

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING AGENDA
For Thursday, December 15th, 2016

- I. Call to Order** (5:00 p.m. in the CBJ Assembly Chambers)
- II. Roll** (John Bush, Weston Eiler, Bob Janes, David Lowell, Robert Mosher, David Seng, David Summers, Budd Simpson, and Tom Donek)
- III. Approval of Agenda**

MOTION: TO APPROVE THE AGENDA AS PRESENTED.
- IV. Approval of November 17th, 2016 Regular Board Meeting Minutes**
- V. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time).
- VI. Consent Agenda**
 - A. Public Requests for Consent Agenda Changes
 - B. Board Members Requests for Consent Agenda Changes
 - C. Items for Action

- 1. 05 CBJAC 20.150 - Reserved moorage waitlist fee.

RECOMMENDATION: To make no changes to 05 CBJ 20.150 requiring an initial sign-up fee of \$50 and an annual fee of \$10 to remain on the reserved moorage waitlist.

MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED.

VII. Unfinished Business

- 1. Waterfront Planning Contractual Services (Marine Park to Taku Smokeries)
Presentation by the Port Engineer

Board Questions

Public Comment

Board Discussion/Action

MOTION: TO APPROVE THE DIRECTION OF STAFF AND ADVANCE THE SCOPE OF WORK TO A CBJ ENGINEERING TERM CONTRACTOR FOR NEGOTIATIONS.

VIII. New Business

- 1. Bid Award – Auke Bay Loading Facility Boatyard Infrastructure
Presentation by the Port Engineer

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Board Questions

Public Comment

Board Discussion/Action

MOTION: TO APPROVE A \$373,766 BID AWARD TO ALASKA COMMERCIAL CONTRACTORS TO CONSTRUCT BUILDINGS IN SUPPORT OF THE AUKE BAY LOADING FACILITY LEASED BOATYARD FACILITY.

IX. Items for Information/Discussion

1. Harbor Bond Debt – Update
Presentation By Port Director

[http://www.juneau.org/clerk/Ordinances/Ord2007-32\(b\)-Harbor Revenue Bonding.pdf](http://www.juneau.org/clerk/Ordinances/Ord2007-32(b)-Harbor_Revenue_Bonding.pdf)

Board Discussion/Public Comment

2. Auke Bay Marine Station - Update
Presentation by the Port Director

Board Discussion/Public Comment

3. Horan & Company Appraisal Methodology
Presentation by the Port Director

Board Discussion/Public Comment

X. Committee and Member Reports

1. Harbor Fee Review Committee Meeting- Wednesday, November 30th, 2016
2. ~~Operations/Planning Committee Meeting- Wednesday, December 7th, 2016 CANCELLED~~
3. ~~Finance Committee Meeting- Thursday, December 8th, 2016 CANCELLED~~
4. Member Reports

XI. Port Engineer's Report

XII. Harbormaster's Report

XIII. Port Director's Report

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XIV. Assembly Liaison Report

XV. Board Administrative Matters

- a. Harbor Fee Review Committee Meeting- Wednesday, January 4th, 2017 at 12:00pm
- b. Ops/Planning Committee Meeting – Tuesday, January 17th, 2017 at 5:00pm
- c. Finance Committee Meeting – Thursday, January 19th, 2017 at 5:00pm
- e. Docks Fee Review Committee Meeting- Thursday, January 19th, 2017 following Finance
- d. Board Meeting – Thursday, January 26th, 2017 at 5:00pm

XVI. Adjournment

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
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I. Call to Order.

Mr. Donek called the Regular Board Meeting to order at 5:00 p.m. in the CBJ Assembly Chambers.

II. Roll Call.

The following members were present: John Bush, Weston Eiler(via telephone), Bob Janes, David Lowell, Robert Mosher, David Seng, David Summers(arrived at 5:30 pm), Budd Simpson, and Tom Donek.

Also present were the following: Carl Uchytel - Port Director (via telephone), David Borg-Harbornmaster, Gary Gillette - Port Engineer, and Matthew Creswell - Senior Harbor Officer

III. Approval of Agenda

MOTION By MR. JANES: TO APPROVE THE AGENDA AS PRESENTED AND ASK FOR UNANIMOUS CONSENT.

Motion passed with no objection

IV. Approval of October 27th, 2016 Regular Board Meeting Minutes.

Hearing no objection, the October 27th, 2016 Regular Board Meeting Minutes were approved as presented.

V. Public Participation on Non-Agenda Items - None

VI. Consent Agenda

- A. Public Requests for Consent Agenda Changes - None
- B. Board Members Requests for Consent Agenda Changes - None
- C. Items for Action - None

1. Grid Usage Fees (05 CBJAC 20.100)

RECOMMENDATION: TO INCREASE THE GRID USAGE FEES TO \$1.00 PER FOOT PER DAY AND APPLY ANCHORAGE CPI TO ANNUAL INCREASES.

2. Pump Use Fees (05 CBJAC 20.120)

RECOMMENDATION: TO DELETE REGULATION 05 CBJAC 20.120 (PUMP USE FEES).

3. Potable Water Fee (05 CBJAC 15.050)

RECOMMENDATION: TO CHANGE THE RATE STRUCTURE FOR WATER SERVICE TO 150% OF THE BULK RATE OF WHAT DOCKS AND HARBORS PAYS TO CBJ.

4. Shorepower for new Cruise Ship Berths - Report

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RECOMMENDATION: TO ADOPT THE OCTOBER 2016 SHORE TIE POWER STUDY/FEASABILITY STUDY REPORT FOR THE NEW CRUISE SHIP BERTHS PROJECT.

MOTION By MR. SIMPSON: MOVE TO APPROVE THE CONSENT AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

VII. Unfinished Business - None

VIII. New Business

1. This item was stricken from the Agenda

2. Archipelago Property Acquisition – White Paper

Mr. Gillette said Docks & Harbors is looking at acquiring the remaining pieces of the Archipelago property. Page 89 in your packet shows the property owners in that area. CBJ purchased some of this area already and there are two parcels left. Staff took this request to purchase this property to the Assembly in 2012 for additional bus staging for when 16B is completed. The only B-zone staging by the AS dock is across the street in front of the Red Dog and there is only three or four spaces. Mr. Gillette showed four different concepts on how this area could be used if Docks & Harbors purchased this property. He said Mr. Uchytel wrote a white paper with the idea the Board would support staff on a way to move forward with planning for the use of this area. Docks & Harbors should take a close look at the area between Marine Park and the Visitor Center and strategize how to acquire the property and expend resources to develop a plan. The plan should make the area palatable for both visitors and locals, and serve the needs of the cruise ships.

