

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, October 19th, 2016

- I. **Call to Order** (5:00 p.m. in City Hall Conference Room 224)
- II. **Roll Call** (John Bush, Tom Donek, David Lowell, David Summers, Bob Janes, and 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)
- V. **Approval of Wednesday, September 21st, 2016 Operations/Planning Meetings Minutes**
- VI. **Consent Agenda - None**
- VII. **Unfinished Business - None**
- VIII. **New Business**

- 1. Resident Liveboard Regulations
Presentation by the Harbormaster

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING.

- 2. Resident Surcharge Fee (05 CBJAC 20.050)
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO RAISE THE 05 CBJ 20.050 TO \$75 PER RESIDENT PER CALENDAR MONTH + \$25 PER EACH ADDITIONAL RESIDENT PER CALENDAR MONTH.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, October 19th, 2016

3. Regulation Changes – Boat Shelters
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING.

4. Removal of the Marine Park Lightering Float
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING.

5. Alaska Glacier Seafood (AGS) – Lease Amendment
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING.

6. Potential Tideland Lease - Opportunity
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO BE DETERMINED AT THE MEETING.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING AGENDA
For Wednesday, October 19th, 2016

IX. Items for Information/Discussion

1. Archipelago Property
Presentation by the Port Director

Committee Discussion/Public Comment

2. Resolutions
Presentation by the Port Director

Committee Discussion/Public Comment

X. Staff & Member Reports

XI. Committee Administrative Matters

1. Next Operations/Planning Committee Meeting- **Wednesday, November 9th, 2016.**

XII. Adjournment

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

I. Call to Order

The meeting was called to order at 5:00 p.m. in City Hall Conference Room 224.

II. Roll Call

The following members were present: Tom Donek, David Lowell, Bob Janes, and Budd Simpson.

Also present: Carl Uchytel-Port Director and Dave Borg-Harbormaster.

III. Approval of Agenda

MOTION by Mr. Donek TO APPROVE THE AGENDA AS PRESENTED AND ASKED UNANIMOUS CONSENT.

Motion passed with no objections.

IV. Public Participation on Non-Agenda Items

William Heumann of Juneau, AK

Mr. Heumann said I am interested in leasing the property behind my building on South Franklin Street. It is surrounded by the sea walk. The area I am interested in is approximately 2,000 square feet. I understand there was discussion about putting bathroom s in that area. There were kiosks in the area, but those have since been moved. Tourists are draw to areas that are away from my building. I am trying to find a way to adapt to the new circumstances. Part of that is to find a way to draw people to that underutilized area.

Mr. Janes asked is that your leased property on the dock.

Mr. Heumann said the area I am talking about is Docks and Harbors property. I am currently leasing the land, but this is the water area.

Mr. Simpson asked is this area designated for any other purpose.

Mr. Uchytel said I will check to make sure we do not have the area designated for other projects. We have conceptualized using the area for bathrooms.

Mr. Simpson said we're not in a position to take action on this item. Mr. Heumann can make an appointment to talk about specifics with Mr. Uchytel.

V. Approval of Wednesday, July 20th, 2016 Operations-Planning Meeting Minutes

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

MOTION by Mr. Janes TO APPROVE THE WEDNESDAY, JULY 20TH, 2016 OPERATIONS-PLANNING MEETING MINUTES AND ASKED UNANIMOUS CONSENT.

Motion passed with no objections.

VI. Consent Agenda – None.

VII. Unfinished Business

1. Vessel Lumberman

Mr. Uchytel said I met with Mr. Drake who owns the Lumberman. I encouraged him to exhaust all his options. I also recommended he move to the Department of Natural Resources' (DNR) land. Mr. Drake emailed me today suggesting he plans to move the Lumberman.

Mr. Borg said harbor officers have been called out due to reports of a fire on the Lumberman, and this has happened multiple times. They burn trash on the back of the Lumberman. It costs overtime for our staff to respond to calls during off hours.

Committee Questions

Mr. Simpson asked where does he intend on moving.

Mr. Uchytel said he did not say.

Mr. Janes asked when does he intend on moving.

Mr. Uchytel said he did not say.

Mr. Simpson asked has anyone asked they stop burning trash.

Mr. Borg said I will send him an email.

Public Discussion - None.

Committee Discussion/Action- None.

VIII. New Business

1. Shayne Thompson (Angoon Trading Co.) Lease

Mr. Uchytel said on page ten of the appraisal you will see the former lease for Channel Flying. That lease was for the last 55 years. The lease expires November 27, 2016. In September the lease rights were signed over to Shayne Thompson. I can work with the Law Department to write a new lease. The property was appraised a year ago. The lease was appraised for \$ 6,360.00. I recommend the lease is good enough and that the lease renewal be approved.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

Mr. Thompson said my business is the 7UP and Snapple distributor for Southeast Alaska. The warehouse has soft drinks stored. My vision is to clean up the property. I would like to obtain a Corp of Engineers maintenance permit to correct the erosion that is on the seawall. I would like to take the pad out to where the existing old dolphins are located. Then I can make a water access. I can then hire a landing craft to bring my product in as the ferry system is not always reliable.

Committee Questions

Mr. Simpson asked if Channel Flying was the continuing lessee would we automatically renew the lease.

Mr. Uchytel said yes.

Mr. Donek asked does the right to renew survive the assignment from Channel Flying to Shayne Thompson.

Mr. Uchytel said yes, that is what the Law Department informed me.

Mr. Janes asked do you plan on using this as a distribution center for the seeable future.

Mr. Thompson said yes.

Mr. Simpson asked are you comfortable with the rate we are charging.

Mr. Thompson said it will be more than what I am paying now, but I am comfortable paying the asked rate.

Mr. Donek asked does this need to go to the full board or can Mr. Uchytel and Mr. Thompson work this out.

Mr. Simpson said Mr. Uchytel and Mr. Thompson will work this out. This could go to the full board tomorrow on the consent agenda.

Public Discussion - None.

Committee Discussion/Action

MOTION by Mr. Lowell TO APPROVE SHAYNE THOMPSON'S APPLICATION FOR THE LEASE AND ASK UNANIMOUS CONSENT.

The motion passed with no objections.

