**CBJ Docks and Harbors Board**
**REGULAR BOARD MEETING MINUTES**
**For Thursday, September 26th, 2013**

I. Call to Order.

Mr. Busch called the Regular Board Meeting to order at 5:30 p.m. in the Assembly Chambers

II. Roll Call.

The following members were present: John Bush, Tom Donek, Bob Janes, Kevin Jardell, David Logan, Mike Peterson, Budd Simpson, Scott Spickler and Greg Busch.

Also present were the following: Carl Uchytil – Port Director, Dwight Tajon – Harbormaster, Loren Jones- Assembly Liaison, and Chris Orman – CBJ Legal Staff.

III. Approval of Agenda.

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

***Motion was approved with no objection.***

IV. Approval of Previous Meeting Minutes.

Hearing no objection, the August 14th, 2013 Special Board Minutes and August 29th, 2013 Regular Board Meeting Minutes were approved as presented.

V. Public Participation on Non-Agenda Items –

Dixie Hood, Juneau, AK

She said she is here to express her concern on public transparency at the Docks & Harbors Board meetings. She said she is still a member of the PRAC, but has been eliminated as the Liaison with the Docks & Harbors Board. She believes because of the Parks & Recreation interest in the Seawalk, Marine Park, and Under the Bridge Park that there are overlapping issues that are taken up at these meetings. She said she would like to continue participating providing information from the PRAC meetings and taking information back to the PRAC from these meetings. Her understanding from Brent Fischer was that the decision was made to eliminate the PRAC liaison position to save time at the meetings. She said with only the PRAC liaison and the Assembly liaison, it didn't seem like a lot of time was taken up. Brent Fischer also brought up the only required liaison was the Assembly liaison for the various Boards. She said it is very

helpful and important to have public members participate even if they don't have a vote. They take part in a recognized way. Several various Boards the PRAC has liaisons on are impressed. These are all things that contribute to the quality of life here in Juneau. She is quite disappointed with Docks & Harbors decision to eliminate the PRAC liaison position. She is requesting reconsideration.

Julian Kenny, Anchorage, AK

He said on August 26th, he received a call from Dwight Tajon at the Harbor about his boat the September Morn which has been in the same slip for two years. Mr. Kenny said he was told his boat was taking on water and he would have to do something about it. Mr. Kenny asked Mr. Tajon for a recommendation for someone to help with the issue and he said Mr. Tajon told him that they send everyone to Steve Hamilton and provided Mr. Kenny with Mr. Hamilton's phone number. Mr. Kenny said he called Mr. Hamilton and he said he would get right down there. Mr. Kenny said twenty minutes later, Mr. Hamilton called him back. Mr. Kenny said Mr. Hamilton informed him that his boat took on water and everything is destroyed. It will need to be cut up and taken to the dump. Mr. Kenny said he was told by Mr. Hamilton it would cost $1500.00 to get rid of the boat. Mr. Kenny questioned Mr. Hamilton about the price. Mr. Kenny said Mr. Hamilton told him that he was going to have to pay $1,000 to his son-in-law to help him, $300.00 for the dumpster, $200.00 for himself, and that was not really making anything. Mr. Kenny said he told Mr. Hamilton he just put $5,000 into the motor last year and $3,500 on other parts. Mr. Kenny said Mr. Hamilton replied that they took on water and it won't ever run again, when salt water gets in something, it is just ruined. Mr. Kenny said the Harbor told him Mr. Hamilton was a trustworthy guy, and Mr. Hamilton was telling him his boat was no good. Mr. Kenny said he didn't have any other choice. Mr. Kenny said he sent Mr. Hamilton $1300.00 and would send the other $200 when the boat was disposed of. Mr. Kenny said he received a call two days later from one of his buddies that just saw his boat driving in the Harbor. His buddy told him there was nothing wrong with his boat, it is not taking on water, and it is running great. Mr. Kenny called Mr. Hamilton and asked him, "why he told him that his boat was destroyed when it is running around the Harbor and you are trying to sell it". Mr. Kenny said he called the Police and filed charges against Mr. Hamilton for theft by deception and he was told by the police that this is a civil matter. Mr. Kenny said he is informing the Board he is looking for some answers and will be subpoenaing records to make sure Mr. Hamilton never gets another job from the Harbors department again. Mr. Kenny asked the Board if Docks & Harbors sends their salvage out to the lowest bidder? Why are they being sent to one man? How many people has he done this to and didn't get caught because they

