

**CBJ DOCKS & HARBORS BOARD**  
**OPERATIONS/PLANNING COMMITTEE MEETING AGENDA**  
**For Thursday, January 23<sup>rd</sup>, 2014**

- I. Call to Order** (Immediately following the 5:00 pm Special Board meeting in the Assembly Chambers)
- II. Roll Call** (Greg Busch, John Bush, Bob Janes, David Logan, Budd Simpson).
- III. Approval of Agenda.**

**MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED.**

- IV. Public Participation on Non-Agenda Items.**  
(Not to exceed five minutes per person or twenty minutes total time).
- V. Approval of November 14<sup>th</sup>, 2013 OPERATIONS/CIP Meetings Minutes.**
- VI. Consent Agenda.**

- 1. Alaska Marine Exchange Long Term Lease (see attached correspondence in this packet)

**Recommendation** -Alaska Marine Exchange is now in a leadership role in moving forward and is seeking commitment from CBJ for development of the Marine Services Building. I recommend Docks & Harbors enter into a 15-year lease agreement to the purposes of relocating the Port Office to the proposed facility to be built and managed by the Alaska Marine Exchange. However, given the multitude of details necessary for the entire property to be effectively developed (i.e. management of the sculpture, maritime interpretive center, rest rooms, parking, seawalk, etc), I recommend Docks & Harbors refer the real property lease to the CBJ Manager for coordination. However, Docks & Harbors should retain the property management responsibilities north of the Juneau-Douglas Bridge and remain an advocate for the project in partnership with the Alaska Marine Exchange.

- 2. Clarification of Policy Managing the Active Fishing Discount at Statter Harbor (05 CBJAC20.044) (see attached correspondence in this packet)

**Recommendation** - The Docks and Harbors Board was asked to reaffirm the policy and purpose of a regulation pertaining to commercial fishing vessel discount (05 CBJAC 20.044). The question was whether Harbor Staff was narrowly defining the regulation thus excluding commercial fisherman who sell to tenders which are landed outside the Juneau Borough. The attached letter clarifies previous discussion with the Operation Committee which has been reviewed by CBJ Legal. I recommend this letter be provided to the commercial fisherman who are eligible for this discount.

- 3. Aurora Harbor Rebuild, DH12-160, Additional Engineer Services (\$49,680) (see attached correspondence in this packet)

**Recommendation** - Additional engineering design services have been requested for the final Aurora Harbor Rebuild project which include but not limited to dredging design, gangway

## **VI. Consent Agenda (continued)**

float and enclosure, and upland infrastructure modifications to utilities. The Port Engineer has reviewed the \$49,680 fee proposal as fair and reasonable.

### **4. Personnel Changes FY15/FY16**

**Recommendation** - Docks & Harbor responsibilities have and expectations have grown with the Auke Bay Loading Facility and desire for extended summer operations with the downtown harbors. Additionally, increased responsibility for the administrative workforce requires changes to our staffing levels. I recommend adding two additional summer Harbor Technician, filling the vacant Administrative Officer position and upgrading the Statter Harbor Administrative Assistance from a Level I to Level II.

## **VII. Items for Action.**

1. 95% Design Approval Aurora Harbor Rebuild Phase I  
Presentation by the Port Engineer and Design Consultant (PND Engineers)

Committee Questions

Public Discussion

Committee Discussion/Action

**MOTION: TO APPROVE THE AURORA HARBOR REBUILD PHASE I PROJECT AS PRESENTED.**

## **VIII. Items for Information/Discussion.**

1. CSTSA Parking Lot Management (see attached correspondence in this packet) - Public Participation.  
Presentation by the Port Director

## **IX. Member & Staff Reports.**

## **X. Committee Administrative Matters - Next Meeting: February 20<sup>th</sup>, 2014.**

## **XI. Adjournment.**

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OPERATIONS/CIP/PLANNING COMMITTEE MEETING  
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I. Call to order.

Mr. Simpson called the meeting to order at 5:00 p.m. in the Assembly Chambers.

II. Roll.

The following members were in attendance: Budd Simpson, David Logan, John Bush, and Greg Busch.

Also in attendance were: Carl Uchytel – Port Director, and Gary Gillette – Port Engineer.

III. Approval of Agenda.

MOTION: TO APPROVE THE AGENDA AS PRESENTED

The motion passed with unanimous consent.

IV. Public Participation on Non-Agenda Items.

None.

V. Approval of October 24<sup>th</sup> OPERATIONS/CIP Meeting Minutes.

MOTION: TO APPROVE THE OPERATIONS/CIP/PLANNING COMMITTEE MEETING MINUTES FOR THURSDAY, OCTOBER 24, 2013 AS PRESENTED.

The motion passed with unanimous consent.

VI. Items for Action.

1. Access by Alaska Glacier Seafoods to its leased portion of the Auke Bay Loading Facility.

Mr. Uchytel said through an amended lease, Alaska Glacier Seafoods has been authorized access to the Auke Bay Loading Facility for the last two summers. This allows AGS to go between the ABLF and the property they lease from the Harbor Department. There is consideration for the next 25 years that AGS will pay \$0 to lease the area next to the ABLF. When AGS

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built their land they built a retaining wall that is 2 feet from the Harbor property line, this has created a gap.

Mr. Uchytel explained the contents of the packet he provided regarding AGS access to the ABLF.

Committee Questions

Mr. Simpson asked is AGS asking for a permanent right of access through the ABLF.

Mr. Uchytel said yes.

Mr. Logan asked is the access to the ABLF by AGS secure.

Mr. Uchytel said I wrote a letter to AGS informing them I was not interested in renewing the arrangement because of their continued security violations. AGS responded stating they will do better and requested we inform them when we see violations to the lease agreement. To my knowledge, over the summer, there have been no more violations.

Mr. Logan asked, as it is set up in that area now, would there be a way for AGS to access their leased area without going through the secure area. It might take modifications, but would they be able to set up a barrier to allow them secure access?

Mr. Uchytel said I would prefer it if AGS would find a way to work with the Department of Transportation to find access through the road.

Mr. Bush asked does AGS call the Statter Harbor Office to inform the staff of the times AGS will be using the ABLF.