2. Aurora Harbor Phase II 35% Review

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

Mr. Uchtyl said if you turn to page 17 in your packet you will see floats E, F, and G. We brainstormed about how the work could be accomplished. The project is going to be about \$4 million and will replace floats E, F, and G. It is a fairly easy project because there are no gangways. We want to have the bidding and awarding completed by early spring 2017. Then the contractor can mobilize in August 2017. The rebuild will consist of new electrical, new lights, and new water lines. All the fingers will be compliant with the American's with Disabilities Act (ADA). The vessels will be directed outside the work area. The shelter owners will also be directed to minimize the load on the shelter, so all items will need to be removed from the boat shelters. We will have a meeting in April 2017 for all the boat shelter owners so we can explain how everything is going to be moved. We want the boat shelter owners to take control of improvements to their shelters. The boat shelters are not all in the same condition; some have been maintained and others have been neglected. Now would be a great time to make regulation changes for the boat shelters. For example, there are boat shelters that are not compliant with the National Electrical Code (NEC). Also, I recommend we have better regulations regarding boat shelter owners having insurance and what that insurance looks like. Lastly, I suggest cleaning up the language in the regulations regarding the Harbormasters access to the boat shelters.

Mr. Uchtyl gave a PowerPoint Presentation explaining how the boat shelters will be moved in phases during the rebuild.

Committee Questions

Mr. Donek asked was the selection on which boat houses moved based on getting the right number on each float.

Mr. Uchtyl said we had to move some boat shelters because we wanted to balance the locations. Some of the boat shelters have access doors off the main float and we did not want to change that option.

Public Discussion – None.

Committee Discussion/Action

Mr. Lowell said it would be prudent of the City & Borough of Juneau to do a thorough pre-construction survey. This would help the construction crew. It would also give us a baseline as to what the condition the boat shelters are in currently. This would help us if anything were to go wrong during construction. What happens when the construction crew is ready to move a boat shelter but the owner has not prepared the boat shelter?

Mr. Uchtyl said I would need to check the regulations, but I believe staff would do the work and we would charge for staff labor. I don't know what a survey would accomplish.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

Mr. Simpson said I don't think we need a full marine survey. Someone could just go through each boat shelter, take notes, and digital pictures for documentation.

Mr. Donek said it would be best if the owner is present during the survey. A walkthrough with someone with structural knowledge and a camera would work fine.

MOTION by Mr. Janes TO APPROVE THE AURORA HARBOR PHASE II 35% REVIEW AND ASK UNANIMOUS CONSENT.

Mr. Donek said I recuse myself from this vote because I own a boat shelter.

The motion passed with no objections.

3. Special Moorage Rate Consideration – Non-Motorized AGS Barge at Statter Harbor

Mr. Uchytel said the Alaska Glacier Seafood's (AGS) barge at Statter Harbor is the former net float we had at the Auke Bay Loading Facility (ABLF). The barge has been decked over. It is a nonmotorized barge and they need a place to moor it over the winter. The owner asked for consideration with regards to the monthly rate because the barge is not moving, not using electricity, or water. I recommend we offer the downtown harbor rate as a consideration for AGS.

Committee Questions

Mr. Simpson asked where do you want to moor the barge.

Mr. Uchytel said it is currently on the inside of the breakwater and will remain there until May 1st, 2017.

Mr. Simpson asked are there issues with the location due to the size of the barge. Is it blocking traffic? Due to the weight will it damage our breakwater?

Mr. Uchytel said no, we've had yachts out there bigger than that, and I haven't heard any charter operators complaining.

Mr. Janes asked is it going to sink or is it in good shape.

Mr. Uchytel said no, it's not going to sink.

Public Discussion

Dennis Watson of Juneau, AK

Mr. Watson said I have concerns about a barge that heavy in the harbor. They've made additions to the barge and that could do something to the structure. It is exposed to the large tide changes Juneau experiences twice a day, and the wakes caused by the Greens Creek boat. On a windy day the water breaks over the breakwater. Last year a barge broke a finger in Statter Harbor, and that cost a lot of money to fix.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

Committee Discussion/Action

Mr. Uchytel said with regards to the displacement of the barge, I don't know if the draft is the same, but they removed gravel ballast. I have thought about the stress the barge will place on the breakwater and think it will be fine.

Mr. Janes asked Mr. Borg are you comfortable with the AGS barge on the breakwater.

Mr. Borg replied yes. I've talked to my staff as well and we're comfortable with the AGS barge on the breakwater.

Mr. Donek asked what do we do when the next person asks for a special rate. What is the justification with giving AGS the special rate when the next guy doesn't get the special rate?

Mr. Uchytel said the regulations allow us to make those judgments. This vessel is revenue we're going to collect. I can rationalize a lesser rate in the winter when there's no demand for the facility.

Mr. Janes asked what are we going to do when the next interested party asks for a discounted rate. I'm not sure what the criteria are we're judging the AGS barge on vs. another vessel. I think we should come up with a policy before we approve this. We need to think about what our policy is for future decisions.

Mr. Simpson said I suggest we approve this and then craft a policy for a discounted rate.

Mr. Uchytel said it's a barge and is different than a vessel that has its own mode of power. It's basically storage.

Mr. Lowell said I am still concerned with the fact this is an unmanned barge that cannot move quickly if the need arises. Has AGS looked into getting a DNR permit to use their land?

Mr. Uchytel said I don't know if they contacted DNR for a permit.

Mr. Janes asked what is the liability with regards to insurance for having a barge tied to a dock. It seems unconventional. Will AGS' insurance cover the damages to our docks if anything happens?

Mr. Uchytel said we can make it a condition AGS provides proof of insurance.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

MOTION by Mr. Janes TO APPROVE THE SPECIAL MOORAGE RATE CONSIDERATION FOR THE NON-MOTORIZED AGS BARGE AT STATTER HARBOR WITH PROOF OF INSURANCE AND ASK UNANIMOUS CONSENT.

The motion passed with no objections.

4. Cruise Ship Berth Contract Administration and Inspection Services Proposal – PND Engineers

Mr. Uchytel said this is the third phase. This is a proposal for 24 hour work shifts at 6 days a week. The total estimate is \$995,496.00.

Committee Questions

Mr. Donek asked how does this compare to last year's estimate.

Mr. Uchytel replied it's about the same.

Mr. Lowell asked how much is remaining on the current contract.

Mr. Uchytel said I do not have that number today.

Mr. Simpson asked is this consistent with what we have in the budget.

Mr. Uchytel said yes, it is consistent. The project is going well because of PNDs efforts.

Public Discussion – None.

Committee Discussion/Action

MOTION by Mr. Janes TO APPROVE THE CRUISE SHIP BERTH CONTRACT ADMINISTRATION AND INSPECTION SERVICES PROPOSAL OF \$995,496.00 AND ASK UNANIMOUS CONSENT.

The motion passed with no objections.

IX. Items for Information

1. Removal of Marine Park Lightering Float

Mr. Uchytel said in your packets you will find a letter from Wings Airways regarding their concerns about the placement of the lightering dock. It is pinching the seaplanes as they drive to their moorings.