didn't have any friends there? Mr. Kenny called the Harbor and asked Mr. Tajon what was going on? Mr. Kenny said Mr. Tajon told him that Mr. Hamilton was honest and fair. Mr. Kenny said Mr. Tajon's response to being told Mr. Hamilton was going to sell the boat was "why wouldn't he be able to sell it, I thought he bought it for a dollar". Mr. Kenny said that Mr. Tajon said that Mr. Hamilton came into the Harbor and paid September moorage and told Mr. Tajon that he purchased it for a dollar. Mr. Kenny said he called Carl Uchytil and Mr. Kenny said he had him in tears and just didn't care. Mr. Kenny said Mr. Uchytil told him he made a bad business investment. Mr. Kenny said he didn't understand how he could be told he made a bad business investment when the Harbor gave him Mr. Hamilton's name and told him, "that is who we send everyone to". Mr. Kenny said he would have never went to him if he would have known what Mr. Hamilton was. Mr. Kenny said Mr. Hamilton basically stole his boat. Mr. Kenny said Mr. Uchytil had him in tears, and the Police are telling him this is a civil matter. Mr. Kenny said he is letting the Board know he is going to subpoena records and do everything he can to find out why there are no bids. He should have been given three names so he had a choice, but he was never offered a choice. He trusted the Harbor and now he feels he is just out $17,000.

Mr. Busch said internally steps are being taken to make sure that a single recommendation source is not supplied to anyone in the Harbor in the future. He encouraged Mr. Kenny to seek civil matters.

VI. Items for Action

~~1. Net Float at Auke Nu Cove Purchase~~

2. Douglas Harbor Parking Agreement

Mr. Uchytil said in the packet is a license agreement between Docks & Harbors and the State of Alaska. The State approached Docks and Harbors to provide 40 privately owned parking spaces at the Douglas Harbor parking lot. This has gone through the Operations Committee and the Finance Committee. The State is willing to pay $42.00 per space per month to park at the Douglas Harbor parking lot year around. Last month he briefed that he was doing a count to see if 40 parking spaces would be available, and this is within Docks & Harbors capacity to do so. The only change to this license agreement would be to add the States billing address. They would like to start this agreement October 1st.

Board Questions – None

Public Comment- None

Board Discussion/Action

***MOTION By MR. LOGAN: TO APPROVE THE LICENSE AGREEMENT AND ASK FOR UNANIMOUS CONSENT.***

***Motion Passed without objection***

3. Mt. Roberts Tram

Mr. Uchytil said at the Tuesday's Finance meeting there was a motion by Mr. Jardell that was approved by the Committee.

> MOTION By MR. JARDELL: RECOMMEND THE BOARD TAKE UP THE ISSUE OF INTERPRETING THE PROPER METHODOLOGY FOR DETERMING THE FAIR MARKET VALUE AND MAKE AN INTERPRETATION ON THE RECORD AT THE NEXT BOARD MEETING AND ASK FOR UNANIMOUS CONSENT AND ASK FOR A FULL DISCUSSION AT THE BOARD.

This motion is to try to finalize the issue dispute between Mt. Roberts Tram and the Board with the appraised market value of the lease rent. The Board's position is whether to accept Goldbelt's position of the extraordinary assumption which limits that property to only an aerial Tramway or accept the Horan & Company appraisal that is unimproved land at its highest and best use. The question before the Board is determining its highest and best use. Once there is action, Goldbelt could appeal to the Assembly. This lease is unique because it is embedded in ordinance by the Assembly. This would provide a way forward for a dispute resolution.

Board Question –

Mr. Jardell asked Mr. Uchytil to explain why this path is being taken and who recommended it?

Mr. Uchytil said Docks & Harbors has been in an impasse for two years. The lease reads that it should be valued at the highest and best use. Horan appraised this in July of 2011, and was reaffirmed six months later with a fee simple valuation of $3.3 million. The lease calls for 10% of its highest and best use. Also in the lease the leasee is given the opportunity to get another appraisal if they disagree with the one Docks & Harbors had done. Reliant was hired by Mt Roberts Tram in 2012 to provide an appraisal, and was to use the extraordinary assumption by Goldbelt's attorney. The property is limited to an aerial Tramway and if a Tramway was built today it

would not be profitable. Henceforth a Tramway would not be built today and would have zero economic value. Goldbelt is not saying that their rent would be zero, because the lease calls for $30,000 plus royalties, however Goldbelt believes the royalties were negotiated out in 2006.

