal and replacement of subsection 05 CBJAC 10.030(f)(3); and the amendment of subsections 05 CBJAC 10.040(c)(2), (3), and (5); reading as follows:

City and Borough of Juneau Administrative Code Title 05: Docks and Harbors Chapter 10: Waterfront Sales Permits

05 CBJAC 10.030 Permit duration, reissuance options, transferability, refunds, actively sell requirement, eligibility, number of permits available.

Repeal 05 CBJAC 10.030(f)(3) in its entirety and readopt as follows:

- (3) No person shall have an ownership interest in more than one tour sales or tour broker permit, meaning the person shall not pay for the operation of another permit holder's sales booths, direct the activities of another permit holder's sales booths, or in any way financially contribute to the purchase of more than one permit. A permit holder that operates tours may have its tours sold by another permit holder, provided the permit holder operating the tour does not direct the activities of the other permit holder's sales booths or obtain any financial benefit from the other permit holder's sales booth other than that provided by the sale of the tour.

05 CBJAC 10.040 Tour sales permits.

Repeal 05 CBJAC 10.040(c)(2), (3), and (5) and readopt as follows:

- (c) *Tour sales rules*

- (2) A permit holder shall not have more than one representative selling

tours at any of its booths. A permit holder shall make their 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 documentation, booth staffing schedules, and other documentation necessary sell tours at its booths and, if requested, staff identification to demonstrate the permit holder complies with this requirement.

- (3) The permit holder shall provide the port director with a list of all tours sold by the permit holder pursuant to their permit, including the name of the company providing the tour.
- (4) The permit holder may display two large signs on a booth provided the signs do not extend beyond the front profile of the booth. The permit holder may also display a one-foot by one-foot sign for each tour the permit holder sells. These signs may not extend more than six inches beyond the front profile of the booth.
- (5) The permit holder shall not engage in hawking or disruptive behavior nor shall the permit holder interfere with the operations of other sales booths.

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 December , 2010, 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: _____

John M. Stone, P.E.
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: _____

John W. Hartle
City Attorney

Assembly Review

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

Date: _____

Laurie J. Sica, Clerk

Filing with Clerk

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

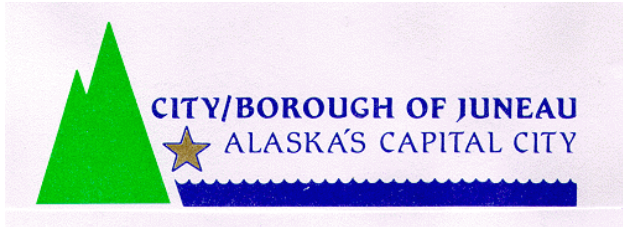
These regulations were accepted for filing by the office of the clerk on the ____ day of _____, _____.

A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.

Effective date: _____.

Date: _____

Laurie J. Sica, Clerk



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

Port of Juneau

To: Docks and Harbors Operations/Finance Committee
CC:
From: John M. Stone, P.E. Port Director
Date: December 9, 2010
Re: Auke Bay Loading Facility CU Permit Issues

Mr. Dennis Watson addressed the Board on two occasions this past fall concerning operations at the Auke Bay Loading Facility in light of requirements set out in the conditional use permit for the facility. I asked Dale Pernula, Director of the Community Development Department, to assist us in determining if the compliance issues raised by Mr. Watson needed to be addressed. Mr. Pernula completed his review this past week. Based on his review, he recommended that we apply for an amendment to the conditional use permit if we plan to load fuel on vessels at the drive-down float. He did not find that the other issues presented compliance problems at the facility.

I recommend that we apply for the amendment to load fuel at the drive-down float. This provides substantial benefit to the maritime and local business community, indirect benefit to Statter harbor users by freeing up the loading zone, and benefit to CBJ harbors by increasing harbor revenues.

Fueling operations at the float are conducted in accordance with strict U.S. Coast Guard, State of Alaska, and CBJ oil pollution requirements by professional operators. Additionally, the facility is better suited and safer than the Statter Harbor loading zone.

Hopefully, this closes the issues brought before the Board.

Call me at 586-0294 if you have questions.