Board Questions -

Mr. Simpson said he is recusing himself from participation on this matter.

Mr. Donek asked if staff is just asking for authority to move forward and not approval of a contract or use of funds?

Mr. Gillette said the Board would need to approve funding a term contractor under \$50,000 to get a plan moving.

Mr. Janes said he agrees with the purchase of this property, but in the design, he wants to look at the traffic on South Franklin St.

Mr. Gillette said in the planning level, the ingress and egress would all be looked at and the impact of a new facility. Staff would also need to work with DOT on driveway permits so they would look at the impacts as well.

Mr. Bush asked if the plan would include looking at the whole area from Marine Park to the Tram?

Mr. Gillette said the plan would include Marine Park to Taku Smokeries. Some of the area has already had improvements, but we want to make sure it all works together.

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Mr. Lowell asked if the values shown on page 89 is the assessed value? What is this property listed for?

Mr. Gillette said this has been for sale for several years. The asking price is reflected on Page 89. CBJ negotiated the price for the two pieces already purchased, and Docks & Harbors was involved in the purchase, but not the final negotiations?

Public Comment - None

Board Discussion/Action

MOTION By MR. JANES: TO ADOPT A STRATEGY TO ACQUIRE THE ARCHIPELAGO PROPERTY AND EXPEND RESOURCES TO DEVELOP A LAND USE PLAN FOR THE VICINITY AND ASK UNANIMOUS CONSENT.

Motion Passed with no objection

Mr. Simpson abstained from the discussion on this property.

3. Potential Tideland Lease - Opportunity

Mr. Gillette said on page 96 in the packet is a request from Mr. Bill Heumann to lease approximately 4,700 sq/ft on the water side of his building. Since this is in the same area we just were discussing to develop a land use plan, staff recommends to defer a decision until a plan is put forward.

Board Questions -

Mr. Simpson asked if the area Mr. Heumann wants to lease is only the portion in front of his building and is only about 2,000 sq ft for his purposes?

Mr. Gillette said that is correct.

Mr. Gillette said Mr. Uchytel talked to Mr. Heumann and he knows staff is recommending to the Board to not move forward with his request. Mr. Heumann is working with the City Manager to get a 20' Right of Way (ROW) by the People's Wharf. The ROW area is where the parking used to be outside his building. He is still interested in the future to lease the requested area, but he is supportive of Docks & Harbors larger planning level for this area.

Mr. Lowell asked if there has been further development on the encroachment permit?

Mr. Gillette said on November 29th there will be a public neighborhood meeting with the Planning Department to discuss the ROW encroachment permit. The City Manager will make a decision based off the comments heard at that meeting.

Public Comment - None

Board Discussion/Action

Mr. Eiler said he is supporting of the proposed motion, but wanted to voice caution not to put this off and discourage a person willing to put up private capital

Mr. Gillette said staff intends to move forward with the plan immediately.

Mr. Janes asked Mr. Gillette to define the area for the land use plan. For this purpose is it Marine Park to Cruise Ship Terminal, or all the way to the Franklin Dock?

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Mr. Gillette said staff's intent was to look at Docks & Harbors managed land from Marine Park to Taku Fisheries.

Mr. Janes asked if the area definition should be included in the motion so we know the specific area that is being looked at?

Mr. Gillette said the definition would have needed to be included in the last motion, but the intent is from Marine Park to Taku Fisheries and staff will work with the Committees.

Mr. Uchytel said Mr. Heumann is only asking for 2,000 sq ft on the seaward portion of the seawalk which is the undecked area. The 4,700 sq/ft in the packet is the entire area. Once Docks & Harbors starts offering small space for lease, there will be more small space lease requests to be able to sell items. He wants a comprehensive view on how to manage all Docks & Harbors managed lands and a good policy in place. Mr. Uchytel said Mr. Heumann is trying to get a 20' x 20' ROW and he understands Docks & Harbors position is to have a good policy in place before the area gets carved up for small leases.

Public Comment - None

Board Discussion/Action

MOTION By MR. LOWELL: TO POSTPONE ANY DISCUSSION TO LEASE SMALL PARCELS OF DOCKS & HARBORS PROPERTIES ALONG THE SEAWALK UNTIL AFTER A COMPREHENSIVE LAND USE PLAN IS DEVELOPED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

4. Master Plan Concepts for Norway Point to Whale Park

Mr. Gillette said Chris Mertl, Land Scape Architect from Corvus Design and James Bibb from Northwind Architects is here to go over the concepts in the packet, and the process moving forward.

Mr. Mertl said he is the project manager for this project. The project planning and feasibility team includes James Bibb with Northwind Architects, Dick Sommerville with PND, and Milani Shivers with Raincoast Data for the downtown Harbors uplands master plan. Since the last meeting with the Board, the team walked the site and PND identified area of potential fill to expand the uplands to provide all the needed and desired priorities from the Board and public. The orange areas on the map on page 98 shows the areas of potential fill. This is the first step in looking at opportunities. There are three conceptual bubble diagrams in the packet. Mr. Mertl said he is giving the Board the first opportunity to review these diagrams. He has worked with staff to come up with the diagrams. He knows it is important that the plan provide the services and meets the needs of current harbor users. He said he realizes the importance the Harbors and waterfront play in providing economic and livability opportunities for our community and neighborhood. The team looked at the big picture on how to connect the Harbors to the surrounding neighborhood. He went over the thought process and changes that went into all three concepts. The concepts are randomly numbered and not numbered by preference.

Board Questions -

Mr. Eiler asked what he meant by maximum amount of fill at Norway Point? Is this what the Corps will allow or budget? What determines the five acre expansion?

