

**CBJ DOCKS AND HARBORS BOARD**  
**REGULAR MEETING AGENDA**  
**For Thursday, July 27th, 2017**

- I. Call to Order** (5:00 p.m. in the CBJ Assembly Chambers)
- II. Roll** (Weston Eiler, Don Etheridge, Bob Janes, David Lowell, Robert Mosher, Mark Ridgeway, David Seng, Budd Simpson, and Tom Donek)
- III. Approval of Agenda**  
  
**MOTION: TO APPROVE THE AGENDA AS PRESENTED.**
- IV. Elections for Docks & Harbors Chair and Vice-Chair**
- V. Approval of June 22, 2017 Board minutes.**
- VI. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time).

**VII. Consent Agenda**

- A. Public Requests for Consent Agenda Changes
- B. Board Members Requests for Consent Agenda Changes
- C. Items for Action

- 1. Assembly Resolution – ADOT Harbor Facility Grant Application  
Presentation by the Port Director

RECOMMENDATION: THAT THE ASSEMBLY ADOPT A RESOLUTION OF SUPPORT FOR 50-50 MATCHING HARBOR FACILITY GRANT TO RETROFIT DOUGLAS HARBOR AND HARRIS HARBOR WITH ZINC ANODES.

**MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED.**

**VIII. Unfinished Business**

- 1. Public Hearing for Regulation Changes to prohibit the discharge of sewage into Juneau Harbors (05 CBJAC 45.005, 05 CBJAC 45.010 and 05 CBJAC 45.015)  
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

**CBJ DOCKS AND HARBORS BOARD**  
**REGULAR MEETING AGENDA (CONTINUED)**  
**For Thursday, July 27th, 2017**

**MOTION: TO RECOMMEND THE ASSEMBLY ADOPT REGULATIONS TO PROHIBIT THE DISCHARGE OF SEWAGE INTO JUNEAU HARBORS.**

2. Public Hearing for Regulation Changes amending the Docks & Harbors Shorepower Access Fee (05 CBJAC 30.010)  
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

**MOTION: TO RECOMMEND THE ASSEMBLY ADOPT REGULATION CHANGES AMENDING THE SHOREPOWER ACCESS FEES.**

3. Public Hearing for Regulation Change to provide a Daily Fee for Commercial Use of Boat Launches (05 CBJAC 20.070)  
Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

**MOTION: TO RECOMMEND THE ASSEMBLY ADOPT A REGULATION ALLOWING FOR THE USE OF A DAILY COMMERCIAL USE RATE AT BOAT LAUNCHES.**

**IX. New Business –**

1. Central Council Tlingit & Haida Indian Tribes of Alaska (CCTHITA) - Immersion Park Development Plan Modification  
Presentation by Port Director

Committee Discussion

Public CommentNone

Committee Discussion/Action

**MOTION: THAT THE DOCKS & HARBOR BOARD APPROVE THE NEW IMMERSION PARK REDEVELOPMENT PLAN AND AUTHORIZE THE REQUEST OF CCTHITA TO RAZE THE EXISTING BUILDING ON CBJ LEASED LAND.**

**CBJ DOCKS AND HARBORS BOARD**  
**REGULAR MEETING AGENDA (CONTINUED)**  
**For Thursday, July 27th, 2017**

2. FY18 Docks & Harbors Committees & Special Committees  
Presentation by the Port Director

Committee Discussion

Public CommentNone

Committee Discussion/Action

**MOTION: TBD**

3. Professional Services Contract Amendment – Statter Phase III(a)  
Presentation by the Port Engineer

Committee Discussion

Public CommentNone

Committee Discussion/Action

**MOTION: TO APPROVE CONTRACT AMENDMENT TO PND ENGINEERS FOR STATTER HARBOR PHASE III(A): (1) NOT TO EXCEED TIME & MATERIALS AMOUNT OF \$60K FOR ADDITIONAL PERMITTING SERVICES; AND, (2) LUMP SUM FEE OF \$230K FOR FINAL DESIGN AND BID PHASE SERVICES.**