Mr. Jardell asked who is recommending the process to make a final decision so Goldbelt could appeal to the Assembly if they choose?

Mr. Uchytil said CBJ Law Department recommended this process.

Mr. Orman said the CBJ Law recommended that the Board make a final decision on all the lease issues with the goal being to let the Assembly look at all the issues all at one time. In the end, if this is an interpretation issue, the interpretation could be determined on all the lease issues. The Finance Committee asked Mr. Orman to look into two points;

1. Would it allow, based on the Assembly decision, to come back and have an appraisal completed, or could Goldbelt disagree with the Assembly and this could go to court?

   Answer: *Depending on what the Assembly does, this could get out of the two year cycle. Make sure that the Board decides on the determination, then it gets the whole thing out of the Boards hands and onto the Assembly.*

2. Could negotiations continue while it is in appeal?

   Answer: *It is always possible to negotiate, and it is possible to come up with a new lease to recommend to the Assembly to adopt.*

Mr. Jardell asked if the Board's decision to adopt the Horan's appraisal value is sent to the Assembly, and the Assembly agrees, then there is no authority to negotiate?.

Mr. Orman said negotiations would need to be made prior to the appeal, because once the Assembly makes a final decision, it is done. If Goldbelt does not agree with the Assembly then this would go to court. The only way to move forward is to have a complete final determination from the Board. The Assembly would make a decision on all the points, and Goldbelt would have remedies, determinations, and due process rights.

Mr. Simpson asked Mr. Uchytil if the land the Tram is on was filled before the lease was entered into?

<u>Bob Loiselle, President CEO of Goldbelt.</u>

Mr. Loiselle said the land was partially filled and pilings were added to build the land up to be able to build the Tram.

Mr. Simpson asked if anything could have been built on that land prior to Goldbelt getting the lease and doing the improvements.

Mr. Loiselle said he is uncertain about not anything could be done, but certainly no building of any size could be built.

Mr. Simpson asked no economic use?

Mr. Loiselle said not to their knowledge.

Public Comment –

Dixie Hood, Juneau, AK

Ms. Hood said she wanted to know who the Attorney was that was speaking earlier?

Christopher Orman, CBJ Law Department

Bob Loiselle, Juneau, AK

He said even if Goldbelt's appraisal was determined to be the appropriate appraisal, it is not their desire to see their rent drop back down to $30,000 from $104,000 which is the current rent. Goldbelt understands that would not be fair to CBJ, and not realistic. That does not mean that Goldbelt doesn't stand behind the appraisal and the principles behind it. There has been talk on negotiating on this matter, and his belief is the reason for being hung up in the negotiations is it appears to be the Finance Committee's desire to negotiate within the context of the existing lease. It is Goldbelt's belief that there are a number of provisions in the existing lease that are problematic. These provisions will cause this lease to be revisited time and time again in the future and end up where we are tonight. Goldbelt believes they could come up with a number through negotiations that would satisfy both the Board and CBJ's desire to have an equitable rent for the Tram parcel, and meet Goldbelt's same desire to have an equitable rent. Currently Goldbelt is paying $104,000 annually to use the parcel the Tram is on. If CBJ were to prevail with the Horan appraisal and it's position with the royalty rent be back on the table, the percent for calculating rent is back to 10% of the value of the property as opposed to 8%, Goldbelt could be paying well over $400,000 for rent annually. Goldbelt believes negotiations are possible outside the context of the lease. The lease should be redone to reflect the realities of the current day. Goldbelt would like to reenter into

negotiations for a new lease if the Board is willing to do so with the understanding the lease would have to be approved by the Assembly. If Docks & Harbors and Goldbelt can agree on a number and a methodology moving forward, Goldbelt believes that the Assembly would take this seriously and likely adopt that moving forward. The percentage amount to calculate rent and the royalty rent changes were not made solely by the previous port director. The changes were made by the Docks & Harbor Board approval.