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Mr. Mertl said this is based on reasonable cost and reasonable construction effort before expensive retaining systems would need to be added.

Mr. Seng asked if UAS has been in these discussions as the concepts have been developed?

Mr. Mertl said UAS is the next point of contact, the planning team brought the concepts to the Board first.

Mr. Eiler asked if adding the housing at Norway Point would require additional fill and what would be the foot print?

Mr. Mertl said he needs to find out what the needs and demands are for housing. There is a possibility to add a few units to the existing foot print. However, if there is a demand and need to expand through fill, the opportunity is there.

Mr. Lowell asked what the current zoning is for this location?

Mr. Gillette said waterfront commercial and housing is allowed.

Mr. Mertl said he wants to get together with the Board and have a working session to discuss the concepts. The concepts can be mixed and matched. These concepts were built from what the planning team heard from the public and Docks & Harbors Board and staff. We need to work as a team. The plan needs to be developed by the people that work and live in this area.

Mr. Simpson said one of the common comments was the vehicle access to the Harbors. He didn't see any new driveway entries shown in the concepts. He asked the difference between a driveway entrance and a Gateway entrance? What was added in the concepts to improve the safety for ingress and egress?

Mr. Mertl said this is a huge challenge to improve the access to Egan Drive. It is a horrible stretch of road and very challenging. As a design team, there has been discussion to bring the grade up in some locations so the ramps are not going up to get onto Egan. This needs to be developed further. The current driveways are already permitted. Adding new driveways will add a lot of analysis and more permitting. The design team tried to pull the uses apart so specific uses are coming in and out of the certain driveways. We also looked at only allowing a right hand turn out of the Harbor area. DOT has also talked about doing a round-about at the bottom of Douglas Bridge, and that would then make sense for the right hand turn. The gateway entrance is the pedestrian access into the Harbors.

Mr. Summers commented that the pedestrian access is very important and there are needed areas for crossing Egan.

Mr. Gillette said many years CBJ has submitted projects to fix the Harbors intersection, but nothing came to the top of the list. If a round-about is put in, and a frontage road that joins Harris and Aurora, it could help.

Mr. Mertl said the number of vehicles going from Harris to Aurora is fairly high because there is no connection and adding a frontage road could help. It has been challenging to get a commitment from DOT. A signal light would be the best solution and the team will continue to work with DOT.

Mr. Eiler asked for more information on what Mr. Mertl is hearing from industry for the demand for marine services and a new travel lift.

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Mr. Mertl said he doesn't have that specific information tonight, but can provide that at another time.

Mr. Janes recommends to have discussion with DOT to have a light put in somewhere along Egan by the Harbors for pedestrians to cross the road safely.

Mr. Mertl said the design team does need to have that conversation with DOT, and additional conversations because all the uplands are managed by DOT and are not Docks & Harbors. When DOT gave the Harbors to CBJ, they did not include the uplands.

Mr. Bush recommended a round-about versus a light.

Public Comment -

Jack Brandt, Douglas, AK

He said the Harbors has dangerous intersections, and the ramp to Egan needs to be leveled out.

Board Discussion/Action -

Mr. Mertl said he needs an understanding of what to work on and the Board needs to be a part of that process. He suggested to have a special Board two hour working group to get a clear direction, and then work with the public.

Mr. Janes suggested to send out a survey poll for dates the Board members can be available and then the meeting will need to be publicly noticed and have this at the Yacht Club.

Mr. Donek suggested to have a public meeting at the Yacht Club. He said to have just the Board for the first hour and then open it up to the public.

Mr. Janes asked the Board members if January would be a good time to poll for available dates?

Mr. Gillette said this would be an official Board workshop and then public meetings after that.

Mr. Mertl said this work session needs to be two days. After the first workshop, the planning team would go work on the concepts. The Planning team will be combining the concepts to go from three to one. We will present again, and keep refining until we have a final plan.

No Motion

5. CIP List for 2018-2023

Mr. Gillette said on page 102 in your packet is Docks & Harbors FY18 CIP project list that is sent to the Engineering Department who assembles all the different departments wishes for projects to be put in the Assembly's budget. Docks & Harbors projects are generally not funded with the City's money, so usually our projects are not challenged. Exceptions are those projects that we have used tax initiatives on. This list includes projects that we anticipate doing in FY18.

Docks -

1. Steamship Wharf Cathodic Protection - Phase II

Mr. Gillette said staff is asking to fund this with passenger fee money. This was a request last year, and they didn't award this because they wanted to see if there would be any money left from the Dock project. At this point, staff still believes we will need \$600,000 to complete this next phase. Phase II is the sheep pile wall holding up Marine Park and that ties into our dock system needs to be recoated and the cathodic protection replaced.

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2. Visitor Information Kiosk Replacement – Design

Mr. Gillette said this has been on the list for a number of years and staff is asking to fund with passenger fee money. This is to replace the hexagon kiosk by the library parking garage. One of the issues has been not knowing what exactly is needed from JCVB. This kiosk is operated by JCVB. In prior years, staff was providing a rough estimate of \$150,000 to \$200,000 for planning and construction and the project was not funded. This year we are asking for \$25,000 to enter into a contract with an architect to meet with JCVB to find out exactly what is needed and come up with a realistic cost estimate for the following year. The current kiosk does not meet ADA standards, has heating problems, ventilation problems, and was built in the mid 70's and moved to the current location. This kiosk is not salvageable. This is a well used kiosk and just needs to be replaced.

3. Auke Bay Passenger For Hire Facility

Mr. Gillette said this will be phase III of Statter Harbor and we are moving forward with this project. This will be the second year of State passenger fees of \$4.6 M.

4. Downtown Restrooms

Mr. Gillette said this also has been on the list for a number of years. Staff identified a location near the Visitor Center. Staff is estimating the planning for this project at approximately \$500,000.

Harbors –

1. Statter Harbor Breakwater Safety Improvements

Mr. Gillette said this project is to infill the open cells in the breakwater so people don't fall in. Staff has a design and we are going out to bid to do two sections. The most important sections are the first and the section by the fish cleaning table. The engineers estimate to cover all the open cells is approximately \$1M. Staff decided to break this up into three years. Docks & Harbors already received money to do the first two sections, this request would be for the next sections.