Attachment

- (1) \$60.00 per hour for each staff person with a one-hour minimum charge per staff person;
 - (2) \$5.00 per foot of silhouette vessel length when moving a vessel; 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)

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.

From May 1 through September 30 each year, the fee to park in designated pay spaces at the parking lots for the Intermediate Vessel Float, Douglas Boat Harbor, Harris Boat Harbor, Aurora Boat Basin, and Statter Harbor 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. (Amended 4-11-2005, eff. 4-19-2005; Amended 5-18-2009, eff. 5-27-2009)

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.

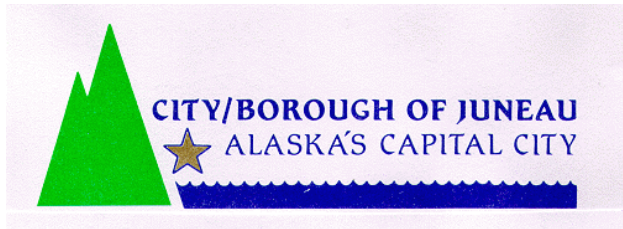
(d) *Fair market rent.* The fair market rent used to compute the annual fee is \$0.13 per square foot. (Amended 4-11-2005, eff. 4-19-2005)

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.



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

Port of Juneau

Docks and Harbors Board FY 12 Marine Passenger Fee Request CBJ Cruise Ship Dock Replacement Project

Project Description: The project is located in downtown Juneau waterfront, an area that services up to 1,000,000 cruise ship passengers each year. The project consists of refurbishing two public cruise ship piers with the new floating berths as approved by the Assembly in September, 2010. The current piers are in need of replacement due to their age and condition. The current piers are also too small to handle panamax size cruise ships and the configuration of the piers has caused the loss of public access to the waterfront due to new maritime security requirements. Preliminary engineering is currently being undertaken and detailed cost estimates are expected to be provided to the Assembly by March, 2011.

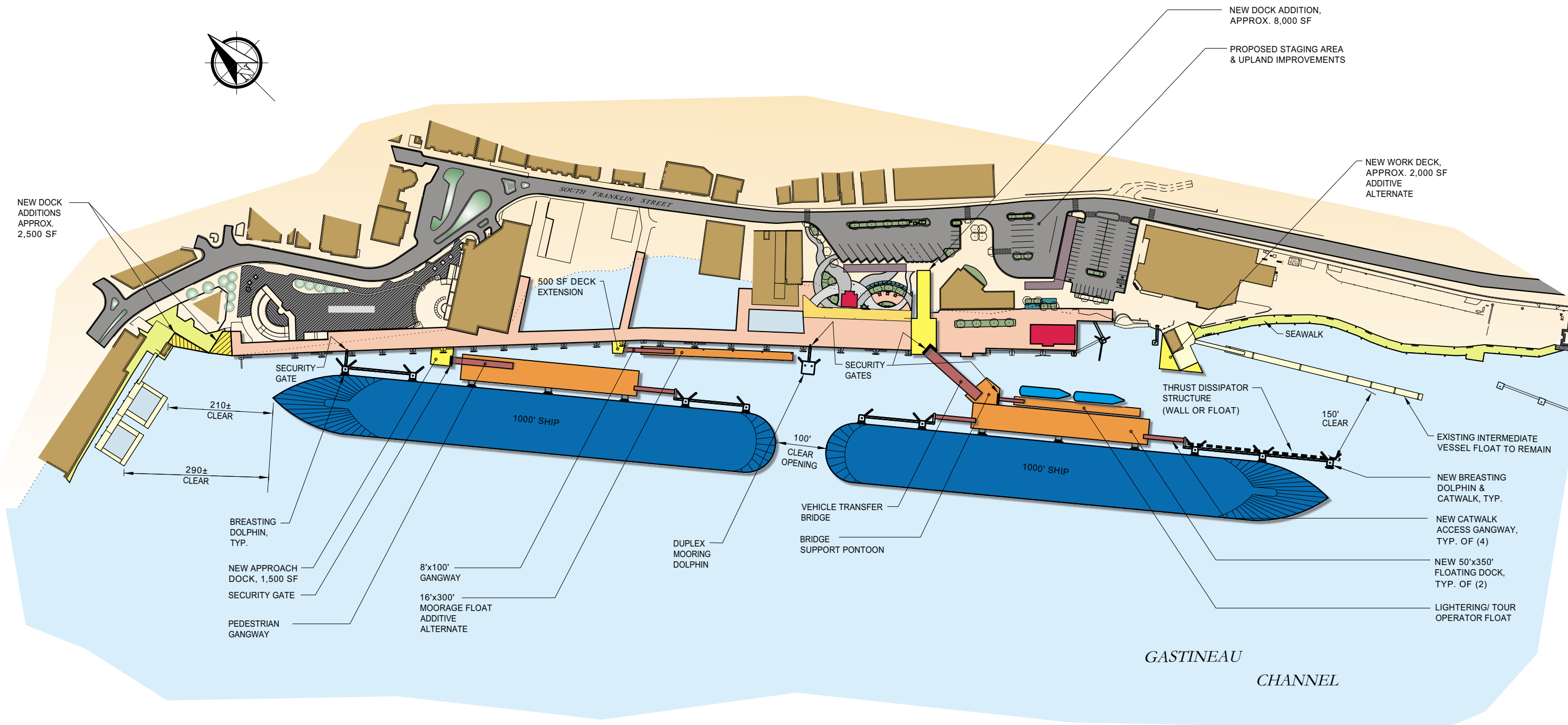
Marine Passenger Fee Funds Requested (FY12) – to be supplied by March, 2011.