Al Clough of Wings Airways in Juneau, AK said with 16B moving everything seaward it forces pilots to make a 180 degree turn in close quarters. It also requires weather conditions to be perfect. It is not a safe maneuver. If the lightering float were removed this would allow pilots more room to maneuver.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

Holly Johnson of Wings Airways in Juneau, AK said the sea walk portion was going to cut through where our business is located. At that point we were going to move to the end of the building and be the only tenant in that building. In that scenario we would be next to the Lightering Float as a portion of the sea walk. Negotiations have stalled and the sea walk has been delayed. Wings Airways is now caught in the crosshairs. We thought the Lightering Float would go, but it has been left in place until negotiations come to a conclusion for the sea walk. We can't afford to take over the lease of the other tenant and we can't move any further down. So, now we're stuck sharing a tight space with a public dock.

Committee Discussion/Public Comment

Mr. Uchytal said the zip line and Adventure Bound use the float to go to Tracy Arm. They would be displaced by removing the Lightering Float. We do have the Port Field Office float that was designed as the Lightering Float. Also, I have received emails from some retailers regarding the removal of the Lightering Float and how that will negatively impact their sales.

Mr. Janes as an operator, this year with the increased size in the ships, Marine Park is insufficient. My bus operators have to circle downtown three times to find a space to stage. We need to be looking at the long-term solution.

Mr. Simpson asked can we shift the placement of the current Lightering Float.

Mr. Uchytal said we plan on keeping the Lightering Float until the sea walk or Marine Park development necessitate the Lightering Float's removal. The game changer is that it is unsafe for the seaplanes.

X. Staff, Committee and Member Reports

Mr. Borg said staff has been working on general repairs around the harbors since they have time and supplies. The main focus has been the north end of Aurora, the damage from the accident is estimated at \$80,000.00. Our insurance should cover the cost. We sold the S10 at auction for \$2,600.00. The seasonal employees finish on October 2nd, 2016. I did issue letters to five patrons informing them they need to pass the seaworthy test.

Mr. Uchytal said Trucano is at Douglas Harbor and Millers is working on the Statter Harbor Launch Ramp. We're hopeful Millers will be done on November 1st, 2016.

XI. Committee Administrative Matters :

1. Next Operations/Planning Committee Meeting

The next Operations/Planning Committee Meeting is scheduled for Wednesday, October 19th, 2016.

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
Wednesday, September 21st, 2016

- XII. Adjournment
 The meeting adjourned at 6:41 p.m.

05 CBJAC 20.050 - Residence surcharge.

- (a) *Definition.* A fee assessed to the owner of a vessel when the vessel is used by ~~any person~~ as a residence, dwelling, or abode for three or more calendar days in any calendar month, unless
- (1) The owner pays daily moorage in accordance with 05 CBJAC 20.030 for all days in the calendar month during which the vessel is used for three or more days as a residence, dwelling, or abode; or
 - (2) The Harbormaster in writing authorizes the owner to use the vessel as a residence, dwelling, or abode for more than three calendar days in any calendar month, provided such authorization may be given only for short term, temporary use of the vessel as a residence, dwelling, or abode of not more than seven days in the calendar month for which the authorization is given.
- (b) For any vessel identified as a live aboard boat, proof shall be required that at least one of the persons residing aboard the vessel is the legal registered owner. Acceptable forms of proof include a copy of the current State vessel registration or U. S. Coast Guard documentation certificate. Requests for waivers to the requirements of this section shall be submitted in writing to the Harbormaster for consideration on a case by case basis.
- (c) No untreated human waste or any substance or material deleterious to fish, plants or animal life may be discharged from a vessel except in a lawful and approved manner within the confines of the harbor system. Additionally, live aboard vessels shall be equipped with a permanently installed, operational, Coast Guard approved, Type I, II or III marine sanitation device. The harbormaster shall have the right, upon reasonable notice, to inspect the interior of any such vessel to verify compliance with this requirement. Portable toilets are not considered an installed toilet facility and do not meet the requirements of this section. Waste may not be discharged within the harbors except at one of the City's sewage pump out stations or legally offloaded to a licensed private sewage handling contractor or transferred to one of the harbor pump out stations via a portable tank approved by the Harbormaster. The harbormaster shall have the right to require owners of live aboard vessels to demonstrate and/or document regular, legal off-loading of waste.
- (d) To minimize the impact and ensure harbors remain a maritime hub of transportation as intended, live aboard vessels shall not exceed 10% stall occupancy with in each harbor. This 10% rule would allow for 45 live aboard vessels in Aurora Harbor, 20 Live aboard vessels in Douglas Harbor, 20 live aboard vessels in Harris Harbor and 7 in Statter Harbor assigned moorage. Statter Harbor transient area is not designated as live aboard moorage between 1 May and 30 September. Owners requesting to be placed in a live aboard status in a harbor that is at capacity will be placed on a waitlist.
- (b) *Residence surcharge period and duty to report.* The residence surcharge will be assessed on a calendar month basis. The owner of the vessel is responsible for paying the residence surcharge. The owner of the vessel is responsible for immediately notifying the Harbormaster when their vessel is being occupied and used, rented, or leased as a place of residence. Once a vessel is used as a residence, the Docks and Harbors Department will continue to assess the residence surcharge until the owner of the vessel gives written notice to the Harbormaster that the vessel is no longer used for a residence.
- (c) *Payment deadline.* The owner must pay the residence surcharge in advance before the first day of the calendar month for which the owner is planning to use the vessel as a residence. An owner that does not or cannot pay the residence will be assessed a daily moorage fee in accordance with

Section [05 CBJAC 20.030] 30 of this regulation in addition to any annual or monthly moorage that may have been paid.

- (d) *Residence surcharge.* The owner shall pay a residence surcharge of ~~\$69.00~~ \$75.00 per calendar month, or portion thereof, for each vessel used as a residence. For a vessel with more than one resident, the owner shall pay an additional surcharge of ~~\$23.00~~ \$25.00 per calendar month, or portion thereof, for each additional resident. A resident shall register their pets with the harbor department and be assessed a surcharge of \$5.00 per calendar month per pet.