2. Taku Harbor Deferred Maintenance

Mr. Gillette said this has also been talked about several times. There is a potential to get some money from Fish & Game, but it may be a couple of years out.

3. Amalga Harbor Fish Cleaning Float

Mr. Gillette said Fish & Game has identified money for the construction of this project, but Docks & Harbors has not been awarded this money yet. We've already completed some planning level and came up with some concepts. Now that Statter Harbor is complete, the issue at Amalga Harbor may be less than it was a year or two ago. Fish & Game has indicated that if there is no longer a need for a new fish cleaning station at Amalga, there may be the potential to move this money to Taku Harbor.

Mr. Gillette went over the six year project look ahead on page 103 in the packet for Docks & Harbors.

Board Questions –

Mr. Lowell asked if staff knows the extent of the need for the area wide anode installation?

Mr. Gillette said when Docks & Harbors did Aurora phase I, staff had an added alternate to do the anodes for that phase and the bid was \$356,000. Working with that amount we rounded it up to \$400,000 which should be enough to include the design package. Asking for \$400,000 three years in a row, staff believes there would be enough money to finish the rest of our facilities.

Mr. Janes asked if a less expensive option has been looked at for the Statter Harbor breakwater?

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Mr. Gillette said there is nothing planned currently to replace the breakwater. There was discussion to deck it over, but talking with Mr. Harold Moeser who was involved in the design said the cells were left open for water swells to come through without putting an impact on the breakwater. The grating will still allow water to come through the cells and not put pressure on the pontoons. All the cells are different sizes and makes this project a little more complicated.

Mr. Lowell asked the extent of the Aurora Harbor dredging?

Mr. Gillette said Docks & Harbors had \$500,000 from cruise ship passenger money to accommodate a tug assist for the cruise ships at the end slip on A float, and AMAK towing has been paying for this slip for many years. AMAK is looking at getting a larger tug and if that happens, we wouldn't be able to accommodate it because of the depth. Staff wants to make the area work for the larger tug. This dredging project is about \$350,000.

Mr. Janes asked if there was a lightering float planned for the future to replace the Marine Park lightering float?

Mr. Gillette said the Port Field Office float has been identified as the lightering float when the marine park lightering float is removed. In the seawalk plan, in front of Merchants Wharf, there is a float added that gives public access to the water and lightering. That plan is stalled right now because of negotiations with the owners of Merchants Wharf.

Mr. Bush commented the more cathodic protection on our facilities is better for the boats. In the project planning, the cathodic protection should be budgeted and done at the time of the project so we don't have to come back.

Public Comment – None

Board Discussion/Action

MOTION By MR. SENG: TO APPROVE THE 2018-2023 LIST AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

6. Board Meeting Schedule for 2017

Mr. Borg said in the packet on page 104 and 105 is the proposed meeting schedule for 2017. He said the OPS/Planning meeting was moved to a Tuesday, January 17th due to a Legislative event. Everything else is how the schedule has been proposed in the past.

Board Questions – None

Public Comment – None

Board Discussion/Action –

MOTION By MR. SIMPSON: TO APPROVE THE 2017 SCHEDULE AS PRESENTED AND AS UNANIMOUS CONSENT.

Motion passed with no objection.

5 Minute Recess

Mr. Eiler left the meeting at 6:43 pm.

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Back in session at 6:50 pm.

IX. Items for Information/Discussion -

1. Cruise Berth 1% for Art Update

Mr. Gillette said the cruise berth project required Docks & Harbors to do 1% for Art. 1% of this project is \$540,000 for art. The ordinance required an art selection panel which was nine people. The panel solicits, evaluates, and recommends selection for the art. We went out with an RFP and received 28 different concepts from eight different artists. The concepts were discussed at several meetings and was narrowed down to four artists and four concepts. The panel asked for more information from the four chosen artists and then made a selection on Cliff Garten Studio from Venice California. The Docks & Harbors Board reviewed the art and voted 5 to 2 in favor of the art and the Assembly unanimously approved the art. This art work is now in fabrication and will be finished in March for installation late April or early May. When Cliff Garten came to Alaska, he looked at several different images that inspired him. The key images were the whale fluke, and the eagle wings. His art is a series of sculptures he named Aquilean, which is Latin for eagle and cetaceans, an order of whale mammals. There is going to be a series of ten sculptures that will be installed on ten of the bollards which defines the edge of the City where the City meets the water. The edge where the visitors are greeted to Juneau. One of the reasons the Committee liked the proposal was because the sculptures will be lit and it will be visible in the winter to serve the locals as well as the tourists. The sculptures will be stainless steel and mounted on the bollards. They will stand approximately 19' tall.

Board Discussion/Public Comment -

Mr. Bush asked if these are mounted on all the bollards?

Mr. Gillette said from Marine Park to the south berth will be every other bollards. The reasons we decided to leave the bollards is it is costly to remove them and they also give character of a working dock.

2. Marine Passenger Fee Request for 2018

Mr. Gillette said Docks & Harbors submits an FY18 Marine Passenger Requests to the City Manager in the first part of December. The request is put into two different categories. There is the ongoing maintenance needs and the capital improvement needs.

The on-going maintenance requests are consistent with what we have been requesting over the years;

- i. Area Wide Port Operations -\$154,000
- ii. Port-Customs and Visitor Center Buildings Maintenance Support - \$133,500
- iii. CBJ Parks & Recreation landscape Maintenance Support - \$45,000
- iv. Weather/Current Monitoring System Operations & Maintenance - TBD
- v. Franklin Dock Tug Support - \$30,000

The Capital Improvement Needs;

- i. Corrosion Protection for Marine Park Sheet Pile Wall - \$600,000
- ii. Visitor Information Kiosk Replacement - Design - \$25,000
- iii. Cruise Ship Uplands Staging Area - \$1,000,000
- iv. Downtown Restrooms - \$500,000

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Mr. Gillette said there is a more detailed explanation for all of the requests in the packet starting on page 108. This is the recommendation from staff to submit to the City Manager who would then make a recommendation to the Assembly for the budget. He asked if the Board would like anything changed or changes in prioritization.