Mr. Uchytel said to my knowledge yes.

Mr. Busch asked Mr. Uchytel, do you recommend the lease be amended permanently to allow AGS access to the ABLF through separate access or not permitting this access.

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Mr. Uchytel said I will support whatever decision the Board makes, but I would prefer AGS have their needs met through the Department of Transportation using the roadside. I do not want to enter into a long-term agreement.

Mr. Bush asked if Docks and Harbors wanted to add a building and a permanent access easement, would we have to wait 25 years to build.

Mr. Uchytel said currently there is not legal standing for the current documentation allowing AGS private access to the ABLF.

Mr. Simpson said in order to use the corridor items will need to be staged in order to get through. However, once we grant this access right-of-way, the Docks and Harbors will be limited in what we can do later.

Mr. Busch asked if allowing AGS permanent access to the ABLF would affect the building of a self-contained wash down system.

Mr. Gillette said right now we have a portable wash down system and we are setting it up at the other end. Primarily because setting it up at this end might hinder access to the ramp. Docks and Harbors will need to build a building to protect the investment of the haul-out equipment and the sealift. We do not know where the best spot for that would be at this time.

Mr. Bush said access to the ABLF through private property, and then AGS using that access for monetary gain, could be perceived poorly by the public. For this reason I do not support a long-term contract for AGS' private access to the ABLF.

Mr. Logan asked where the barrier wall is located is there a way to allow access through the leased space through their existing land. How much of an elevation change is there?

Mr. Fisk said there are no architectural drawings at this time. AGS needs to figure out how many loading bays they will need in order to meet current production needs and future growth. The only other way is to have another loading bay on the other side of the plant. This is very complex to

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make work and we are hoping to eliminate this bay in future designs. By eliminating that loading bay we would have proper flow through the plant.

Mr. Simpson said if the future plant is designed in a way that relies on being able to load through access on the leased property; this design might only have a 20 year lifespan, and not infinite one. Also, if AGS did design a plant that depended on access through the leased property, then Docks and Harbors would be constrained to leave it alone because of the hardship it would cause if we did change it. We can either find a design we are willing to live with for a very long time, or we can reserve some way to make changes periodically. If we reserve the right to make changes, then AGS is not going to be able to rely on having the access forever. It does not make sense to prevent them from doing what they want to do now because of some speculative change that might come in the future. We don't want to hold you up, but we might want access to the land in the future, and we don't want to wait for a long-term contract to expire to move forward with future plans.

Mr. Fisk said the area at the ABLF where AGS is not leasing has to be staging area for the Harbors. AGS does not have a firm design. If it is the Board's view to hold this matter open and have year to year leases, I would hope this would not preclude AGS coming back with designs requiring a long-term lease.

Mr. Simpson said the Board will not want a lease that requires negotiating every year. I think a longer-term lease, but a lease that can be revoked with notice.

Mr. Fisk said if the plant has been operating for many years with a specific design and then requiring the plant to reorient the plant access would be difficult.

Mr. Simpson said yes, but what you are asking us to do is to commit to a certain access point forever, and there is resistance to that.

Mr. Fisk said this is about moving more fish to Juneau. With more fish the Board gets more money.

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Mr. Busch said I have concern about granting long-term access and amending a lease to allow permanent change. We can reevaluate in the future. I prefer we work to help AGS get access to the ABLF through the road system and that would be a permanent solution. I support the temporary solution of allowing AGS access to the ABLF through their leased property.

Mr. Logan said the Harbors could use that area for storage if it were not being used as an access point by AGS. We should focus on developing the area for Docks and Harbor to use and for AGS to use.

Mr. Bush said I would support a 2 or 3 year extension and make it renewable.

Mr. Fisk said Docks and Harbors is leasing that portion of the ABLF to AGS for development reasons. When AGS leases that land and does something with it, it is meeting a Docks and Harbors purpose.

Public Discussion

Mr. Bush asked should AGS' access to the ABLF be available to the public. Does AGS leave the access open?

Greg Fisk, of Juneau, AK, said I represent AGS in this matter. No, the access would not be open permanently. If long-term access were to be granted AGS would have something more substantial built in place of the chain. AGS might put in a rolling fence or something that drops. This would prevent public access. AGS employees would receive an electronic key to swipe or something similar. The Coast Guard does not have any regulations preventing AGS' access to the ABLF, except when they are loading propane, in which case the whole area has to be blocked off. This lease parcel is not separate from the ABLF. ABLF land is what is leased. It is true that we have not done much marketing for the ABLF. However, AGS was the first client to lease the land and put it to use. The way this lease has worked out makes people think it's free for 25 years, but it's not free, the fee is \$30,000 a year and they are getting a \$28,900 credit. This is not an inconsequential lease. A long-term lease agreement is important because AGS wants to do some improvements including putting more

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freezing capability in the plant so they can put more fish through. There is a lot of fish in the area that is going to Sitka and Petersburg. If AGS makes a substantial capital investment, they will need to figure a way to get it out of their property. Loading it this way on the vans is a lot easier for them to plan around then trying to get it in from their existing access off Glacier Hwy. The Department of Transportation has not been very helpful when looking for modifications to the entrance, like making it wider or moving it further down. A long-term lease would be beneficial to everyone, in terms of generating more business, which means more fishery business tax, which comes to the Board. There has to be access in that area anyway for people to be able to access the stuff that is there. This is a good thing for everyone and it makes sense. I was thinking about how the restriction originated, and it was a result of a particular assembly member who was giving us grief regarding the lease, and so this restriction was added and was not addressed because everybody just wanted to get it done. This access right for AGS would be a big improvement. As it is written now, AGS would have to take the forklifts, drive onto the highway, and come back down and use the ABLF to deliver to the fishermen who are on the ABLF. So, we figure if the access is down there, and we're only taking ice on the forklifts, it's not going to add to any congestion or confusion.

Mr. Bush asked would AGS be open to continuing an annual renewal lease.

Mr. Fisk said yes, but we maintain the mindset that it will be a few years before AGS designs a new building. This would work for two years, but when we get our new plant designs finished, and are ready to improving capacity, short-term leases become problematic because if AGS designs a plant a certain way they will want assurance they will have a way to get in and out.