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

Residence Surcharge Fee

Regulation

05 CBJAC 20.050 - Residence surcharge.

- (a) Definition. A fee assessed to the owner of a vessel when the vessel is used by any person as a residence, dwelling, or abode for three or more calendar days in any calendar month, unless
 - (1) The owner pays daily moorage in accordance with 05 CBJAC 20.030 for all days in the calendar month during which the vessel is used for three or more days as a residence, dwelling, or abode; or
 - (2) The Harbormaster in writing authorizes the owner to use the vessel as a residence, dwelling, or abode for more than three calendar days in any calendar month, provided such authorization may be given only for short term, temporary use of the vessel as a residence, dwelling, or abode of not more than seven days in the calendar month for which the authorization is given.
- (b) Residence surcharge period and duty to report. The residence surcharge will be assessed on a calendar month basis. The owner of the vessel is responsible for paying the residence surcharge. The owner of the vessel is responsible for immediately notifying the Harbormaster when their vessel is being occupied and used, rented, or leased as a place of residence. Once a vessel is used as a residence, the Docks and Harbors Department will continue to assess the residence surcharge until the owner of the vessel gives written notice to the Harbormaster that the vessel is no longer used for a residence.
- (c) Payment deadline. The owner must pay the residence surcharge in advance before the first day of the calendar month for which the owner is planning to use the vessel as a residence. An owner that does not or cannot pay the residence will be assessed a daily moorage fee in accordance with Section [05 CBJAC 20.030] 30 of this regulation in addition to any annual or monthly moorage that may have been paid.
- (d) Residence surcharge. The owner shall pay a residence surcharge of \$69.00 per calendar month, or portion thereof, for each vessel used as a residence. For a vessel with more than four residents, the owner shall pay an additional surcharge of \$23.00 per calendar month, or portion thereof, for each additional resident.

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

Current Number of Liveboard Vessels in Juneau Harbors

(As of September 29th, 2016)

Aurora	Harris	Douglas	Statter	Total
88	30	22	25	165

Annual Revenue from Residence Surcharge Fee

H code	Description	Monthly Rate	FY12	FY13	FY14	FY15	FY16
H22	Residence Surcharge	\$69 + \$23/person above 4 persons	\$90,252.00	\$87,285.00	\$107,985.00	\$121,647.00	\$119,527.55



September 16th, 2016

Dear Carl Uchtyl and the Docks & Harbors Board:

Wings Airways would like to share our grave operational safety concerns once 16B is in place if the Marine Park lightering dock were to remain. It was our misunderstanding that the float would be removed with the construction of 16B, but now recognize that is slated to remain intact.

Float plane docking at the Juneau Seadrome requires maneuvering aircraft in response to seas, currents, and winds. The new configuration with the ship berth being moved seaward results in an unsafe and unworkable site due to adverse approach angle and insufficient space to safely maneuver the aircraft should adverse conditions develop on final approach to the dock. Given our operating parameters, almost all dockings require turning the planes to the west (toward Douglas Island) on final approach to the dock. The position of the lightering dock combined with a ship berthed at the Alaska Steam Dock currently make this a tight, but safely doable movement for our pilots and aircraft. The controlling factor is the approach angle which is currently made at close to 90 degrees to our dock face. This allows the pilot to safely abort the approach to the dock should adverse conditions develop. However, when the new berth is completed the approach angle to our docks will be such to require over a 180 degree turn to the dock on final approach. This movement cannot be safely attempted except under the most perfect conditions (sea, currents, and wind).

In order to safely operate our aircraft for our pilots, our guests, and the adjacent public we need adequate maneuvering space. Once we realized our error in understanding we studied the variables through mockups and actual aircraft maneuvering drills and feel confident the current situation would have dire consequences for our aircraft.

Wings Airways is the current user of the Juneau Seadrome, which has been an active float plane base since the 1920's. We have made considerable investment in both shore facilities and aircraft to become a more professional and community friendly float plane operator on the Juneau waterfront (Wings Airways even used low interest financing from the CBJ to help upgrade our fleet to modern turbine engines). We are proud to be a part of this community and want to do our part to enhance the downtown experience. Please note we are willing to work with special events such as the Maritime Festival and Celebration to allow temporary use of our dock facilities.

* 2 MARINE WAY, SUITE 175 * JUNEAU * AK * 99801 *
* PH. 907-586-6275 * FAX 907-586-6276*
* WWW.WINGSAIRWAYS.COM *

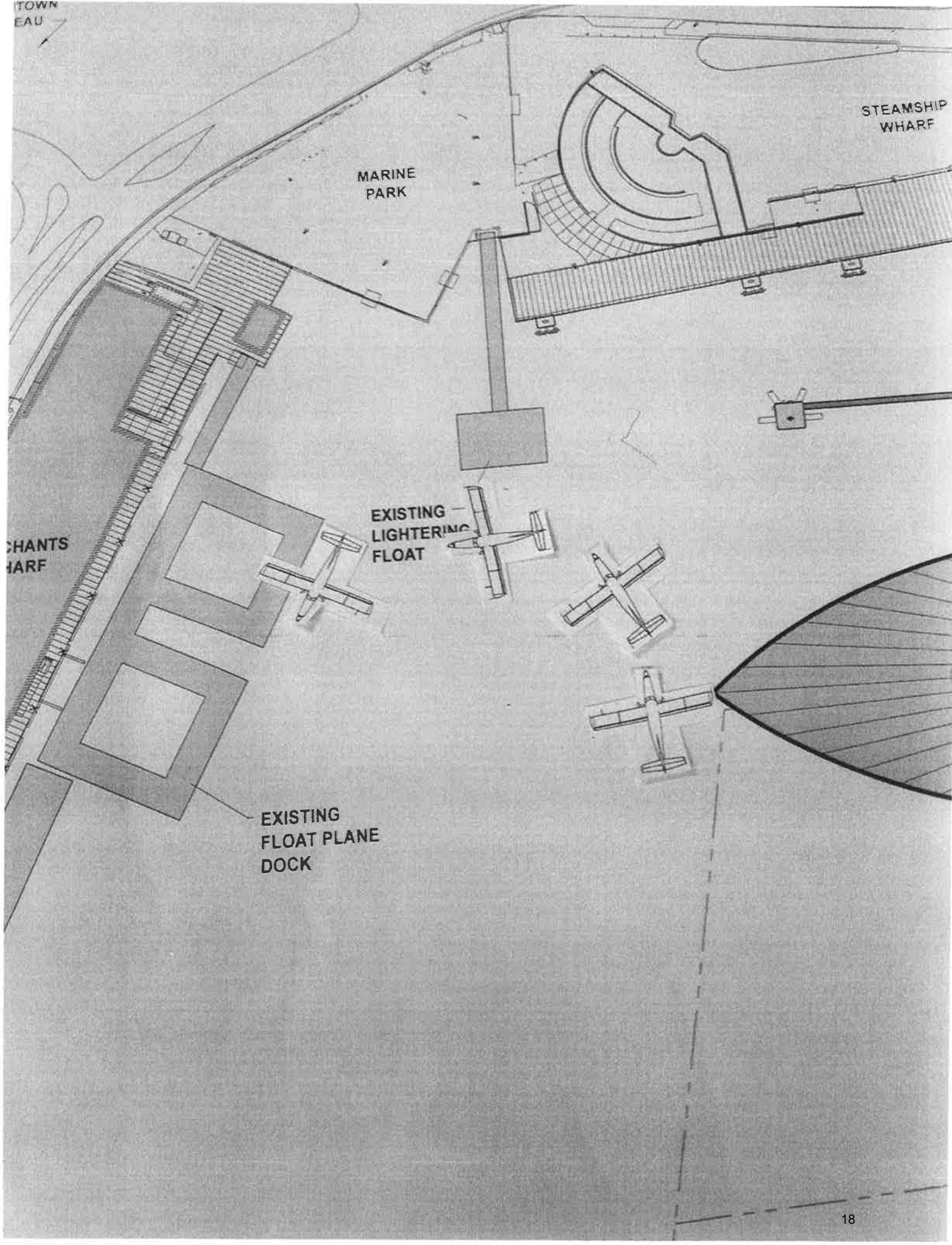
In the interest of continuing the 100 year tradition of safe and efficient seaplane commerce on the Juneau waterfront we request the removal of the Marine Park lightering dock.