Dennis Watson, Juneau, AK

He said, as a citizen of Juneau, two years in negotiations is long enough. At this point in time, he would like to see the Board move forward with the recommendations and let negotiations take place thereafter.

Dixie Hood, Juneau, AK

She said negotiations are a positive thing to do. She said she was encouraged by what the Goldbelt CEO said and is hopeful some amicable decision could be made very soon.

Board Discussion/Action

Mr. Simpson said there are problems with the way this recommendation is structured right now. If this position is adopted with the intent that allows the process to move forward it puts Goldbelt in a position to have to appeal to the Assembly. The Assembly then says they have an Ordinance and they can enforce whatever they want on Goldbelt as their tenant. The Docks & Harbor Board is stuck to have to follow the ordinance at the present time. This is easy for council to say they have appeal rights and due process, but that can be $250,000 and two more years down the road by the time anything is actually decided. It doesn't seem like we are doing our job as a Board if we just say we are going to do this and if you don't like it, you can appeal it. He said he is familiar with property values in the area and he said he disagrees with the Horan appraisal. He said he also disagrees with the special circumstances in the Goldbelt appraisal. The Board is faced with two competing appraisals that he does not feel are right and he is sitting on a Board that he is to use his judgment and he can't with these appraisals. The Horan appraisal is too high, and he has a hard time approving a lease based on $3.3 million.

Mr. Jardell said he shares Mr. Simpson's concerns with the amount on the Horan lease, but there is nothing else to go by right now. The methodology is different than adopting the Horan evaluation. If the Board adopts the Horan evaluation, and the Assembly approves it and sends it back to the

Board, then that is what it will be. If the methodology issue can be established, he is hopeful at that point Goldbelt could get another appraisal using the methodology agreed upon and negotiations could continue to figure out what the fair market value is. He recommends supporting the Law Departments recommendation to try to move this forward with adopting the methodology and not adopt the Horan evaluation until there is a true comparison.

Mr. Janes said he agrees with Mr. Simpson. He said he is uncomfortable making this decision because there is nothing else to compare to. He suggests to have the lease looked at carefully and bring it into the current time. He said the Tram is a fixture in Juneau and promotes Juneau. The Tram lease should be reworked so it is viable and profitable for Goldbelt and continues to serve the community.

Mr. Simpson said if the Board adopts the Horan methodology, the Board is accepting the Horan evaluation as well. It is hard to do one without implying the other. He recommends to negotiate a lease based on current circumstances. The problem the Board faces currently is the constraint from the CBJ ordinance and the Law Department. Mr. Simpson suggested the Board send this to the Assembly and say the Board is uncomfortable making this decision based on the parameters the Board is presented with now. There needs to be a change in the ordinance to open this up to negotiations to make this fair for all. Goldbelt has shown an interest to do what is right. Mr. Simpson suggests to make a broader recommendation that would allow the lease to come back to the Board and be negotiated.

Mr. Donek said the problem is the lease itself. He said the simple solution is to negotiate a new lease. This lease is not just a Docks and Harbors lease. This was put together by the Assembly in ordinance. As far as the value goes, he said he doesn't like the value on his house appraisal either. The Board is not professional appraisals. A professional appraiser was hired to do this appraisal. He said the amount of the appraisal is not an issue for the Board to discuss. If there was another appraisal to compare to, then there could be a determination on which amount to use. As is, one appraisal was completed by an appraiser in accordance with the lease and that is all the Board has to go by. He would like this to go to the Assembly and have them tell the Board to negotiate a new lease with Goldbelt, but at this time, the Board is stuck to work with this lease.

Mr. Busch said Docks & Harbors is in this circumstance to a certain extent due to not having appraisals every three years. That would have shown a steady increase in the land. The last appraisal was nearly 20 years ago. A current appraisal has been completed and this should move on to the

Assembly. He envisions Docks & Harbors renegotiate a lease, but at this time the Board has been two years trying to deal with the current lease issue and get it resolved.

Mr. Jardell wanted to clarify that the Board would be adopting the Horan methodology, but in his mind he is adopting the Law Departments interpretation of what the Assembly intended when they wrote the lease.

Mr. Busch said the Law Department is recommending use the methodology that was initially adopted by the Assembly when the lease was created. This is the same methodology that Horan used in their determination for an appraised value.