Mr. Bush said there have been violations to the lease previously. AGS is doing well now, but suppose we have a long-term lease and AGS violates some of the lease agreements. This would be a problem.

Mr. Fisk said I would like to address those problems. One was regarding the jersey barriers that AGS was required to place along the lease line. They were placed there, but there was one area around the electrical



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transformers that jersey barriers were not placed. This is also the area the forklifts operated. It was easier for them to go through that area then to go out and around the road. AGS was told not to do that, and they did it anyway. That was corrected. The second problem was the chain barrier, locks were lost or forgotten to lock. This is where a gate would solve the problem. However, it is difficult to pay for a gate like that on a one year lease agreement. The third problem was that AGS staff was not calling the Statter Harbor Office when they were going onto the ABLF. We corrected this issue by informing the Statter Harbor Office that AGS would be moving vans every day during the salmon season. It is working okay now. If we had a permanent solution there would be a better gate there.

Mr. Uchytel said he might have a chain link fence AGS can use as rollers for this facility. I do not believe there is a lease payment for this property. There is another lease for the ice house for \$2,500.

Mr. Fisk said there is a calculated payment. There was no exchange of money, because it is offset by the credit.

Mr. Simpson said there is an assumed value and that was offset by the value of the space we were allowed to use.

Mr. Watson, of Juneau, AK, said I am concerned that the letter Mr. Fisk wrote to the Board does not address the issues brought forward. This started as a commercial boat launch, haul-out, and temporary storage. It is now grown to load fuel and to wash boats. There have been concerns. We are looking at 25 years, and from AGS' perspective this makes sense. However, the purpose of this facility was not designed for this and we're asking for a lease to be altered for an extended period of time. I would like to see the Board talk to legal, and I would like to see the Board contact the Department of Transportation to see what can be done. It is surprising that the Department of Transportation has not done more to assist AGS in accessing their facility. We do not know what the ABLF will look like in 25 years and I do not support building an easement from AGS' leased property to the ABLF.

Mr. Fisk said this property is part of the ABLF. Other businesses have leased ABLF property and they have access from their properties to the

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ABLF. It does not make sense to lease a major property to people then not allow them access to it. I think we, because I was on the Board when this decision was made, made a mistake by not allowing access. I think the reasons we were not allowing access was due to political concerns that were not relevant.

Committee Discussion/Action

Mr. Uchytel asked how formal will we make this agreement. For the last two years we have made a consideration for AGS.

Mr. Simpson said structurally we can characterize it as an amendment to the lease based on actual usage and experience over the first few years that this is in place. If it is a substantive change, we will take it to the Assembly.

MOTION: FORWARD TO THE BOARD THAT WE RECOMMEND TO CONTINUE WITH THE TEMPORARY AMMENDMENT TO AGS' 2010 LEASE AGREEMENT, ALLOWING ACCESS TO THE ABLF FOR UP TO 3 MORE YEARS DURATION.

The motion passed with unanimous consent.

2. Statter Harbor Fish Credit.

Mr. Uchytel said commercial fishermen who have an assigned stall in the downtown harbors get up to 20 days in free moorage at Auke Bay annually. Previously, fishermen who sell fish to a tender that takes the fish to be processed outside Juneau have not qualified for the fish credit. There are 75 fishermen who qualify for the fish credit. Last year 49 fishermen took advantage of the fish credit, with a cumulative total of just under 600 days, and \$12,500 of free moorage. I have been directed to send a letter to the fishermen. I would like to specify in the letter that the fish tickets need to be turned in within the same month and fishermen are not exempt from paying other accrued fees like power and crane fees.

Committee Questions

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Mr. Logan asked where in the policy does it state the fish need to go to a Juneau based plant.

Mr. Uchytel said in the past we have allowed tenders to take advantage of the fish ticket credit. I can state that fishermen are required to sell to AGS or Taku in order to be eligible for the fish ticket credit. The fish need to be destined for a fish processing plant in the City and Borough of Juneau.

Mr. Simpson said two things need to be taken care of, one, that the clarification is accurately stated in the policy, two, discuss if we want to make a substantive change to the policy.

Mr. Bush said the clarification is to encourage landings here.

Mr. Busch said I would like to limit this discount to local fishermen who are paying for moorage downtown as well as selling their fish in Juneau.

Public Discussion

Mr. Fisk said I was on the board when we considered this and I do believe the interpretation given tonight is correct. It was to encourage landings in Juneau. Fishermen are required to inform the office when they will be out of their downtown slips so that space can be utilized.

Mr. Uchytel said there is another regulation that states if the boat is out of the slip for 96 hours the patron is required to notify the Harbor Office. So, there are two regulations that require the Harbor Office to be notified when the boat is gone.

Committee Discussion/Action

MOTION: TO MOVE THAT THE PORT DIRECTOR ISSUE A LETTER TO COMMERCIAL FISHERMEN INCORPORATING THE CHANGES RECOMMENDED BY THIS COMMITTEE.

Motion passed unanimously.

VII. Items for Information/Discussion.

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Mr. Hart is the director of the Community Development Department and he requested a liaison to participate on the Community Development Committee. Mr. Hart said we are embarking on a land use planning effort. We are developing an area plan with the intent of encouraging more businesses and transportation. We want to make sure the investments by the Port and by the University work together in the future. We have set up a committee of 14 to 18 spots. 2 more spots are set aside for the Auk Nu tribe or a corporate interest. We are inviting the Docks and Harbors Board as a liaison. We are focusing on coordination of investments. Many land holders have been holding their land since the 70's and have not developed it. This is to see what the land holders would like to do with the land for the next 30 years. The city is also increasing transit service to the University and possibly out to the Ferry Dock. One goal is to make development easier and another goal is to have the different Boards collaborating on issues. The Assembly wants the final product by September 2014. Our schedule will be an aggressive one, between 10 and 20 meetings.

VIII. Member & Staff Reports.

Mr. Gillette said with regards to the Taku dock expansion, the decking has been removed, concrete has been poured, and piles are being driven. With the cruise ship staging area Miller Construction is in the area in front of the tram the foundation is complete and the utilities are almost completed. Everything is currently on schedule.