Thank you in advance for your consideration and support,

Holly Johnson & the Wings Airways/Taku Lodge Ownership Team

President
Wings Airways Inc.

2 Marine Way, Suite 175
Juneau, AK 99801
Holly@wingsairways.com
907-586-6275



TOWN
EAU

STEAMSHIP
WHARF

MARINE
PARK

MERCHANTS
WHARF

EXISTING
LIGHTERING
FLOAT

EXISTING
FLOAT PLANE
DOCK

**City and Borough of Juneau Property
Docks and Harbors
Application for Lease**

Application processing - The Port Director will review each application for completeness within 30 days of receipt unless the Director notifies the applicant that more time is required to complete the review. If the port director determines that the application is not complete, the Director will provide the applicant with a general description of the information needed to make the application complete. Once the application is complete, the Port Director will estimate the cost for the docks and harbors department to process the application and will notify the applicant in writing of the estimated cost. The applicant is required to pay all costs associated with processing of the application, including any costs to survey and appraise the area proposed to be leased. The applicant must agree in writing to pay the processing costs prior to the Docks and Harbors Board taking action on the application. Failure of the applicant to agree to pay, or pay, any processing cost will result in the application being denied. The applicant may assist the Port Director by arranging for specified components of the work, such as survey and appraisal, provided any such work to be performed by applicant is approved in writing in advance by the Port Director.

Date 9/20/16 ADL# Authorized use of premises; Fence; Utilities across ABLF
Applicant's Name: Alaska Glacier Seafoods, Inc.
Group, Association, or Corporation Name same
Mailing Address: PO Box 34363
City/State/Zip Juneau, Ak 99803
Message Phone _____ Work Phone 907-790-3593

Is applicant authorized to conduct business under the laws of the State of Alaska?
yes

Is applicant 19 years or older?
yes

What type of lease are you applying for?
tidelands lease
(uplands lease, tidelands lease, easement)

Legal Description:

Lot(s) _____ Block/Tract# _____ Survey/Subdivision _____

Other: A Portion of Alaska Tidelands Survey 357 Located in
Arke Bay

Acres _____

What is the proposed use and activity on the leased land?

Storage and parking

Proposed term of lease 10 year

Are you planning to Sublease this land? Yes No

Are there any improvements or construction planned?

No

If yes, submit a development plan that includes.

- a. The nature and purpose of the proposed lease.
- b. A site plan
- c. The use, value, and nature of improvements to be constructed.
- d. The dates construction is estimated to commence and be completed.
- e. A detailed description of the proposed operation.
- f. Whether the intended use complies with the CBJ Land Use Code, CBJ Title 49, and the comprehensive plan of the City and Borough of Juneau.
- g. Additional information that would assist the Port Director, the Docks and Harbors Board, and the Assembly in acting on the application.

CBJ zoning title and plans are available from the Community Development Department.

The Board recommends that applicants carefully review current site conditions before making an application.

The Board intends to award leases to the development that provides the most marine-related benefit to the community of Juneau and the development that provides the most economic benefit to the City and Borough of Juneau in general and the Docks and Harbors Department in particular.

The lease must meet all applicable requirements listed in CBJ ordinance 53.20.



 Signature

 9/30/16
 Date

 Alaska Glacier Seaboats, Inc.
 If applying on behalf of an agency, municipality, or organization, state which one.

 President
 Title

Please do not write below. Docks and Harbor use only.

Application Received _____ \$10.00 Filing Fee Received _____
Date approved by Operations Committee _____
Date approved by Finance Committee _____
Approved by Regular Board _____
Law Department Ordinance _____
Assembly Action _____
Lands _____
Public Notice _____
Ad Option _____
Final Lease Signed Date _____

CC

A
L
A
S
K
A

2014-003499-0

Recording District 101 Juneau

08/06/2014 01:16 PM Page 1 of 4



RETURN TO:

PORT DIRECTOR
CBT DOCKS & HARBORS
155 S. SEWARD ST
JUNEAU, AK 99801

THIS COVER SHEET HAS BEEN ADDED TO THIS DOCUMENT TO PROVIDE SPACE FOR THE RECORDING DATA. THIS COVER SHEET APPEARS AS THE FIRST PAGE OF THE DOCUMENT IN THE OFFICIAL PUBLIC RECORD.

DO NOT DETACH

**AMENDMENT TO LEASE AGREEMENT FOR A PORTION OF ALASKA
TIDELANDS SURVEY 357 LOCATED IN AUKE BAY**

PART I: PARTIES

This lease amendment is between the City and Borough of Juneau, Alaska, a municipal corporation in the State of Alaska, hereafter "City" or "CBJ," and Alaska Glacier Seafoods, Inc. (AGS), a corporation organized under the laws of the State of Alaska, with its principal place of business in Juneau, Alaska, hereafter "Lessee" or "AGS."

PART II: LEASE BEING AMENDED

This is Amendment #3 to Lease Agreement for a Portion of Alaska Tidelands Survey 357 Located in Auke Bay. This amendment modifies the original lease dated April 21, 2010, recorded as document number 2010-0023333-0, Juneau Recording District. The original lease is incorporated by this reference. Except for the modifications set forth below, the lease remains unchanged and in full force and effect.

PART III: LEASE AMENDMENT

These amendments shall take effect upon signature by the CBJ.

The following sections of the original lease are amended by replacing the original paragraph in its entirety and replacing it with the following:

5. Authorized Use of Premises; Fence; Utilities

(b) The City grants Lessee the right of ingress and egress across the City's Auke Bay Loading Facility for the purpose of allowing easier access to and from the Leased Premises for movement of freight vans. This right shall run from the effective date of this Amendment and automatically terminate on October 15, 2016.

The Lessee may utilize the Auke Bay Loading Facility in order to access the Leased Premises under the following conditions:

(i). Lessee shall install, at Lessee's expense and reasonably acceptable to the City to prevent entry, a lockable gate along the common property line, as depicted in the March 2, 2012 drawing, attached as Exhibit 1, with the locking system shared between the parties.