Mr. Peterson asked if it would be appropriate to add to the motion that the lease be looked at every five years.

Mr. Busch said not at this time, but that could be added to a renegotiated lease.

Mr. Peterson said he would like to support this motion and move this forward.

Mr. Janes asked Mr. Simpson what the process would be to renegotiate a new lease with Goldbelt under these circumstance?

Mr. Simpson said it would be business people negotiating a lease that had expired with having mutual good will and an effort to come up with something that was fair going forward. At this time, because of the ordinance, CBJ has the upper hand.

Mr. Orman said the way this lease is crafted is that Docks & Harbors gets an appraisal. Whether there is a second appraisal is based on the individual leasing. The result of that appraisal can then be evaluated. If there is conflict on the decision of what appraisal to use, a third appraiser comes in to choose between the two appraisals. The Board has made statements that there is a disagreement on the appraisal that Docks & Harbors received from Horan. If the Board is leaning toward getting another appraisal because they disagree with the amount in the first appraisal, it could set a precedent. There is nothing right now precluding the Board and Goldbelt from negotiating a new lease and recommending it to the Assembly. The barrier right now is the methodology to determine the appropriate rent rate.

Mr. Donek said he is concerned with trying to build a new lease with Goldbelt and take it to the Assembly, because they will probably ask for the methodology that they used in the Reliant appraisal. The Board could be

right back in this two year rut again. He does not see trying to negotiate a new lease a way out of the current situation.

Mr. Jardell said if he looks at this as a terminated lease, the Board would have to go back to the ordinance for the process. The first step is to get an appraisal using the methodology in the current Horan appraisal. If this is just a tideland lease, the Board would be looking for the commercial rental rate appraisal at the highest and best use of the land. If this appraisal was not used. The Board would still go back to the ordinance for leasing tidelands, and we would get an appraisal similar to the one currently.

***MOTION By MR. DONEK: TO ACCEPT THE APPRAISAL METHODOLOGY AS OUTLINED IN SECTION 6 OF THE LEASE AND SETTING THE BASE RENT OF THE MT ROBERTS AIREAL TRAM LEASE WITH THE LEASE PAYMENT SET AT 10% OF THE APPRAISED MARKET VALUE PLUS ROYALTY RENT AND INVOICE GOLDBELT ACCORDINGLY.***

Mr. Logan asked how much time does Goldbelt have to file an appeal?

Mr. Orman said 20 days.

Mr. Logan asked how long the Assembly has to hear the appeal?

Mr. Orman said the next step would be 30 days.

Mr. Jones said appeals coming from the Planning Commission, the Assembly would make a decision to accept the appeal or not. If the appeal is accepted, they would then make a decision if the Assembly would hear the appeal or appoint a hearing officer. If a hearing officer is appointed, the process would start and anything negotiated through the hearing officer about developing a record and time frame. If the Assembly hears the appeal, there is a presiding officer appointed, and the Assembly in the whole would be acting as the hearing officer. There is generally a prehearing meeting in which the parties meet and negotiate a time frame, and that gets put in an official legal order. Most Planning Commission appeals tend to go out two to three months before the hearing actually goes before the Assembly.

Mr. Orman said as far as the ordinance is concerned, it is 20 days from the day of appeal, 30 days for the hearing to establish briefing schedules, order the record, record briefing schedule, and potential interveners. The decision is required 45 days after the potential hearing. For this lease issue, it would probably be a three month process.

Mr. Spickler asked Mr. Jones if this is moved to the Assembly, and is appealed, could the appeal be withdrawn if both parties were able to negotiate and agree upon terms that would fit both parties.

Mr. Jones said it is stressed at the prehearing that during the process of the appeal and prior to the hearing by the Assembly, if the parties can come to an agreement then it is brought back to the presiding officer and a recommendation is made to the Assembly. The Assembly prefers the parties to try to negotiate and come up with an agreement verses the Assembly deciding.

Mr. Busch clarified that the appraisal methodology is outlined in section 6 and not 5 of the lease. Section 6 reference in the draft is referencing the percent to use to figure rent and royalty rent.

Mr. Donek accepted the correction to the Motion.

Mr. Busch said the motion is to accept the methodology and Goldbelt would have the chance to appeal this motion to the Assembly.