Mr. Uchtyl said Bob Bartholomew recommended \$36 million be approved for the Cruise ship improvements, Sea-Walk, and the Uplands projects. This will be introduced at the next Assembly Meeting; then, in December it can get approved. We are focused on the preliminary decision by the Department of Natural Resources to convey the tideland property to the Docks and Harbors. The preliminary document says for the tidelands to be transferred to the Docks and Harbors.

Mr. Gillette said that once this was issued a 30 day public comment was started. It went onto their website on Friday.

Mr. Uchtyl said the Department of Natural Resources initiated the transfer when they said that the ships would be moored over State land. There are 17 acres of tidelands and we only need a fraction of that land. We have a two

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phased bid award which started on the 12<sup>th</sup> of November. They provided two sealed envelopes; the first envelope was for proof of the contractors' qualifications and the second was their quote for the bid. We have at least four qualified bidders. Regarding title ship to the tidelands and whether we are at risk financially, the compliance under the State Statute AS 38.05.825. "Conveyance of Tide and Submerged Land to Municipalities", states:

(a) Unless the commissioner finds that the public interest in retaining state ownership of the land clearly outweighs the municipality's interest in obtaining the land, the commissioner shall convey to a municipality tide or submerged land requested by the municipality that is occupied or suitable for occupation and development if the

(1) land is within or contiguous to the boundaries of the municipality;

(2) use of the land would not unreasonably interfere with navigation or public access;

(3) municipality has applied to the commissioner for conveyance of the land under this section;

(4) land is not subject to a shore fisheries lease under AS 38.05.082, or, if the land is subject to a shore fisheries lease, the commissioner determines it is in the best interests of the state to convey the land;

(5) land is classified for waterfront development or for another use that is consistent or compatible with the use proposed by the municipality, or the proposed use of the land is consistent or compatible with a land use plan adopted by the municipality or the department; and

(6) land

(A) is required for the accomplishment of a public or private development approved by the municipality;

(B) is the subject of a lease from the state to the municipality; or

(C) has been approved for lease to the municipality.

(b) The commissioner may not convey land under this section that has been designated by statute unless the commissioner determines that the proposed use is consistent or compatible with the purpose of the statutory designation. Land designated as a state game refuge, game sanctuary, or critical habitat

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area may not be conveyed unless the commissioner of fish and game also determines that the proposed use is consistent or compatible with the purpose of the designation. If land designated by statute is conveyed, uses of the land after conveyance are restricted to those uses determined by the commissioner of natural resources to be consistent or compatible with the purpose of the designation.

(c) Upon receipt of an application, the commissioner shall determine whether the requested conveyance meets the requirements of this section and issue a written decision regarding that determination. Upon a determination that the requirements have been met, the commissioner shall approve the conveyance of the land to the municipality. After conveyance to the municipality is approved, the municipality has management authority of the land and may lease the land, but may not sell it. The cost of the survey and all subdivision or other platting required for conveyance shall be borne by the municipality.

(d) A conveyance under this section may contain only those restrictions required by law, including AS 38.05.127 and (b) of this section, or required to support a finding that the conveyance is in the best interest of the state. Land conveyed is subject to the public trust doctrine that may be enforced by the state in a court of competent jurisdiction. The municipality shall be required to ensure that reasonable access to public waters and tidelands is provided. The municipality may not lease land conveyed under this section for shore fisheries, but after conveyance, the land may be leased by the state for shore fisheries under AS 38.05.082 if the commissioner determines that the lease is compatible with the municipality's use of the land. Title to land conveyed under this section that is retained by the municipality reverts to the state upon the dissolution of the municipality.

(e) This section does not enlarge or diminish the general grant land entitlement of a municipality under AS 29.65, nor is a conveyance under this section counted against the municipality's general grant land entitlement.

Mr. Simpson said someone opposing that would have to present a clear and compelling argument to the contrary.

Mr. Uchtyl said the 30 day comment period ends December 9<sup>th</sup>, 2013. The Department of Natural Resources will reply to any substantive comments, after which, a final agency determination will be made. We will delay the bid

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opening until mid –January. This will allow bidders time to adjust their bids. The way the contracts are written, it's largely a commodity related contract, with steel and zinc. Zinc is a volatile mineral. We are only able to hold the contracts for 45 days, if we open the bids after 45 days they would have the right to negotiate the bid based on commodity prices. The optimal solution is to delay the bid opening until after we have the final agency determination.

Mr. Simpson asked when the 30 day comment period ends, does the agencies have to decide on the 31<sup>st</sup> day.

Mr. Gillette said no, there is no set time for them to decide. They understand our predicament, but if they receive a lot of comments that require more research then it could take a long time.

IX. Committee Administrative Matters.

Next Meeting: December 5, 2013.

X. Adjournment.

The meeting was adjourned at 6:35 p.m.



**City and Borough of Juneau  
Docks & Harbors  
MARINE SERVICES BUILDING  
January 17th, 2014**

**Issue:** Docks & Harbors received a letter dated December 2<sup>nd</sup>, 2013 from the Alaska Marine Exchange requesting the Port Office enter into a 15-year tenant arrangement and to provide a lease on the CBJ property for construction of a “Marine Services Building”.

**Background:** Docks & Harbors was encouraged by CBJ leadership to develop the former “City Shop” property near the Juneau-Douglas Bridge for the purpose of relocating the Port Office to a new Marine Services Building. The vision, with a partnership with the Alaska Marine Exchange, was to construct a three floor, 10,000 sq foot, building suitable for the Alaska Marine Exchange, the Port Office and a ground floor “maritime interpretive center”. The estimated construction cost is approximately \$4M. Along with the proposed “Whale Project”, this facility would act to anchor the north end of the “Seawalk” to the downtown corridor. In September 2012, the Assembly approved Resolution 2628 establishing the Preferred Site Plan for the area near the Juneau-Douglas Bridge which includes the Whale Project and Docks & Harbors managed CBJ property for the proposed Marine Services Building.