Board Discussion/Public Comments- None

3. Aurora Harbor Phase II - 95% Design

Mr. Gillette said the 95% design should be received by the end of this month. Staff held a meeting to discuss the concept of moving the boat shelters with the shelter owners. A plan was laid out that seemed reasonable, it was presented to the public, and it appears the people understand this needs to be done. The plan still needs to be finalized. When you have a contract like this for construction, staff recommends a certain way to have it done, but ultimately it is up to the contractor. Staff does not want to direct them how to do their work. They are bidding this project and may know a better way or cheaper way to do something, but staff can provide suggestions or ideas. There is a boat shelter expo planned where staff would invite contractors to have an open house with shelter owners to engage their services if they need help to get their shelter ready for move. The plan is to bid this in January, the contractor works on getting the floats built and all the necessary materials to Juneau, the boat shelters will all be moved out after the Salmon Derby, and moved back as soon as possible before winter with completion in May.

Board Discussion/Public Comments

Mr. Seng asked when the boat shelters are moved, who has the liability for damages to the boat shelters after they are moved and before they are moved back into the Harbor?

Mr. Gillette said the liability would be on the contractor.

4. Annual Report to Assembly

Mr. Borg said on page 118 and 119 in your packet is the annual letter to the Assembly. This is a review of Docks & Harbors operations during FY16. He asked if the Board thought of other items that needed to be added or if this was good to submit as is. The FY16/FY17 fee schedule will also be included. This will be sent on November 30th.

Board Discussion/Public Comments - None

X. Committee and Member Reports

1. Harbor Fee Review Committee Meeting - Wednesday, November 2nd, 2016

Mr. Simpson reported at the last meeting the grid fees were raised a small amount and eliminated the pump use fee. Both of these items were on the consent agenda tonight and passed.

2. Operations/Planning Committee Meeting - Wednesday, November 9th, 2016

Mr. Lowell reported the Committee had a very long discussion on live-aboard regulations. There was a good attendance and good comments. This needs further thought on the approach for change. The loading zone permit fees, recommended for approval tonight, were stricken from the agenda. Other items on the agenda were discussed here tonight.

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Mr. Borg said the Limited Loading Zone section was missed in the review so it was decided to send it back to the Docks Fee Review.

3. Finance Committee Meeting – Thursday, November 10th, 2016 - Canceled

4. Docks Fee Review Committee Meeting – Thursday, November 10th, 2016

Mr. Bush reported the Committee discussed lightering fees. There was a request for more research and bring back to this Committee. The Committee also discussed waste water offloading and water fees for cruise ships as well as smaller vessels. The next meeting is in January.

5. Member Reports - None

XI. Port Engineers Report-

Mr. Gillette's said his written report was in the packet.

He reported -

- The Auke Bay Boat Yard buildings are out for bid. The bid is due December 1st.
- Douglas Harbor project - the contractor finishing the C head (main) walk. They will be installing the fingers soon. They are also working on the retaining wall which is tide influenced.
- The Cruise Ship Berth Project is going very well. The official contract schedule has them being complete on May 5th, but their own schedule has them complete by the end of March. Things are coming together very well.

Mr. Simpson asked about the pending dispute with Miller over the paving on the Statter Harbor launch ramp project?

Mr. Gillette said it is still pending, and staff is working on it.

Mr. Simpson said he thought the completion date was December?

Mr. Gillette said this has been pushed back farther due to their sub-contractor not completing the guard rail, shelter, and other fabrication work. Staff is continuing discussions with Miller.

Mr. Summers asked if the Statter Harbor launch ramp was open for use?

Mr. Gillette said yes. The area blocked off is the seawalk portion and the shelter. It is active and people are using it.

XII. Harbormaster's Report

Mr. Borg reported;

- The Nor' Gale damages have been fixed, the cost was just under \$50,000.
- He said he asked Docks & Harbors term contract holder Behrends Mechanical to provide an estimate to recommission the Harris Harbor restrooms.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, November 17th, 2016

- Matt Creswell is going to pick up a new truck for Harbors in Anchorage this weekend. One of our trucks is no longer working, and we have two others that are in need of extensive maintenance.
- We have a bid in for the Norway Point Gangway cover which blew apart in the last wind storm.
- In the packet on pages 134, 135, and 136 are more letters received from concerned live-aboard patrons. Mr. Borg said clarifying the pump out issues in Mr. Griffiths letter on page 134. Some of the Harbor pump outs have been inoperative. The plan for the Douglas Harbor pump out was to replace and relocate the pump this last year. Due to the Harbor rebuild, the changes for the pump out were set back. We are currently working on replacing this pump with a heated unit to be used all seasons. He also wanted to point out that he didn't say the increasing crime problem in Aurora Harbor is due to overcrowding of residential vessels in the harbor. That was never his intent to blame the increase in crime on the live-aboards. In the letter is also says that JPD Lt, Kris Sell lives in the Harbors and he said she does not and didn't see that she ever did live in the Harbor. Mr. Borg said he will reach out to Mr. Griffiths.

XIII. Port Director's Report

Mr. Uchtyl said he just wanted to add that CBJ Law is scheduling a hearing the first week in December with Miller for a fine for failure to follow the terms of the contract. The City Engineer Roger Healy will be the hearing officer for this.

He said MARAD has received Docks & Harbors application for the old NOAA facility. Staff is now working with GSA on a way forward. There has been some discussion from GSA on dividing the parcel up for both Docks & Harbors and UAS property. We will only move forward with what will be best for Docks & Harbors.

XIV. Assembly Liaison Report – Ms. Becker is not in attendance

XV. Board Administrative Matters

- a. Harbor Fee Review – Wednesday November 30th, 2016 at 12:00 pm
- b. Ops/Planning Committee Meeting – Wednesday December 7th, 2016 at 5:00pm
- c. Finance Committee Meeting –Thursday, December 8th, 2016 at 5:00pm
- d. Docks Fee Review – Thursday January 19th, 2017 after the Finance meeting.
- e. Board Meeting – Thursday, December 15th, 2016 at 5:00 pm

Mr. Donek said he asked Ms. Shinn to put together a report for when or if the Committee members are contacting staff to let them know if they will be attending the meetings. Staff has been having to make phone calls on the day of the meeting to find out what members can make it for a quorum. He asked the Board members how to fix this problem? Today staff was making phone calls to see if there was going to be a quorum. If a meeting is cancelled, there should be at least 24 hours notice.