Mr. Bush asked Mr. Jones how the Assembly decides to hear an appeal?

Mr. Jones said if the Appeal was filed on time, if this is an issue appealable under the ordinance, and does the Assembly accept the appeal. If the Assembly does not accept the appeal, the Planning Commission stands.

Mr. Peterson asked who was on the Committee that met with Goldbelt for the last two years?

Mr. Busch said Mr. Jardell, and Mr. Donek for part of the two years.

Mr. Uchytil said also Mr. Kueffner.

Mr. Jardell said there was sub-committee meetings as well as Mr. Uchytil and myself meeting with Goldbelt trying to find a way forward.

Mr. Peterson asked if the Board knew it could negotiate a new lease at any time during the past two years, or is this new information?

Mr. Jardell said the Board had presented the sub-committee members with direction to abide by the lease terms that the Assembly obligated CBJ to, and Goldbelt agreed to. The Committee was to abide by the lease and try to reach an outcome. At that point there could be a status quo lease that could be looked at to see if that pricing mechanism under the lease was unfair or not equitable. That outcome could have determined if there was a

need to readjust or renegotiate a new lease. It is difficult to know if a lease needed to be renegotiated if it was unknown what the current price was.

Mr. Peterson asked the Board who would like to work with Goldbelt to negotiate a new lease?

Mr. Busch said he would prefer to start with the current motion on the table accepting the appraisal methodology.

Mr. Simpson said he is unable to support the motion currently for the reason supporting the Horan methodology is supporting the Horan conclusion. He does not want to move anything forward that implies the Horan conclusion and forces citizens to enter into an appeal process.

Mr. Janes said he is concerned about what is right for the community. This lease needs to be looked at carefully. He said this decision is about a worn out lease. To get a new lease brought to current economic times is going to be a challenge. The Board needs to think this through very carefully and be sure that the decision is based on the current economy in Juneau and what is best for the community.

Mr. Logan said he supports the motion. His concern is negotiations can take place, but if the Assembly doesn't agree, it can come back to the Board and be back at square one. By moving this motion forward, and Goldbelt appeals this, it starts the clock ticking. Negotiations can begin and get a lease that is in everyone's best interest.

Mr. Donek said he thinks the best way to serve our community is to get a resolution. The whole point of this motion is to finally move forward and get out of the two year rut this lease has been in. Trying to negotiate a new lease with this lease in place is not going to work.

Mr. Peterson said he would like the motion read one more time for clarity and call the question.

Mr. Uchytil said "however the motion is read" is the answer the Board will get back from the Assembly.

Mr. Orman said the only way this will go up to the Assembly is if Goldbelt appeals. He asked if the appraisal was completed by request of the Board or by Mr. Uchytil?

Mr. Uchytil said he ordered the appraisal and it was completed by a certified appraiser from Horan & Company in July of 2011 with land valued at $3 million. Goldbelt pointed out the appraiser did not have the MAI

certification. Charles Horan who has a MAI certification redid the appraisal six months later and valued the land at $3.3 million.

Mr. Donek asked Mr. Orman if this motion would get the Goldbelt lease issue to the Assembly?

Mr. Orman said yes it would if Goldbelt appealed.

Mr. Donek reread the motion with the correction accepted from Mr. Busch.

***MOTION By MR. DONEK: TO ACCEPT THE APPRAISAL METHODOLOGY AS OUTLINED IN SECTION 5 OF THE LEASE AND SETTING THE BASE RENT OF THE MT ROBERTS AIREAL TRAM LEASE WITH THE LEASE PAYMENT SET AT 10% OF THE APPRAISED MARKET VALUE PLUS ROYALTY RENT AND INVOICE GOLDBELT ACCORDINGLY.***

***Motion Passed 7 TO 2 VOTE***

***Motion Passed.***

There was more discussion on whether this is the time to start negotiating a new lease?

Mr. Peterson made a suggestion to postpone making any decisions until the next Board meeting. He said he needs more time to think about it. The Board is in agreement that the current lease needs to be worked on.