Project Review: The project is part of CBJ's Waterfront Plan that was adopted by the CBJ Assembly in 2005. The plan was adopted as local ordinance after an extensive public involvement process. In addition, the project has been extensively vetted by the Assembly and Docks and Harbors Board. On September 20, 2010 the CBJ assembly adopted a resolution supporting the project and authorizing the Docks and Harbors Board to move forward a design alternative known as Concept 16B.

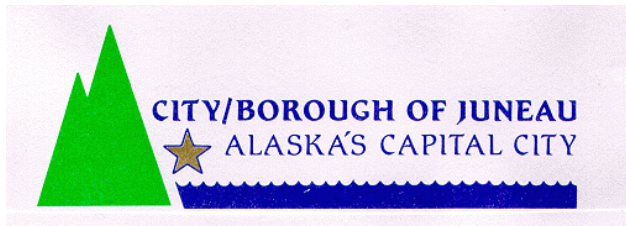
Project Time-Line: CBJ expects to design the project in the spring and summer of 2011 and accept bids for construction during the winter of 2011/2012. The current project schedule calls for installing the new berth at the Cruise Ship Terminal by the start of the 2013 season and the new berth at the Steamship Dock by the start of the 2014 season. Funding will be needed over a number of years due to the size and cost of the project.

Maintenance and Operation Responsibility: CBJ is responsible for all ongoing maintenance and operating expenses and will use local dock funds for these expenses.

Project Contact: John Stone, CBJ Port Director 586-0294



PROPOSED DOCK PROJECT



Port of Juneau

Docks and Harbors Board FY 12 Passenger Fee Request Statter Harbor Passenger For Hire Facility

Project Description: The project is part of the master plan for rebuilding CBJ harbor assets in Auke Bay. Assets include the Statter Harbor moorage float system, the Statter Harbor recreational boat launch facility, and DeHart's Marina, Fuel Dock and Boatyard. This infrastructure needs to be replaced or refurbished over the next few years. The project includes installation of a boarding float, gangway, and passenger loading zone to service the passenger for hire industry in Auke Bay. Nearly all of the customers that will use this new facility will be cruise ship passengers. These activities currently take place in areas of Statter Harbor that were not designed and are incapable of providing safe and efficient service. The lack of infrastructure also greatly detracts from the local resident's ability to use Auke Bay.

Passenger Funds Requested (FY12) - \$2,173,244

Funds Already in Hand

Local Marine Passenger Fee Funds (FY06 and FY 07)- \$500,000

Funds Needed But Not yet Requested – The project is estimated to cost \$4,846,488. This year's request represents half the funds needed to complete the project. We expect to submit an additional request next year to fulfill the project funding need.