4. FY17 Docks Enterprise Supplemental Appropriation  
Presentation by the Port Director

Committee Discussion

Public CommentNone

Committee Discussion/Action

**MOTION: THAT THE ASSEMBLY APPROVE A FY2017 DOCKS ENTERPRISE SUPPLEMENTAL APPROPRIATION FOR \$TBD.**

**X. Items for Information/Discussion**

1. Assembly's 1% Sales Tax  
Presentation by the Port Director

Committee Discussion/Public Comment

2. Auke Bay Marine Station Agreement

**CBJ DOCKS AND HARBORS BOARD**  
**REGULAR MEETING AGENDA (CONTINUED)**  
**For Thursday, July 27th, 2017**

Presentation by the Port Director

Committee Discussion/Public Comment

3. Alaska Clean Harbor

Presentation by the Harbormaster

Committee Discussion/Public Comment

4. Boat Shelter Sale – Right of First Refusal

Presentation by the Port Director

Committee Discussion/Public Comment

**XI. Committee and Member Reports**

1. Operations/Planning Committee Meeting- Wednesday, July 19th, 2017

2. ~~Finance Committee Meeting – Thursday, June 22nd, 2017~~ CANCELLED

3. Member Reports

4. Assembly Lands Committee Liaison Report

5. Auke Bay Steering Committee Liaison Report

**XII. Port Engineer's Report**

**XIII. Harbormaster's Report**

**XIV. Port Director's Report**

**XV. Assembly Liaison Report**

**XVI. Board Administrative Matters**

a. Ops/Planning Committee Meeting – Wednesday, August 23<sup>rd</sup>, 2017 at 5:00pm

b. ~~Finance Committee Meeting – Thursday, August 24<sup>th</sup>, 2017 at 5:00pm~~ CANCELLED

c. Board Meeting – Thursday, August 31<sup>th</sup>, 2017 at 5:00pm

**XVII. Adjournment**

**CBJ DOCKS AND HARBORS BOARD**  
**REGULAR BOARD MEETING MINUTES**  
**For Thursday, June 22nd, 2017**

I. Call to Order

Mr. Donek called the Regular Board Meeting to order at 5:01 pm in CBJ Room 224.

II. Roll Call

The following members were present: Weston Eiler, Bob Janes, Robert Mosher, David Seng, David Summers, and Tom Donek.

Absent: John Bush, David Lowell, and Budd Simpson.

Also present were the following: Carl Uchtyl – Port Director, Gary Gillete – Port Engineer, David Borg – Harbormaster, and Mary Becker – Assembly Liaison.

III. Approval of Agenda

Mr. Donek wanted to add a brief recognition of the new Board Member just after approval of the minutes.

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

Motion passed with no objection.

IV. Minutes from the May 13<sup>th</sup>, 2017 Strategic Retreat Minutes, and the May 25<sup>th</sup> Regular Board Minutes.

Hearing no objection, the May 13<sup>th</sup> Strategic Retreat Minutes and the May 25<sup>th</sup> Regular Board minutes were approved as presented.

**Mr. Donek welcomed Mr. Etheridge and Mr. Ridgeway the two new Board members term starting July 1, 2017, and thanked Mr. Summers for his time on the Board.**

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

1. Bid Award – Cruise Ship Berth Safety Improvement Project

RECOMMENDATION: THAT THE ASSEMBLY AWARD A CONSTRUCTION CONTRACT TO ALASKA COMMERCIAL CONTRACTORS IN THE AMOUNT OF \$364,900 FOR CRUISE SHIP BERTH SAFETY IMPROVEMENTS.

2. Affirmation of the 2004 Long Range Water Front Plan – Area B (Subport)

## **CBJ DOCKS AND HARBORS BOARD**

### **REGULAR MEETING MINUTES**

**For Thursday, June 22<sup>nd</sup>, 2017**

RECOMMENDATION: THAT THE DOCKS & HARBORS BOARD REAFFIRMS ITS SUPPORT OF A GOLD CREEK-LIKE MARINA CONSISTENT WITH THE 2004 LONG RANGE WATERFRONT PLAN.

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

**Motion passed with no objection**

VII. Unfinished Business- None

VIII. New Business - None

IX. Items for Information/Discussion

1. Transportation Network Companies (TNC) Update

Mr. Uchytel said as of today the two known TNC's have not filled out their sales tax so they should not be operating at this time. He said a few day's ago staff met with Uber to address concerns with the geography of the port area. The concern is the transportation flow on South Franklin could be interrupted due to the narrow street. The Uber representatives gave reasonable assurance they will not be stopping along South Franklin to pick up passengers and can operate with the proposal of picking up or dropping off in the taxi zone in the Columbia Lot (Tram Lot). Other ideas provided to the Uber representatives were to use the Coast Guard area of Whittier street to stage awaiting fares. Drew Green, the representative for the AJ Dock was very accommodating to find a staging area at that location. Mr. Uchytel said he also proposed a \$1.00 entrance fee everytime an Uber driver came into the Columbia Lot to drop off or pick up an individual. He is awaiting a contract from the Uber Representatives with that language. He has not had a meeting with the other known TNC which is Lyft, but the Airport Manager will be having one soon. He said he or Dave Borg will have a meeting with a Lyft representative and encourage them to use the same TBMP practices and the same proposed entrance fee of \$1.00. He said this has a potential to work.

Board Discussion/Public Comment

Mr. Eiler said he does not have a conflict with this item, but he works for a State Senator that helped shepherd legislation to bring TNC's to Alaska. He has talked to CBJ Law and he does not have a material or financial connection and so no conflict of interest.