CBJ Docks and Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, November 17th, 2016

Mr. Seng said the way it is done now should work, the Board members just need to respond to the emails that are sent out.

Mr. Summers asked staff to let him know if he is responding correctly and he recommends the other members to find out if their method of response is working also.

Mr. Donek directed staff to bring the report back next month with the names of who responded and who did not.

Mr. Simpson suggested to send the email out with agenda's earlier in the day on Friday or another email on Monday earlier in the day.

XVI. Adjournment - The regular Board Meeting adjourned at 7:34 p.m.



CITY AND BOROUGH OF JUNEAU, ALASKA
DOCKS AND HARBORS

Contract No: DH17-008
Auke Bay Loading Facility
Boat Yard Buildings

BID OPENING CHECK LIST

Date: December 8, 2016

CONTRACTOR	Signed Bid	Bid Schedule	Bid Bond	Addenda Acknowledged	Base Bid Amount
Silver Bow	✓	✓	✓	✓	\$ 400,000
Kauchar Const	✓	✓	✓	✓	\$ 449,000 + 37,000
Hennick sen	✓	✓	✓	✓	\$ 415,000
Alasko Commercial	✓	✓	✓	✓	\$ 373,766
Island	✓	✓	✓	✓	\$ 407,983
Canver	✓	✓	✓	✓	\$ 406,500
North Pacific	✓	✓	✓	✓	\$ 380,404

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Verified By: _____ Date: _____

BOND DEBT SERVICE

City and Borough of Juneau -- Refund GO 2007-3
 Alaska Municipal Bond Bank
 GO and Refunding Bonds, 2015 Series Two
 Pricing Results -- May 13, 2015

Period Ending	Principal	Coupon	Interest	Debt Service
06/30/2016			268,557.50	268,557.50
06/30/2017			362,100.00	362,100.00
06/30/2018			362,100.00	362,100.00
06/30/2019	380,000	5.000%	362,100.00	742,100.00
06/30/2020	395,000	5.000%	343,100.00	738,100.00
06/30/2021	415,000	5.000%	323,350.00	738,350.00
06/30/2022	435,000	5.000%	302,600.00	737,600.00
06/30/2023	460,000	2.000%	280,850.00	740,850.00
06/30/2024	470,000	5.000%	271,650.00	741,650.00
06/30/2025	495,000	5.000%	248,150.00	743,150.00
06/30/2026	515,000	5.000%	223,400.00	738,400.00
06/30/2027	540,000	5.000%	197,650.00	737,650.00
06/30/2028	565,000	5.000%	170,650.00	735,650.00
06/30/2029	595,000	5.000%	142,400.00	737,400.00
06/30/2030	625,000	5.000%	112,650.00	737,650.00
06/30/2031	655,000	4.000%	81,400.00	736,400.00
06/30/2032	675,000	4.000%	55,200.00	730,200.00
06/30/2033	705,000	4.000%	28,200.00	733,200.00
	7,925,000		4,136,107.50	12,061,107.50

HORAN & COMPANY

REAL ESTATE APPRAISERS/CONSULTANTS

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FAX NUMBER (907)747-7417

commercial@horanappraisals.com

Date: December 12, 2016

Carl J. Uchytel, PE, Port Director
City and Borough of Juneau Docks and Harbors
155 S. Seward Street
Juneau, Alaska 99801

Subject: Appropriate Appraisal Methodology for Developing Market Land Rent for CBJ Docks and Harbors Leases, Our File #16-163

Dear Mr. Uchytel,

Thank you so much for giving me this opportunity to explain this somewhat complex and sometimes bewildering appraisal process. I appreciate any chance I get to bring clarity to it.

You indicated that board members were inquiring about why we don't use other appraisal methodology such as the income based approach for estimating values. There are several techniques used to estimate land values and land rental values. Several of these were outlined and demonstrated in our January 29th 2013 Mt Roberts Tramway Land Lease Valuation PowerPoint presentation, a copy of which is attached. It is important to use the proper techniques that reflect the market's generalized economic expectations. It is also important to note that different users and uses have differing economic expectations and thresholds for feasible prices or rents that they would/could pay. Sometimes this is referred to as the value in use which is different than market value (or rent) required by code.

All leases under your administration are not standard. For rental adjustment purposes some of the leases require current market value of the land to which a contractual lease rent percentage rate is applied. Some lease adjustments specify that current market rent be estimated by appraisal. The first issue an appraisal should address is what is the appraisal problem. Most often it is to estimate the rent as anticipated by CBJ Code 05_CBJAC_50.050, which specifies the appraisal standards and purpose of appraisal as follows:

- (d) **Appraisal standards.** All appraisals must be prepared in accordance with the standards and requirements set out in this Section 05 CBJAC 50.050 and all applicable standards in the current edition of Uniform Standards of Professional Appraisal Practice

(USPAP) published by the Appraisal Foundation. For specific projects, the port director may issue supplemental instructions.

- (e) **Purpose of the appraisal.** The purpose of the appraisal is to estimate the annual market rent based on the market rental rate for the land.

The code anticipates a professional, objective unbiased rental estimate would be rendered. The principle of substitution, which holds that a buyer will not pay more for a property than for an equivalent property, applies to raw land or developed sites¹ whether being sold or rented. This principle of substitution is best expressed in the market by comparing the unit values or rents paid for substitutable properties in the market.