**Current Status:** In 2013, the Alaska Marine Exchange received a \$1M Alaska legislative grant in support of a Marine Services Building. Docks & Harbors also applied for a \$3.3M US DOT TIGER grant in 2013 but was not successful and currently there are no known funding sources to support the design or construction of a Marine Services Building. The Port Office lease arrangement at the Seadrome Building is month-to-month at a rate of \$52K per year. Resolution 2628 suggests that Docks & Harbors manages the CBJ property where the building would be sited. CBJ Engineering, Lands & Resources, and Parks & Recreation are actively engaged with the Whale Project committee to plan and develop facilities necessary for the successful siting of the sculpture and management of the facilities.

**Recommendation:** Alaska Marine Exchange is now in a leadership role in moving forward and is seeking commitment from CBJ for development of the Marine Services Building. I recommend Docks & Harbors enter into a 15-year lease agreement to the purposes of relocating the Port Office to the proposed facility to be built and managed by the Alaska Marine Exchange. However, given the multitude of details necessary for the entire property to be effectively developed (i.e. management of the sculpture, maritime interpretive center, rest rooms, parking, seawalk, etc), I recommend Docks & Harbors refer the real property lease to the CBJ Manager for coordination. However, Docks & Harbors should retain the property management responsibilities north of the Juneau-Douglas Bridge and remain an advocate for the project in partnership with the Alaska Marine Exchange.





***Safe, Secure, Efficient and Environmentally Responsible  
Maritime Operations***

1000 Harbor Way, Suite 204, Juneau, Alaska 99801  
Ph: (907) 463-2607 Fax: (907) 463-2593

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December 2, 2013

Captain Carl Uchityl  
Port Director  
City and Borough of Juneau  
155 South Seward Street  
Juneau, Alaska 99801

Dear Captain Uchityl,

I request an opportunity for the Marine Exchange of Alaska to address the Docks and Harbor Board regarding the Alaska Maritime Center that we seek to have constructed on Docks and Harbor's property in 2016.

Specifically, we are seeking the Board's commitment to aid in this waterfront project to come to fruition through providing a long term lease of the property and as a paying tenant of the spaces occupied by the Port.

As the Marine Exchange of Alaska continues to secure support and funding for this Maritime Center in Juneau we find the Port's commitment will aid the business model for funding the construction and maintenance of the building. A letter from the Port indicating intent to be the second floor tenant at the prevailing market rate for 15 years will help us secure the loans needed to provide the balance of funds needed for this project.

This winter we will be applying some of the State funds provided to the Marine Exchange for building the Alaska Maritime Center towards engineering design services that will provide plans that will accommodate the Port's office needs and requirements, as well as the maritime interpretative center and the Marine Exchange's spaces. When completed, the Center will serve as a professional venue for maritime conferences, meetings and presentations as well as an improved work environment for Port employees. It will also showcase the diverse Alaska maritime trades and opportunities for Alaskans.

I request the Marine Exchange have an opportunity to present and expound upon this request to the Juneau Docks and Harbor Board at their next scheduled meeting.

Regards,

Captain Ed Page, USCG (Ret)  
Executive Director  
Marine Exchange of Alaska

Presented by: The Manager  
Introduced: 09/17/2012  
Drafted by: J.W. Hartle

## **RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2628**

### **A Resolution Expressing Assembly Support for the Location of "The Whale Project," a Sculpture of a Breaching Humpback Whale, in the Vicinity of the Former City Shop Under the Juneau-Douglas Bridge.**

WHEREAS, the Assembly, at its August 6, 2007, regular meeting expressed its support for the breaching humpback whale sculpted by Skip Wallen ("The Whale Project") as an appropriate way to commemorate the 50<sup>th</sup> anniversary of statehood, and authorized the Manager to:

- (1) accept and maintain The Whale Project on behalf of the City and Borough of Juneau;
- (2) approve the placement of the sculpture in Marine Park; and
- (3) prepare the site to receive and properly position the sculpture, subject to an engineering evaluation and the normal City and Borough budgeting process; and

WHEREAS, potentially competing uses and space configuration make placement of the whale sculpture at Marine Park impractical; and

WHEREAS, the Docks and Harbors Board and the Parks and Recreation Advisory Committee have both approved a Preferred Site Plan for the former City Shop location under the Juneau-Douglas Bridge, which includes The Whale Project.

NOW, THEREFORE, BE IT RESOLVED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

**Section 1.** The Assembly expresses its support for the Preferred Site Plan in the vicinity of the former City Shop under the Juneau-Douglas Bridge, and the inclusion of The Whale Project.

**Section 2.** The Assembly reaffirms its authorization to the Manager to:

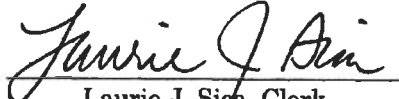
- (a) accept and maintain The Whale Project on behalf of the City and Borough of Juneau; and
- (b) prepare the site to receive and properly position the sculpture, subject to an engineering evaluation and the City and Borough budgeting process.

**Section 3. Effective Date.** This resolution shall be effective immediately upon adoption.

Adopted this 17<sup>th</sup> day of September, 2012.

  
Bruce Botelho, Mayor

Attest:

  
Laurie J. Sica, Clerk

# PREFERRED SITE PLAN



Programming for a New Maritime Center



# Port of Juneau

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

**From:** Carl Uchytel, Port Director  
**To:** Commercial Fisherman with Permanent Downtown Moorage  
**Date:** January 17<sup>th</sup>, 2014  
**Re:** ACTIVE FISHING VESSEL DISCOUNT AT STATTER HARBOR

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The Docks and Harbors Board was asked to reaffirm the policy and purpose of a regulation pertaining to commercial fishing vessel discount (05 CBJAC 20.044). The question was whether Harbor Staff was narrowly defining the regulation thus excluding commercial fisherman who sell to tenders which are landed outside the Juneau Borough.

## **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 twenty 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.

The Board has interpreted “significant fish landings” as fish product which is landed at Juneau fish processing plants and subject to Shared Fisheries Business Tax and Fishery Resource Landing Tax. Fish must be destined and delivered to Juneau processing plants to be applicable under this regulation. Thus commercial fisherman and tenders who deliver to processing plants outside of the Juneau Borough would not be eligible for this discount. This has been the customary interpretation by the Auke Bay Harbor Staff.