(ii). It is understood that AGS will be using the allowed access on a daily basis. AGS agrees that the gate may be open only when vehicles are actually moving through the gate, and agrees to shut the it immediately thereafter.



(iii). AGS-owned vehicles may not be left unattended, and AGS employees may not park, west of the jersey barriers (on the Auke Bay Loading Facility property).

(iv). AGS shall maintain the jersey barriers previously installed in such a manner as to dissuade vehicular traffic, between the properties.

(v). AGS forklifts and other AGS-owned vehicles may also operate via the access between the AGS leased property and the CBJ owned vessel float/boat ramp on an occasional basis, approximately thrice weekly. CBJ reserves the right to limit or terminate this use if, in the opinion of CBJ, such use has become routine or excessive.

(vi). The CBJ shall inform AGS any time security protocols, consistent with the U.S. Coast Guard facility security regulations and the Facility Security Plan, are to be adhered to. Variances or waivers of Facility Security Plan provisions shall not be granted.

(vii). Under no circumstance shall the access through the property affect or hinder any scheduled marine vessel loading operations at the CBJ owned, adjacent launch ramp.

(viii). Failure to abide by these conditions may result in the revocation of the Lessee's right of ingress and egress.

(ix). It is agreed that all provisions of the underlying lease that refer to the "Leased Premises," shall refer also this right of ingress and egress, where applicable.

PART IV: CONTRACT EXECUTION

CBJ and Contractor agree and sign below. This contract is not effective until signed by the CBJ. Contractor represents that the person signing below on its behalf has the authority to do so and that it is a valid and binding contract enforceable in accordance with its terms.

City:

Contractor:

Date: 4 August 2014

Date: 7/14/14

By: Carl James Uchytel

By: [Signature]

Carl Uchytel, P.E.
CBJ Port Director

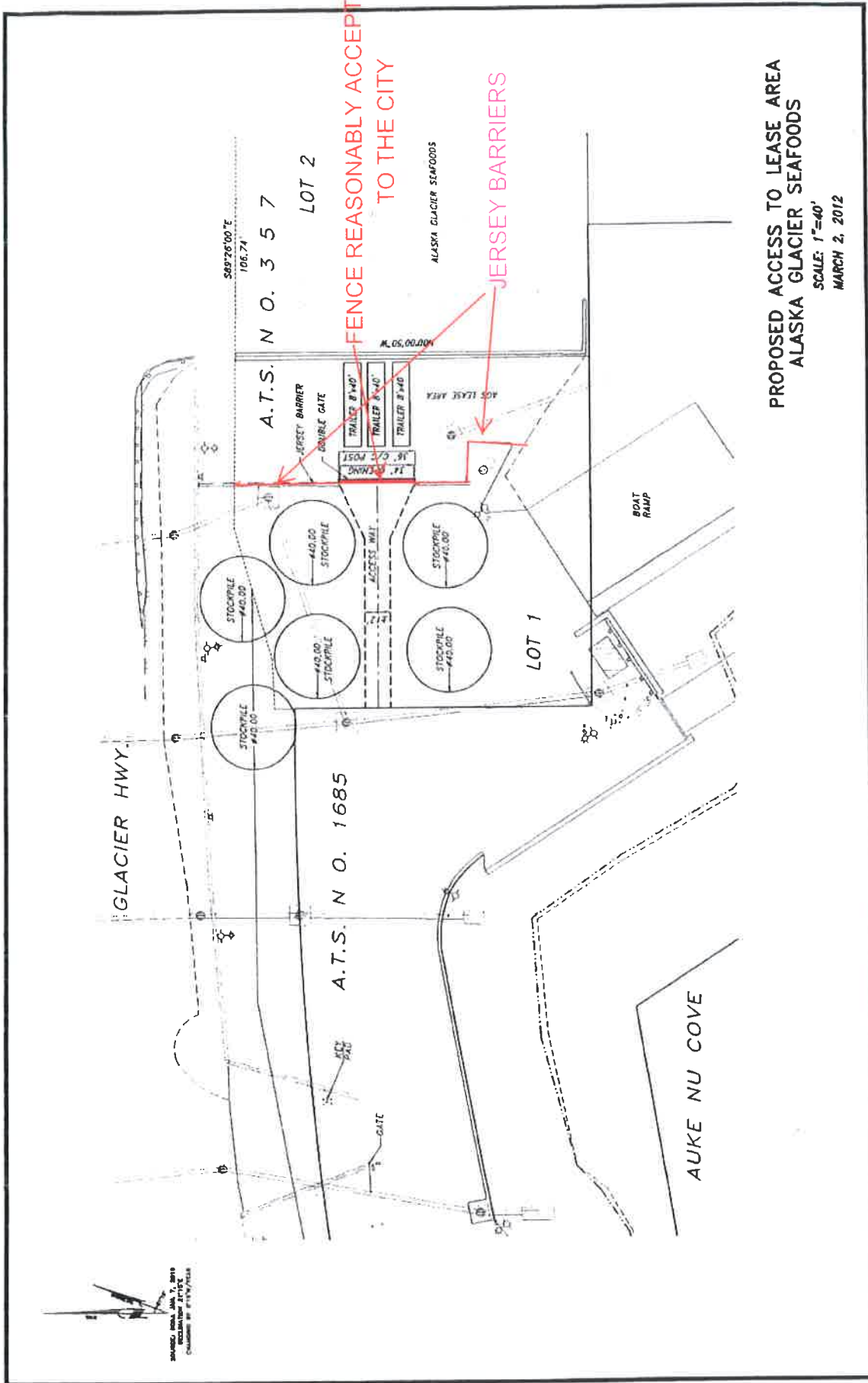
Mike Erickson, President
Alaska Glacier Seafoods, Inc.