Market value then is driven by expectations of buyers and sellers in the market. It is commonly understood and defined as follows:

The most probable price that a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

- Buyer and seller are typically motivated;
- Both parties are well informed or well advised, and acting in what they consider their best interests;
- A reasonable time is allowed for exposure in the open market;
- Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
- The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

The Dictionary of Real Estate Appraisal, Fifth Edition, Appraisal Institute, Page 123

The CBJ Code 05_CBJAC_50.050 appraisal standards further define market rent and rental rate as follows:

(g) **Definitions.**

- (1) *Appraisals must use the following definition for **market rent**:* The most probable rent that a property should bring in a competitive and open market.
- (2) *Appraisals must use the following definition for **rental rate**:* The percentage of market value that a comparable class of private property would bring in the open

¹ The Appraisal of Real Estate 14th Edition published by The Appraisal Institute, page 36

market with the same conditions of lease as offered by the City and Borough of Juneau

CBJ code, by reference to USPAP, requires the appraiser “be aware of, understand, and correctly employ those recognized methods and techniques that are necessary to produce a credible appraisal.”² It further states in “developing a real property appraisal, an appraiser must: (a) reconcile the quality and quantity of data available and analyzed within the approaches used; and (b) reconcile the applicability and relevance of the approaches, methods and techniques used to arrive at the value conclusion(s).”³

The standard methods used for valuing land is discussed in The Appraisal of Real Estate published by The Appraisal Institute 14th addition. It is partially outlined in the following list. There’s an additional method the “Yield Capitalization: Subdivision Development Method” which is not listed.

A) Sales Comparison

- 1) Sales of similar, vacant parcels or rents.

B) Market Extraction

- 1) The depreciated cost of the improvements is deducted from the total sale price to indicate land value.

C) Allocation

- 1) A ratio of site value to property value is extracted from comparable sales;
- 2) Limitations: not conclusive unless ample sales data is available.

D) Direct Capitalization

- 1) Net operating income attributable to the land is capitalized;
- 2) Applicable in testing the feasibility of alternative uses or when land sales are not available;
- 3) Limitations: The following conditions must be met:
 - (a) Building value is known or can be accurately estimated;
 - (b) Net operating income to the property is known or can be estimated;
 - (c) Both building and land capitalization rates are available from the market.

E) Direct Capitalization: Ground Rent Capitalization

- 1) A market derived capitalization rate is applied to the ground rent;
- 2) Limitations: An adjustment to the value indication for the property rights.

We have used or considered each of these methods at one time or another in our appraisal work for the CBJ Docks and Harbors tidelands lease rental adjustments. The most common methods are the direct Sales Comparison and Direct Capitalization: Ground Rent Capitalization. These are correctly employed to reflect the general prevailing market

² Standard Rule 1-1(a).

³ Standard Rule 1-6

indicators because there is a greater amount of reliable data for these two indicators. Market extractions and allocations have been use from time to time especially when differentiating the up lands in tidelands ratios. Sometimes building improvement values have been adjusted to indicate the residual land value. We have also used the Direct Capitalization approach as a check against the reasonableness of the nominal square foot value indicated for land. You may recall this was done in the tram appraisal. This income analysis, however, is subject to error due to the series of adjustments and judgments which are required to develop its final value indicator.

The most reliable market-responsive and transparent method to value market land rent is to compare the subject with what other market land rents are on a direct square foot basis. If there is a limited number of land rents we will consider land values and capitalize them at the market rental rate (land capitalization rate). Since tidelands and other types of commercial properties are unique and subject to a wide array of square foot values it is a common practice within the market to estimate the value of the unique property being leased and apply a market rental rate (land capitalization rate) to indicate the annual rent. Conversely if there are land rental comparisons and the market land value is being estimated, not rent, the rental indicators can be capitalized to show what the market value would be. This is what you see most often in our appraisals.

To summarize I have ranked the land valuation methods used in this market for the type of appraisals required by the CBJ Docks and Harbors and their relative reliability.

Method	Reliability	Limitation
Sales (Rent) Comparison	Very reliable- most direct comparison.	Sometimes direct comparisons are not available
Ground Rent Capitalization	Reliable- requires only one adjustment (divide rent by rental/cap rate) to develop direct value comparison	Relevance of the land rent for comparability.
Allocation	Reliable-used in our work to allocate tidelands and up lands	Reliability based on sales of one known property component to allocate remainder.

Method	Reliability	Limitation
Market extraction	Somewhat reliable- Often used in our work to adjust for building contribution of price to see what's left for land	The extraction or allocation between the land and building components often required judgment especially with older properties.
Direct Capitalization	Least reliable- This is a good test of feasibility if all the assumptions used are correct. If it satisfies the criteria it indicates what a land budget might be for that use.	There are so many assumptions and judgments that have to be made it is difficult and expensive to be done accurately as an independent indicator.

I hope this is helpful. I would be delighted to be available to the Harbor Board for questions by phone or in person. Perhaps we could arrange a Go To Meeting type teleconference if you think it would be helpful.

Please let me know if you have any questions or comments on this material, especially as to whether not it answers the questions the board may have.

Respectfully Submitted,



Charles E. Horan, MAI
HORAN & COMPANY

Attached

-January 29th 2013 Mt Roberts Tramway Land Lease Valuation PowerPoint Presentation
-CBJ Administrative Code, 05_CBJAC_50.050 Appraisal Standards

05 CBJAC 50.050 - Appraisal standards.

- (a) Client. The City and Borough of Juneau is the sole client for all appraisal assignments, regardless of who contracts for, or pays for, the appraisal.
- (b) Appraiser qualifications. The appraiser must be on the State of Alaska Department of Natural Resources list of qualified appraisers. DNR maintains and periodically updates a list of qualified appraisers. The list is available upon request from DNR and at <http://www.dnr.state.ak.us/land/appraisal/htm>.
- (c) Appraiser contact with City and Borough of Juneau. Any appraiser preparing a report for use by the City and Borough of Juneau is required to contact the port director before beginning work so that the port director may issue supplemental appraisal requirements or additional information specific to the assignment.
- (d) Appraisal standards. All appraisals must be prepared in accordance with the standards and requirements set out in this Section 05 CBJAC 50.050 and all applicable standards in the current edition of Uniform Standards of Professional Appraisal Practice (USPAP) published by the Appraisal Foundation. For specific projects, the port director may issue supplemental instructions.
- (e) Purpose of the appraisal. The purpose of the appraisal is to estimate the annual market rent based on the market rental rate for the land.
- (f) Intended use and intended users of the appraisal. The City and Borough of Juneau will use the appraisal to establish the annual lease rent for the lands to be leased, including initial lease rent, renewal rent, and rent adjustments.
- (g) Definitions.
 - (1) Appraisals must use the following definition for market rent: The most probable rent that a property should bring in a competitive and open market.
 - (2) Appraisals must use the following definition for rental rate: The percentage of market value that a comparable class of private property would bring in the open market with the same conditions of lease as offered by the City and Borough of Juneau.
- (h) Inspection. The appraiser must make an onsite inspection of each appraised property and comparable. If a valuation error results due to lack of adequate inspection, the appraiser will be required to do an onsite inspection at the appraiser's own expense. The port director may allow exceptions to these inspection requirements, if special conditions warrant. Any exceptions must be authorized in writing by the port director before work begins.
- (i) Photographs. Reports must contain onsite photographs of all appraised properties and comparables that were inspected. Photographs must clearly illustrate the character and quality of the properties and must clearly approximate property corners and boundaries with marks on the photographs or explanatory captions. Low altitude photographs are acceptable if they meet the