Other items for clarification purposes include:

1. Under this regulation, only commercial fishermen are entitled to this discount, it does not apply to recreational and charter fishing operations.
2. Fish Tenders are recognized as Fishing Vessels under this regulation.
3. This regulation applies the discount only to Statter Harbor moorage and not moorage at the Auke Bay Loading Facility.
4. This regulation applies only to moorage charges and does not exempt electrical fees while at Statter Harbor.
5. Paragraph (a)(3) requires proof of significant fish landings (fish tickets) to be presented during each calendar month of the date of the landing. This is liberally interpreted to allow until the end of the next calendar month. For example, fish delivered to a processing plant on 1 May would have until 30 June to provide validation of the activity. **Late proof of significant fish landings (fish tickets) will not be accepted.**
6. Commercial fishermen assigned Statter Harbor permanent moorage are not eligible to receive this discount.
7. Commercial fishermen are required to notify Docks & Harbors of their departure date and estimated return date of their downtown moorage stall.

#

Copy: Alaska Glacier Seafood  
Taku Smokeries  
SeaFisk Consulting





January 8, 2014

PND 122055

Mr. Gary Gillette, AIA  
Port Engineer  
CBJ Docks and Harbors Department  
155 South Seward Street  
Juneau, Alaska 99801

Re: Aurora Harbor Rebuild, DH12-160  
Additional Engineering Services Fee Proposal  
Amendment No. 2

Dear Mr. Gillette:

PND Engineers, Inc. (PND) appreciates the opportunity to provide this fee proposal for additional engineering services on the Aurora Harbor Rebuild project as discussed at yesterday's design review meeting. The attached spreadsheet summarizes the additional scope and fees we anticipate for the requested work. We have revised the project schedule to reflect the additional design and permitting time needed. Critical to the schedule is receiving federal NWP authorization to conduct maintenance dredging at A Float. The permit application should be submitted as soon as possible as it is expected to take approximately 45 days to receive authorization under the NWP process. A longer review period will be required if the COE does not agree to the NWP process. Be advised that fees have only been included to prepare a NWP application.

Please let me know if we have perceived your needs appropriately for this additional work. We are available to commence immediately and look forward to working with the Docks and Harbors Department towards the successful completion of this moorage rebuild project at Aurora Harbor.

Sincerely,  
PND Engineers, Inc. | Juneau Office

A handwritten signature in blue ink, appearing to read 'Dick Somerville'.

Dick Somerville, P.E.  
Vice President

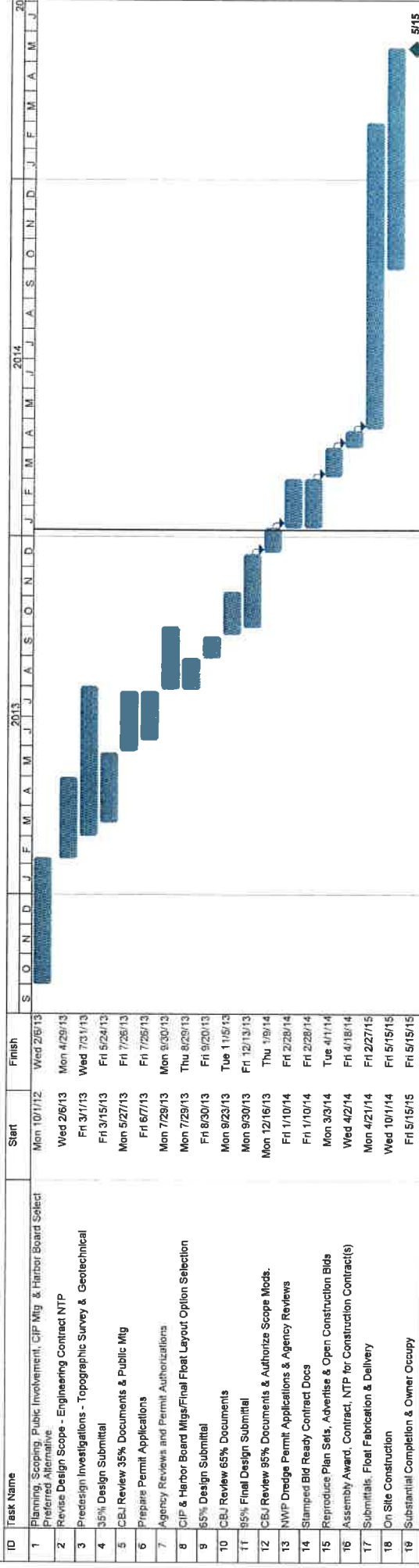
Enclosures



Misc. Expenses	Reproduction and misc. consumables	\$2,500
Haight & Associates	Electrical engineering for south approach hothbox, sewer enclosure on gangway landing and minor design updates	\$5,000
<b>TOTAL FIXED FEE (FF)</b>		<b>\$5,250</b>
		<b>\$49,680</b>



**AURORA HARBOR REBUILD - PH 1  
PRELIMINARY PROJECT SCHEDULE  
FLOATS A, B, C & D**



Task

Split

Milestone

Summary

Rolled Up Task

Rolled Up Split

Rolled Up Milestone

Rolled Up Progress

External Tasks

Project Summary

External Milestone

Inactive Task

Inactive Milestone

Inactive Summary

Manual Task

Duration-only

Manual Summary Rollup

Manual Summary

Start-only

Finish-only

Progress

Deadline

PND No 123055  
January 8, 2014



# Port of Juneau

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

**From:** Carl Uchytel, Port Director  
**To:** Docks & Harbors Board  
**Via:** Docks & Harbors Operations & Planning Committee  
Docks & Harbors Finance Committee  
**Date:** January 21st, 2014  
**RE:** PERSONNEL RECOMMENDATIONS

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## **Harbor Technicians-**

I propose adding two additional seasonal .50 FTEs (total of 1.0) to the Harbors enterprise operations beginning in April 2014. The total burdened annualize cost (total wages & benefits) per employee would be \$31,980. This would provide for one Harbor Technician at Aurora Harbor and one at Statter Harbor. In FY13, Harbor revenue operations exceeded Harbor expenditure by \$190,408, significant is that only a quarter of the raw fish tax (\$80K of the \$384K received in November 2013) was applied to the FY13 Harbor revenue ledger. The FY14 Harbor enterprise projection is for a \$425K operating surplus.