Approved as to form: [Signature]

8/4/14, Law Department



Exhibit 1 to
 AMENDMENT TO LEASE AGREEMENT FOR A PORTION OF ALASKA TIDELANDS SURVEY
 357 LOCATED IN AUKE BAY



PROPOSED ACCESS TO LEASE AREA
 ALASKA GLACIER SEAFOODS
 SCALE: 1"=40'
 MARCH 2, 2012

Page 4 of 4
 2014-003499-0

4 of 5
 2012-003680-0

Exhibit 1



Port of Juneau

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

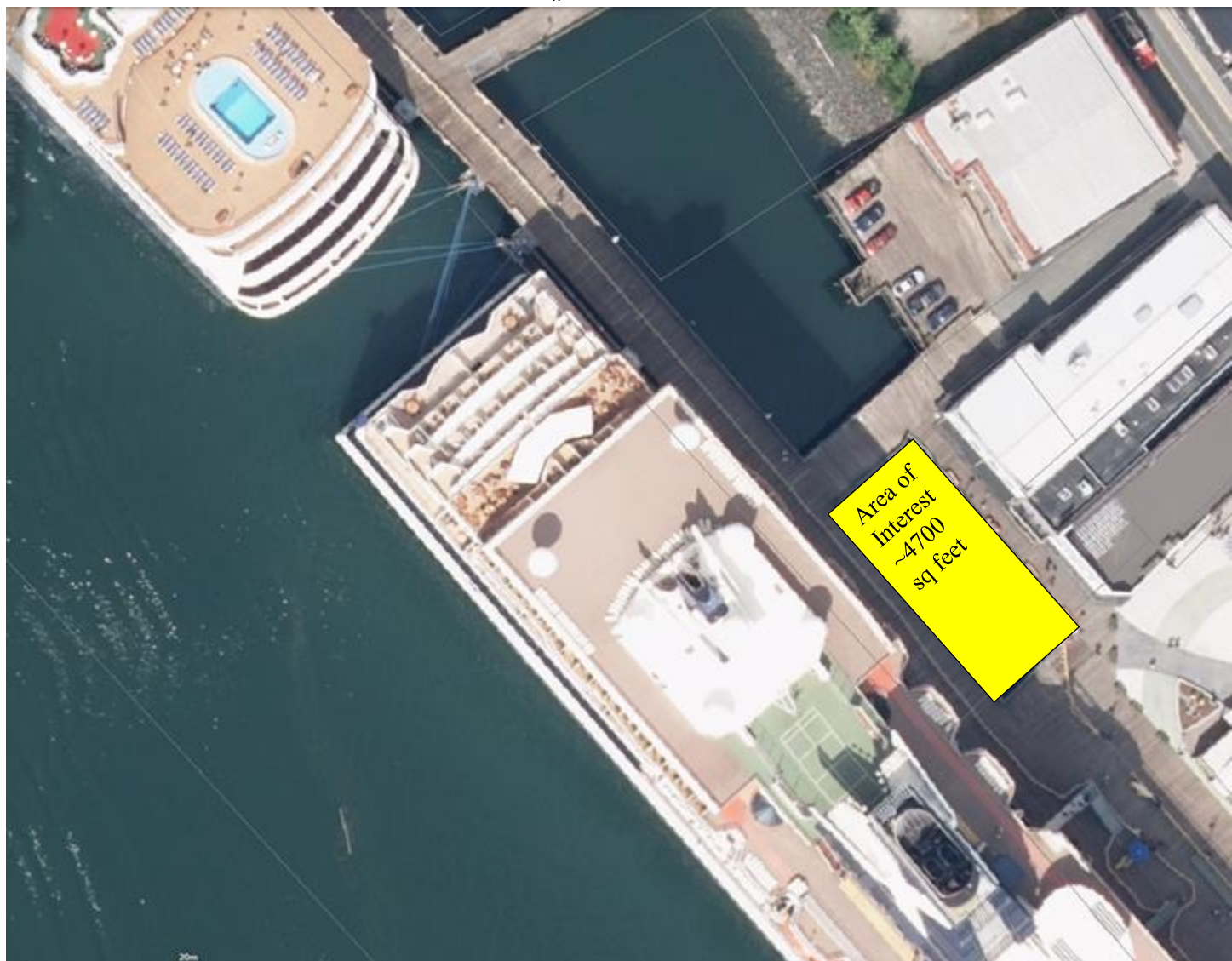
From: Carl Uchytel, Port Director
To: Docks & Harbors Board
Date: October 18th, 2016
Re: Lease Opportunity - Seawalk

1. At the September Operations-Planning Committee and regular Board meetings, Mr. Bill Heumann asked consideration to open additional Docks & Harbors managed property to be leased. The specific property referenced is approximately 4700 sf and is seaward of the People's Wharf building. The tideland property is along the Seawalk and is currently exposed to daylight (i.e. is not decked over).
2. The question for the Board is whether to make this property available in a competitive lease process or leave it as part of an open space along the Seawalk. A third option would be for the Board to take a comprehensive review of all Docks & Harbors managed downtown properties and develop a land use master plan to leverage amenities and efficiencies. It is not clear whether commercial development in this open area is consistent with the 2004 Long Range Waterfront Plan. Docks & Harbors had previously planned to build and maintain restrooms in this locale.
3. Should the Board elect to open the said property to a competitive offering, Docks & Harbors would work with CBJ Law to identify the process to advertise and select consistent with Title 53.

53.20.020 - Lands available for leasing.

All lands and interests in land owned by the City and Borough, including tide and submerged lands, may be leased as hereinafter provided for surface use only unless the assembly has given specific approval to the lease of land in connection with the disposal of materials, timber or other resources under sections 53.09.320 and 53.09.330; however, lands devoted to or reserved for public use may not be leased, nor may any existing lease on such lands be renewed unless such lease is for or will not interfere with the public use or purpose to which the land is devoted or reserved. Except as provided in CBJ 53.09.260, no lands may be leased which have not, at least 30 days before award or execution of a lease, been declared by the assembly by resolution to be available for leasing or identified in the approved land management plan for disposal by competitive bid leasing in the current year. The call for bids for leases shall be advertised in the same manner as provided for auction sales. A lease of land authorized specifically by ordinance may be made to such person or entity and under such procedures and minimum terms and conditions as are set forth in the ordinance.

#



A RESOLUTION IN SUPPORT OF FULL FUNDING (\$18,160,055) FOR THE STATE OF ALASKA MUNICIPAL HARBOR FACILITY GRANT PROGRAM IN THE FY 2018 STATE CAPITAL BUDGET.

Whereas, the Assembly of the City & Borough of Juneau recognizes the majority of the public boat harbors in Alaska where constructed by the State during the 1960s and 1970s; and

Whereas, these harbor facilities represent critical transportation links and are the transportation hubs for waterfront commerce and economic development in Alaskan coastal communities; and

Whereas, these harbor facilities are ports of refuge and areas for protection for ocean-going vessels and fishermen throughout the State of Alaska, especially in coastal Alaskan communities; and

Whereas, the State of Alaska over the past nearly 30 years has transferred ownership of most of these State owned harbors, many of which were at or near the end of their service life at the time of transfer, to local municipalities; and

Whereas, the municipalities took over this important responsibility even though they knew that these same harbor facilities were in poor condition at the time of transfer due to the state's failure to keep up with deferred maintenance; and

Whereas, consequently, when local municipal harbormasters formulated their annual harbor facility budgets, they inherited a major financial burden that their local municipal governments could not afford; and

Whereas, in response to this financial burden, the Governor and the Alaska Legislature passed legislation in 2006, supported by the Alaska Association of Harbormasters and Port Administrators, to create the Municipal Harbor Facility Grant program, AS 29.60.800; and

Whereas, the Assembly of the City & Borough of Juneau, is pleased with the Department of Transportation and Public Facilities administrative process to review, score and rank applicants to the Municipal Harbor Facility Grant Program, since state funds may be limited; and

Whereas, for each harbor facility grant application, these municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and

Whereas, the municipalities of the City of Kake, the City of Ketchikan, the City and Borough of Sitka, the Municipality of Skagway, the City of Valdez, and the City and Borough of Wrangell have offered to contribute \$18,160,055 in local match funding for FY2018 towards seven harbor projects of significant importance locally as required in the Harbor Facility Grant Program; and

Whereas, completion of these harbor facility projects is all dependent on the 50% match from the State of Alaska's Municipal Harbor Facility Grant Program; and

Whereas, during the last ten years the Municipal Harbor Facility Grant Program has only been fully funded twice; and

Whereas, during the last ten years the backlog of projects necessary to repair and replace these former State owned harbors has increased to over \$100,000,000.