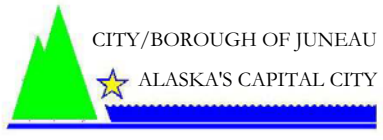
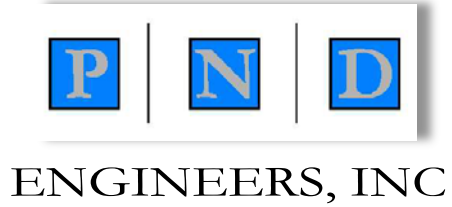
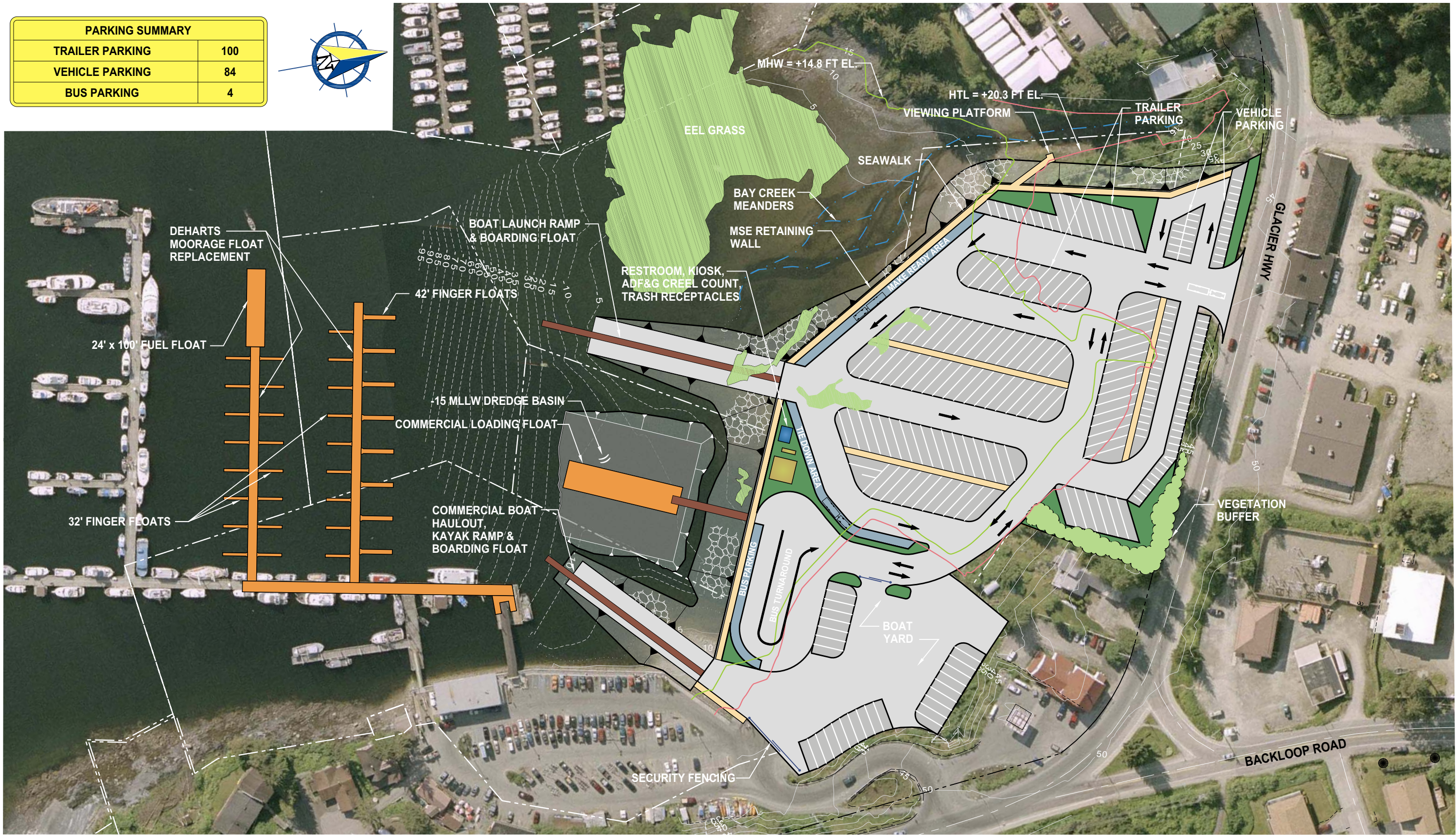
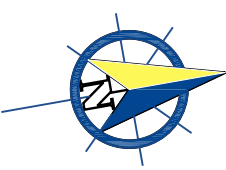
Project Review: The project is part of the Board's "Harbors Long Term Financial Plan" and the "Auke Bay Master Plan" and was approved by the voters in two special sales tax ballots. The Board is also conducting public meetings with facility users on the specifics of moving forward with the project.