The Auke Bay Office is managed by an Operations & Maintenance Supervisor (OMS) with two year-round Harbor Officers. In the summer, three additional Harbor Officers (two seasonal's) are assigned. The OMS and summer staff of five maintains a presence seven days a week from 7 am to 9 pm at the Don D. Statter facility. The staff provides daily service out the road to Echo Cove and Amalga Harbor. Additionally, the ABLF now possesses a self-contained wash down pad and the expectation that the Auke Bay staff will provide expanded customer service responsibilities. The additional seasonal staff would augment the daily presence at the different facilities, washing boats, and managing parking lot operations.

The Aurora Harbor Office is overseen by the Harbormaster with a year round Operations Maintenance Supervisor (OMS), a Senior Harbor Officer, and three Harbor Officers. In the summer, the staffing level includes the OMS, two Harbor Officers, and two Harbor Technicians. The proposed additional third Harbor Technician would help with dock checks, daily maintenance of the downtown facilities and operations help to handle the increased volume of summer patrons, and cover expectations of extended hours.

## **Administrative Assistant –**

I propose to reclassify the Administrative Assistant I year round position at Statter Harbor to an Administrative Assistant II. This change is due to this position working in the role of an Administrative Assistant II who solely maintains the office operations at Statter Harbor in the winter and assists with training and overseeing of seasonal employee work in the summer. This position assists with collection of fees and moorage charges from patrons, provides customer service in responding to questions

regarding CBJ harbor rules and regulations and handles in-office customer complaints. In addition to receiving and applying payments to accounts, and performing moorage calculations, the Statter Harbor Admin Assistant, performs account and billing reviews in FSM as well as clerical and administrative support duties. This person also manages charter documents and fees, as well as bus permits for Statter Harbor and manages the usage of the ABLF. The increase from the current position wages & benefits would be \$7,258 annually. This change would require approval from Human Resources and Risk Management Department to become effective.

**Administrative Officer-**

I propose filling the existing Administrative Officer position. This position would directly support the Port Director's Office including support to the Port Engineer and Deputy Port Engineer. Docks & Harbors has a need to staff this position again with the additional time consuming efforts needed in many administrative matters such as leases, budgetary requirements and anticipated contractual efforts in direct support of the numerous ongoing construction projects. The Administrative Officer total wages & benefits would be \$102,247. The Administrative Officer position has been budgeted, but not filled since September 2010. During this time the Port Secretary (originally an Administrative Assistant II) has picked up several of the extra duties and the Port Engineer has taken on some tasks the Administrative Officer performed. I am also contemplating assigning all Administrative Staff (both at Aurora and Statter Harbor) to report through the Administrative Officer.

#



**City and Borough of Juneau**  
**Docks & Harbors**  
**CRUISE SHIP TERMINAL PARKING LOTS MANAGEMENT**  
**January 17th, 2014**

**Issue:** Docks & Harbors has contracted to Miller Construction for reconstruction of the Cruise Ship Terminal (CST) parking lots. The construction is anticipated to be complete on May 2<sup>nd</sup>, 2014. The primary change will be diagonal parking (versus pull through) for the coaches. Some permit operators authorized to use the Docks & Harbors parking lots have requested management plans for the new facility.

**Background:** Docks & Harbors began a public process to improve the safety and efficiency of the CST uplands beginning in January 2009 which culminated in the CBJ Planning Commission approval in April 2011. In December 2011 & January 2012, the Docks & Harbors Board conducted public meetings to explain the planned improvements, operational changes and ordinance regulations with the new project.

Docks & Harbors is tasked with managing facilities associated with cruise activity at the Alaska Steamship Wharf and the Cruise Ship Terminal. The primary responsibility of the ten "Docks" seasonal staff is to provide shoreside security in accordance with the Coast Guard approved Facility Security Plan. When not engaged in facility security, the team will provide other services such as facility maintenance, monitoring tour booth sales and regulating the parking lots. The four Harbor Officer seasonally assigned are authorized to cite individuals who violate CBJ ordinance on Docks & Harbors managed property. The six Harbor Technicians assist the Officers with all duties but are not permitted to issue citations. The Docks seasonal staff is supervised by a year-round Senior Harbor Officer.

Docks & Harbors does not limit the number of companies nor the size or quantity of vehicles. To receive an "A or B Zone" permit, the applicant must pay \$300 per company plus \$7 per seat of all the vehicles in the company's inventory. The last two years of data are presented below:

	# of Companies Purchase A & B Zones (\$300 ea)	Revenue "A Zone" (\$7/seat)	Revenue "B Zone" (\$7/seat)	Total Revenue Collected
2012	35	\$37,403	\$23,637	\$71,540
2013	33	\$33,005	\$27,062	\$69,967

**Recommendation:**

1. A CBJ Docks employee will be assigned to the lot to ensure a consistent and orderly compliance of CBJ ordinance pertaining to parking lot management.
2. Conditions of the 2014 "A" Zone Permits will include:



- a. All companies must employ a “Dock Representative” whenever a coach or “A” zone vehicle enters the Cruise Ship Terminal parking lot. The company’s Dock Representative will communicate parking availability to the coach driver within the lot. The goal is to reduced congestion by coordinating coaches to enter the lot only when there is existing parking availability.
  - b. Dock Representative shall act as a “safety spotter” for all coaches backing out until 6 pm daily.
  - c. All companies must be members of the Tourism Best Management Practice.
3. All “B zone Permits”, including Crew Shuttles, must members of the Tourism Best Management Practice.
4. Docks & Harbors will continue its policy of “locking down” the CST parking lot in accordance previously issued “A” and “B” zone permits. The purpose of this activity is to maximize the efficiency of transporting cruise passengers with pre-sold tours.
  - a. *Port staff are authorized to restrict use of all parts of loading zones to carriers with pre-sold tours during the period of heaviest pre-sold tour activity. Typically, the pre-sold period extends over a period of sixty-minutes.*
  - b. *Port staff will provide you with the start and stop times of the pre-sold tour period showing the areas restricted to pre-sold tours.*
  - c. *Prior to allowing permitted operators to enter an area restricted to pre-sold tours, port staff will verify the operator is picking up pre-sold tour passengers.*
5. The Columbia Lot is designated the “A zone” shuttle facility. As required in a conditional use permit, coaches shuttling cruise passengers from the AJ Dock will actively load and unload from this facility. On days when the AJ Dock shuttle is not operating “A” zone permitted coaches with scheduled shuttles to the Mendenhall Glacier may also actively load and unload from this facility.
6. The active loading zone established near the People’s Wharf shall not be designated for “A” or “B” permits vehicles. This active loading zone is to be used for commercial deliveries, including USPS and other freight companies.
7. The two designated “taxi stands” are located at the Port-Customs parking lot. This was the same number of “taxi stands” which were designated prior to the new lot construction. The taxi stands are in a public lot not required to possess a “B zone” permit. Only direct “point-to-point metered fares” shall be collected from taxis at any location in the Docks & Harbors managed lot and “selling tours” from taxis is prohibited.
8. On a trial basis, Docks & Harbors is proposing a construction modification to the Columbia Lot which would provide for “B zone” permitted taxis to drop off and pick up fares in place of the “queuing island”. The Port Director will, after careful consideration of the traffic flow, congestion and safety & efficiency of the lot, decide whether to maintain a taxi drop off and pick up zone or return it to a “queuing island”. This area is not designated a “taxi stand”.

Encl: (1) Report on Public Information Meetings on Terminal Staging Area Construction Project from January 19th, 2012 Subcommittee Work Session  
(2) Meeting Record Summary

Date: January 24, 2012

From: Chairman, Subcommittee

To: Docks and Harbors Board

Subject: Report on Public Information Meetings on Terminal Staging Area Construction Project from January 19<sup>th</sup> Subcommittee Work Session.

Overview: The Docks and Harbors Department hosted informational meetings on December 15, 2011 and January 12, 2012. The meetings were held to better explain the planned improvements, operational changes and ordinance regulations associated with the Terminal Staging Area Construction Project. The agenda included a welcome by the Chairman of the Docks and Harbors Board, an introduction by the Port Director, an update on the project by the Port Engineer, an overview on waterfront vendor permits by the Port Administration Assistant and a summary of enforcement issues by the Harbormaster and Operations Maintenance Supervisor.

Issues: The following is a summary of public testimony and comments received, including recommended action.

1. Taxi Issues. The proposed parking lot design included two taxi spaces adjacent to B Zone parking near South Franklin Street. Taxi operators expressed concern about the number of spaces, visibility and proximity to the docks. There was concern too many taxi spaces have been lost with the loss of on street parking and the loading zone. Discussions also included concern about taxis using taxi spaces and B Zone spaces to sell tours. Since the early 1990s there have only been two designated taxi spaces on the street. While taxi operators can purchase B Zone spaces, they are only permitted for picking up passengers who have pre-sold tours.

Recommendation: Assign two designated meter-only taxi spaces in the new on site parking lot.

2. Vendor Booth Consolidation. The proposed construction project included both movement and consolidation of the two vendor booths currently located in front of the Port/Customs Building and new Visitor Center to a single booth location on the Cruise Ship Dock in 2014. The vendor booths at near Marine Park would be unaffected. There were several letters and numerous comments about the potential for significant loss of revenue associated with this proposal due to loss of visibility, especially when no ships are docked at the Cruise Ship Terminal and if passenger foot traffic from the A and Princess Dock bypass the proposed vendor booth location. Currently the highest sales are experienced by the booths in front of the Port/Customs Building. Additional comments were received recommending increasing auction deposits to discourage auction abuses, currently the required deposit is \$5,000. Reports of vendor booth issues was down significantly from

2010, however there were still several reported violations, which were handled informally. It was recommended that formal citations be issued for future violations

Recommendations: a. Keep three vendor booth locations, one at Marine Park, one at the Cruise Terminal (seaward of the new Visitor Center) and one in front of the Port/Customs Office. b. Increase the deposit for the vendor booth auction for the 2013 season. c. Issue citations instead of warnings for vendor booth improprieties.

3. Cruise Representative Booth. It was recommended that small covered booth be built and placed near the head of the pier for use by cruise ship representatives and tour company dock representatives.

Recommendation: Research the cost to design and build a booth for both cruise ship docks.

4. Bus Operations. There were several concerns expressed about A Zone bus turning radiuses and their ability to successfully navigate the turns out of the A Zone parking lot and into shuttle/drop off lot. There was also concern about safety associated with backing up from the A Zone parking lot and excessive loitering in the A/B parking areas.

Recommendation: The Port Engineer will investigate reducing the size of the median near the transformer and verify computer modeling for buses entering/exiting the lots.

5. A/B Zone Parking: There is concern expressed that there will be flow and traffic issues associated with the A/B Zone parking.

Recommendation: The Port Engineer will review turning radiuses to ensure sufficient. Assignment of taxi spaces to assigned parking will allow for two additional B Zone Spaces. Port Operations Department will monitor to ensure no excessive loitering.

6. Crew Shuttles. The number of crew shuttles has increased over the years. There were several recommendations to provide either dedicated parking or find space for additional parking.

Recommendation: Investigate the availability of additional parking and possibility of consolidating Crew Shuttle pick-up at a central location to reduce congestion.



# PROCESS TO DATE

- Consultants began gathering information in January 2009.
- Open Houses for public comment on May 7, May 14, and May 15, 2009. Received comments until July 31, 2009.
- Site observations and video recording of pedestrian and vehicular movement took place on June 16<sup>th</sup>, 2009 (typical busiest day of week).
- Project team developed concept-level designs based on concerns and comments received from dock users.
- Public meeting held on October 28, 2009 to present concept designs. Received comments at meeting and distributed comment sheets.
- Presented plan concepts to Harbor Board and Assembly Lands Committee in November 2009.
- Continued to receive comments and worked with user groups to develop recommended options.
- Final report and recommendations completed in March 2010.
- Met with user groups a number of times to fine tune plan.
- CBJ Assembly approved the project along with 16B in September 2010
- CBJ Planning Commission approved the project in April 2011.