VII. Items for Information/Discussion - None

VIII. Committee and Board Member Reports

1. Operations/CIP Committee Meeting –September 19th, 2013
   Mr. Logan reported the Committee discussed;
   - The net float-This was sent to the Finance Committee.
   - Statter Harbor use by commercial fisherman on a gratis basis for a limited amount during the summer, depending on several conditions being met- It was decided to have this item brought back to the Committee as an action item to receive public comment.
   - Food Carts on the City dock – The question was whether this could be sole sourced out or open it up like the vendor booths are ran. This will come back to the Committee as an action item.
2. Finance Committee Meeting – September 24th, 2013
   Mr. Donek reported the Committee discussed;
   - The Mt. Roberts Tram.

- Douglas Harbor parking agreement.
- The net float possible purchase – The Committee gave direction to Mr. Uchytil to move forward with this.
- There was also a presentation by the Finance Director Mr. Bob Bartholomew on the raw fish tax revenue. Currently the fish tax is received three to four months after the fiscal year begins. He is working on a process to get the fish tax into the beginning of a fiscal year so it is not just estimated and then have to be correct after October. This would be a two year process using part of the fish tax to be received in October of 2013 for the FY13 budget and using the rest in July of 2014 for the FY15 budget. The raw fish tax received in October of 2014 will go into the FY16 budget.

3. Member Reports –
   Mr. Peterson, Lands Liaison, reported the October 16th Lands Committee meeting was cancelled and their next meeting will be October 30th.

IX. Port Engineer's Report –
Mr. Gillette is on vacation

X. Harbormaster's Report –
Mr. Tajon said the seasonal staff if wrapping up for the season dismantling equipment used for the cruise ships. The North Douglas boarding float will be removed about mid October, it will be stored inside the breakwater at Statter Harbor.

XI. Port Director's Report
Mr. Uchytil said the 16B bid opening has been delayed by two weeks at the request of Concrete Tech. They have some issues they need to work out.
The 65% design for Aurora Harbor has been received. He said he would like this to be brought to the CIP meeting in October for public input.
The first public meeting for Statter Harbor launch ramp will be in October as well.
The RFP for Construction Administrative Inspection services for the 16 B project closes late October. The selection panel consists of Mr. Peterson, Mr. Gillette, Mr. Schaal as well as myself. He also encourages Mr. Jones to be on the panel as well.
The last cruise ship was yesterday.
Mr. Uchytil said he received an offer from Fish & Game to partner with them in a 75/25 matching grant to provide a floating fish cleaning station at Amalga Harbor and he told them Docks & Harbors would be interested as well as a floating fish cleaning station at Statter Harbor if there is grant money available.

Docks & Harbors did receive a $ 75,000 Port Security grant for security camera's and radios for the downtown cruise ship area.
There was a suggestion from the Juneau Fisheries Development Committee to begin discussions with UAS for the ability to use the property down by Aurora Harbor that we currently lease. Mr. Uchytil said he met with their lands resource manager that came down from Anchorage. They are very interested in a land swap and will be back on October 15th. He is working with Greg Chaney the CBJ Lands manager to provide a portfolio of like CBJ lands to be considered.
There were two post season meetings on summer operations. One of the meetings was held at the Mendenhall Library on the Statter Harbor operations with 13 people in attendance. The overall comment was that it went well. The biggest complaint about Auke Bay is the uplands parking. The other meeting was yesterday with the vendor booth permit holders at the Port Field office with eight people in attendance. The overall comment was the season went well, but the biggest concern was the bus parking and movements of shuttles. Mr. Uchytil went over the CSTSA Phase II plans but they are guardedly skeptical. Mr. Uchytil told them this new parking plan would have to be made to work.

XII. Assembly Liaison Report-
Mr. Jones said per request, Mr. Gillette and Mr. Uchytil walked him around Aurora Harbor, back by the University, and the Juneau Fisheries dock repair. They also walked him around the new staging area and looked at plans so he could have a better understanding of the area.

XIII. Committee Administrative Matters

a. Operations/CIP Committee Meeting – Next meeting is October 24th, 2013 in the Assembly Chambers at 5:00 p.m.
b. Finance Committee Meeting – Next meeting is October 29th, 2013 in CBJ Room 224 at 5:00 p.m.
c. Board Meeting – Next meeting is October 31st, 2013 in the Assembly Chambers at 5:30 p.m.

XIV. Adjournment
The regular Board Meeting adjourned at 7:15 p.m.