Project Time-Line: An environmental assessment is currently being undertaken for the new launch ramp portion of the project. We expect to obtain permits for the new launch ramp and associated infrastructure by July 1, 2011. We expect to award a bid for the project by January 1, 2012. Construction is expected to occur during the spring of 2012 with completion of the project by the end of 2012.

Maintenance Responsibility: CBJ is responsible for all ongoing maintenance expense and will use local harbor operations funds for these expenses.

Project Contact: John Stone, CBJ Port Director 586-0294

PARKING SUMMARY	
TRAILER PARKING	100
VEHICLE PARKING	84
BUS PARKING	4



DOCKS & HARBOR DEPARTMENT

DESIGN: BI
 DRAWN: PND
 SCALE: 0 60 120 FT

CHECKED: CRS
 APPROVED: CRS
 SCALE IN FEET



CITY & BOROUGH OF JUNEAU
 STATTER HARBOR IMPROVEMENTS

SHEET TITLE:
 PROPOSED ACTION ALTERNATIVE
 CONCEPT 9 MASTER PLAN

PN&D PROJECT NO.: 082015
 DWG. FILE:

3
 SHEET
 3 OF 3



**STATTER HARBOR COMMERCIAL LOADING FLOAT & ASSOCIATED UPLAND
DEVELOPMENT**

PRELIMINARY BUDGET

Prepared By: PND ENGINEERS, INC.

December 16th, 2010

Item	Item Description	Units	Quantity	Unit Cost	Amount
1	Mobilization	LS	All Req'd	10%	\$317,600
2	Demolition & Disposal including travel-lift dock	LS	All Req'd	\$90,000	\$90,000
3	Pedestrian Access Gangway, 10'x100'	LS	All Req'd	\$225,000	\$225,000
4	Commercial Loading Float, 32'x150'	SF	4800	\$225	\$1,080,000
5	Float Piles & Mooring Frames	EA	6	\$35,000	\$210,000
6	Gangway Mounting Abutment	LS	All Req'd	\$90,000	\$90,000
7	Float-mounted Sewer Pumpout	LS	All Req'd	\$80,000	\$80,000
8	Domestic Water System	LS	All Req'd	\$100,000	\$100,000
9	Electrical and Lighting System on Commercial Loading Float	LS	All Req'd	\$225,000	\$225,000
10	Dredging w/On-site Disposal	CY	8,000	\$50	\$400,000
11	Shot Rock Borrow	CY	15,000	\$22	\$330,000
12	Curbs and Sidewalks	LS	All Req'd	\$40,000	\$40,000
13	Storm Drain System	LS	All Req'd	\$30,000	\$30,000
14	Paving w/ Base Course (4" A.C.P.)	AC	1.0	\$140,000	\$140,000
15	Painted Traffic Markings	LS	All Req'd	\$10,000	\$10,000
16	Signage	LS	All Req'd	\$7,500	\$7,500
17	Guardrail	LF	350	\$60	\$21,000
18	Fencing	LS	All Req'd	\$20,000	\$20,000
19	Armor Rock Slope Protection	CY	1500	\$35	\$52,500
20	Upland Area Lighting	LS	All Req'd	\$25,000	\$25,000
ESTIMATED CONSTRUCTION BID PRICE					\$3,493,600
SCOPE & CONSTRUCTION CONTINGENCY (15%)					\$524,040
FINAL DESIGN, PERMITTING, CITY ADMINISTRATION, CONTRACT ADMINISTRATION, INSPECTION & OTHER INDIRECT COSTS (18%)					\$628,848
ENVIRONMENTAL SAMPLING					\$200,000
TOTAL RECOMMENDED PROJECT BUDGET					\$4,846,488

Note: Dredging and disposal costs assume favorable environmental testing results