Now therefore be it resolved that the Assembly of the City & Borough of Juneau urges full funding in the amount of \$18,160,055 by the Governor and the Alaska Legislature for the State of Alaska's Municipal Harbor Facility Grant Program in the FY 2018 State Capital Budget in order to ensure enhanced safety and economic prosperity among Alaskan coastal communities.

Passed and approved by a duly constituted quorum of the Assembly of the City & Borough of Juneau on this 28th day of November, 2016.

A RESOLUTION IN SUPPORT OF THE ADDITION OF PORT AND HARBOR EMPLOYEES TO THE LIST OF EMPLOYEES COVERED BY AS 12.55.135.

Whereas, State of Alaska statute AS 12.55.135. Sentences of Imprisonment for Misdemeanors establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, port and harbor employees in communities throughout the State of Alaska routinely perform enforcement and emergency response duties commensurate with those performed by peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, defendants convicted of assaulting or harassing port and harbor employees in several recent cases have received sentences well below the minimums established in AS 12.55.135 for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals; and

Whereas, the Assembly of the City & Borough of Juneau desires to strengthen the deterrent to unlawfully assault or harass port and harbor employees throughout the State of Alaska.

Now therefore be it resolved that Assembly of the City & Borough of Juneau supports the addition of port and harbor employees to the list of employees covered by State of Alaska statute AS 12.55.135. Sentences of Imprisonment for Misdemeanors, which establishes minimum terms of imprisonment for defendants convicted of assaulting or harassing uniformed or otherwise clearly identified peace officers, fire fighters, correctional employees, emergency medical technicians, paramedics, ambulance attendants or other emergency responders or medical professionals.

Passed and approved by a duly constituted quorum of the Assembly of the City & Borough of Juneau on this 28th day of November, 2016.

A RESOLUTION IN SUPPORT OF PROPOSED CHANGES TO ALASKA STATUTES CHAPTER 30.30 AND 05.25 IMPROVING THE MANAGEMENT AND PREVENTION OF DERELICT VESSELS.

Whereas, hundreds of derelict vessels currently litter Alaska's coastline and harbors and these numbers will increase every year unless action is taken to address aging fleets and changing commercial fisheries; and

Whereas, in the past year alone there have been numerous derelict vessel situations that have cost the state, municipalities, and the federal government considerable expense, including two ex-Navy tugs in Adak, abandoned barges in Steamboat Slough near Bethel, and the tug Challenger that sunk off Juneau; and

Whereas, the Assembly of the City & Borough of Juneau recognizes the widespread costs and the environmental and navigational risks for both municipalities and the state associated with derelict vessels; and

Whereas, neighboring states have dramatically strengthened their derelict vessel prevention laws in the past five years to better prevent, track and manage derelict vessels, including raising fees to support state management of derelict vessels and requiring vessel insurance; and

Whereas, in 1990 the Alaska legislature passed a resolution acknowledging the need to better understand and address the existing and growing problem of derelict vessels around the state; and

Whereas, the State of Alaska has outdated statutes regarding derelict vessels which lack the ability to track vessel owners, agency enforcement authority, statewide coordination of response, funding or vessel insurance requirements; and

Whereas, in 2013 the Alaska Association of Harbormasters and Port Administrators supported the creation of the ad-hoc derelict vessel task force which includes representatives from state and federal agencies as well as the Alaska Association of Harbormasters and Port Administrators, regional tribal representatives, federal and state legislative offices, and private industry; and

Whereas, over nine full-day meetings, the task force developed thoughtful, robust and meaningful proposed changes that will help all stakeholders around the state, including harbor facilities, better address and prevent derelict vessels; and

Whereas, this will help our members protect harbor infrastructure, keep valuable moorage space in our harbors available, and will prevent unsustainable economic, environmental and navigational hazards; and

Whereas, the proposed changes will improve communication and coordination between Alaska's harbors and state and federal agencies, directly leading to decreased costs associated with managing derelict vessels.

Now therefore be it resolved that Assembly of the City & Borough of Juneau fully supports the passage by the state legislature of all proposed revisions in Alaska Statutes 30.30 and 05.25.

Passed and approved by a duly constituted quorum of the Assembly of the City & Borough of Juneau on this 28th day of November, 2016.

A RESOLUTION IN SUPPORT OF THE STATE OF ALASKA ADOPTING THE FOLLOWING FINE PRINT NOTE TO THE 2017 NATIONAL ELECTRICAL CODE ARTICLE 555.3: “FPN: The 30mA requirement can be applied to all feeder circuits or all branch circuits in lieu of the main overcurrent protection device.”

Whereas, The 2017 Edition of the National Electrical Code, Article 555.3 requires 30mA ground fault protection at the overcurrent devices feeding a marina, boatyard, commercial and noncommercial docking facilities; and

Whereas, The City & Borough of Juneau Docks & Harbors Board acknowledges the real world reality that many boats may have small amounts of ground current that are well below the trip level of 30mA (0.030 amps) , however, when added together at the main circuit breaker may exceed the 30mA code requirement and thus shut down the entire harbor electrical system; and

Whereas, The Alaska Association of Harbormasters and Port Administrators recognizes that it is necessary to detect electrical ground current at its source and therefore to disconnect power at the source of the problem instead of disconnecting power to the entire harbor and in doing so creating other safety and operation problems.

Now therefore be it resolved that the Membership of the Alaska Association of Harbormasters and Port Administrators fully supports the passage by the state legislature to adopt the following find print note to the 2017 National Electrical Code Article 555.3: “FPN: The 30mA requirement can be applied to all feeder circuits or all branch circuits in lieu of the main overcurrent protection device.”.

Passed and approved by a duly constituted quorum of the Assembly of the City & Borough of Juneau on this 28th day of November, 2016.