above criteria. All subject photographs are preferred in a digital format, with the appraiser waiving the right to their use in future city and borough publications.

- (j) Plat or survey maps. The report must contain legible and clearly readable copies, showing the size and dimensions of each parcel appraised. Legible plat notes must also be included.
- (k) Comparable land data.
 - (1) Comparable land data sheets are required for all reports, and must include a complete legal description, recording information, and a photograph of the comparable that meets the required standard for photographs as set out in subsection (i) of this section.
 - (2) A comparable land location map is required, showing the location of the comparable in relation to the appraised properties and other comparables.
 - (3) Whenever possible, all transactions should be verified with a knowledgeable party (grantor, grantee, broker, lessor or lessee), either by the appraiser conducting the subject appraisal or by an appraiser who verified the information in another report. Failed efforts to reach knowledgeable parties shall be stated on the comparable land form.
- (l) Rent comparisons. The appraisal report shall include an annual land rent comparisons chart, stating location, date, rent, size in square feet and rent per square foot. When relating comparable transactions to the subject property, adjustments must be fully discussed and presented in an adjustment table. Such adjustments need to be defined in qualitative or quantitative terms, clearly stating which method is most reliable. Estimates based solely on the appraiser's opinion without explanation will not be accepted.
- (m) Applicant or lessee contact. The appraiser shall contact the applicant or lessee and offer an opportunity to discuss the appraisal and inspect the property with the appraiser. Contact with the lessee or applicant must be briefly described in the report.
- (n) Required number of copies. The appraiser should provide one hard copy of the report for review by the port director. The appraiser should then provide to the port director one hard copy and a PDF copy of the final, reviewed report.

(Added 9-29-2008, eff. 10-13-2008)

PORT ENGINEER'S PROJECT STATUS REPORT

Gary Gillette, Port Engineer

Project	Status	Schedule	Contractor	Notes
Boat Yard at ABLF				
Shop and Office Buildngs	In Progress		MRV	Awaiting Bid Approval
Fabric Structure	In Progress		Clear-Span	Currently at AML
Auke Bay Loading Facility - Phase II				
TIGER Grant Close-Out	On-Going			Annual equipment reporting
Douglas Harbor Reconstruction				
Phase III -Material Procurement	In Progress		Trucano	Most materials in town
Phase III - Construction	In Progress		Trucano	Making Good Progress
Statter Harbor Launch Ramp				
Construction	In Progress		Miller	Past completion date
Statter Tidelands Survey	In Progress		R&M	
Port of Juneau Cruise Berths				
1% for Art	In Progress		Garten	
North Berth - On-Site Construction	In Progress	5/7/17	Manson	
North Berth - On-Site Inspection	In Progress	5/7/17	PND	
Vibration Monitoring Services	In Progress		AS&E	No issues to date
DNR Tidelands Survey	In Progress		DOWL	
Aurora Harbor Re-Build - Phase I				
Project Close-Out	In Progress		NCS	Awaiting final paperwork
Aurora Harbor Re-Build - Phase II				
Bid Ready Documents Submittal	Hold	12/23/16	PND	
Open Bids	Hold	1/24/17	Staff	
Harbor Board Review of Bid	Hold	TBD	Board	
Assembly Approval of Bid	Hold	TBD	Staff	
Contract Approval	Hold		Staff	
Procurement of Materials	Hold		TBD	
On Site Construction	Hold	8/22/17 - 4/6/18		
Substantial Completion	Hold	4/6/18		
Final Completion	Hold	5/6/18		
Statter Master Plan Phase III				
Design	In Progress		PND	
Conditional Use Permit	In Progress		Staff	Preparing Application Document
Flood Elevation Exception	In Progress		Staff	Preparing Application Document

PORT ENGINEER'S PROJECT STATUS REPORT

Gary Gillette, Port Engineer

Army Corps of Engineers Permit	In Progress		PND	
Surveying, GeoTech, Sampling	In Progress		PND	Awaiting report analysis
Weather Monitoring System	In Progress		MXAK	Procuring equipment for next phase
Periodic Maintenance (Lucity Program)	In Progress		Staff	Up and Running
Archipelago Property Improvements	Hold		Staff	Awaiting Board Direction
Archipelago Property Procurement	Hold		Staff	Awaiting funding
Amalga Harbor Fish Cleaning Station	Hold		Staff	Re-visit in Jan 2017
Cruise Berth Shore Tie Power Study	In Progress		PND	Board to review report
Aurora Harbor - Dredging on A Float	Hold			Awaiting funding
Aurora Harbor - Annodes on Piling	Hold			Awaiting funding
Marine Park Sheet Wall Coating	Hold		Tinnea	FY18 Passenger Fees?
Taku Harbor Pile Jacking	Hold		Staff	Requesting funding from ADF&G
Auke Bay Marine Station Acquisition	In Progress		Staff	Awaiting decision by GSA
Statter Breakwater Safety Improvements	In Progress		PND	
Port Security Camera Grant - Phase II	In Progress		Monroe	
Norway Point to Bridge Master Plan	In Progress		Corvus	Reviewing sketch plans