He provided a clarification to what Mr. Uchytel said. He said his understanding on sales tax requirements is that the responsibility falls under the individual drivers similar to an independent contractor.

Mr. Summers said he just signed up to be a Uber driver and is not aware of him having to do sales tax reporting.

2. Statter Harbor Phase III – Fuel Float

Mr. Uchytel showed a map of Statter Harbor stage III project. He said staff has been discussing if there should be a fuel dock on the passenger-for-hire float. Staff issued a Request for Information to the fuel providers which asked for their interest in which three companies responded: Crowley, Delta Western, and Petro Marine. In discussing the pro's and con's of establishing a fueling station at this location, the biggest concern is to do so to do no harm. With the vessel traffic at the

## **CBJ DOCKS AND HARBORS BOARD**

### **REGULAR MEETING MINUTES**

**For Thursday, June 22<sup>nd</sup>, 2017**

launch ramp and the use by charter vessels, there is a narrow area and the vision is that it would not be a public fuel float but limited to only charter operators. If we only limit to the charter operators, constraints are being put on the management operation of this fuel float. With that thought, is it in Docks & Harbors best interest to move forward with a fuel station? The existing Petro Marine fuel float has a lease/license arrangement. Petro Marine had the right of first refusal from the DeHart Marinasale to construct a fuel float in the new Statter Harbor. They pay a throughput fee of \$.05 per gallon. Docks & Harbors gave them the license to run fuel lines to the tanks that Petro Marine owns. This relationship is a contractor owned and contractor maintained concept. There are various options for a fuel station in the area for the passenger-for-hire float that could be worked out over the coming months. The more pressing question moving forward with the design is if Docks & Harbors should put fuel lines in now and it was decided to put a fuel float in, this would be one thing out of the way. PND would need to know very soon whether to design fuel lines in the float. Mr. Uchytel said the recommendation he made last night to the OPS/Planning Committee was that we should not move forward with a fuel station in the new passenger-for-hire float. He did have a meeting and invited the passenger-for-hire companies and only one company attended. Tonight he is recommending not to make the fuel line a design requirement.

#### **Board Discussion/Public Comment**

Mr. Eiler asked where Docks & Harbor is in the timeline for Statter Harbor phase III project?

Mr. Gillette said now that we have funding for this project staff wants to move forward expeditiously. Staff is negotiating with PND the services and scope of their work. It is important to make a timely decision.

Mr. Eiler said he would be more interested to know more about the industries' interest in a fuel station?

Mr. Summers asked if this was finished without the fuel line, what is the cost to retrofit these lines? What time a year was the meeting held for the operators to come and show interest for the fuel station?

Mr. Uchytel said two weeks ago.

Mr. Summers asked if maybe the operators were just busy and that is why they didn't attend?

Mr. Uchytel said there is really no time that is perfect.

Mr. Summers asked about the Petro Marine lease?

Mr. Uchytel said this is a 35 year lease with a \$.05 throughput fee and the fee is adjusted every seven years based on the Anchorage CPI.

Mr. Eiler asked 35 years from when?

Mr. Uchytel said 2013.

## **CBJ DOCKS AND HARBORS BOARD**

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Mr. Donek said someone needs to show him there is a need for this fuel station? As to do with the design, his thought is to at least put in the chases and minimize future cost if it is decided to add later.

Mr. Janes said he concurs to add the chases for adding a fuel station in the future. The biggest issue with fueling is when the fishing fleet is in. He said his captain's have waited about 45 minutes to fuel at the end of a day. He suggested to prepare for future growth.

Mr. Mosher said he doesn't see a need right now.

Mr. Uchtyl said if a fuel station is not added here, there is a potential for a fuel station to be added in the Auke Bay Marine Station when that area is developed.

Dennis Watson, Juneau, AK

Spending money that is specialized is not in the best interest of the City. Another thought is the current Coast Guard cutter is going to be moving from Juneau in a couple of years and the new cutter is not going to fit. That location could be used for a fuel dock in the future. He said he noticed this is on the Planning Commission agenda and he asked if the fuel dock was part of the application? If it is, is staff going to move forward with approval to put it in or is staff going to remove it off Docks & Harbors request?

Mr. Gillette said leave it on. If it is approved, there is no requirement to build it just authorization to build it.

Mr. Watson said a conditional use permits do have a timelines on them.

Ms. Becker, Juneau, AK

She asked if Docks & Harbors can have the authority to open a gas station? Is it discriminatory to say only certain boats can fuel at the proposed fuel station?

Paul Swanson, Juneau, AK

He said he doesn't have a problem with having more than one fuel station at Statter Harbor, but dictating who can use it and selling it at a higher price is not something he wants to get into. He heard complaints that the whale watch boats come in and do wash down on the current fuel float and ties it up. If there is water and power at the new passenger-for-hire float that would save time at the fuel float. He said he is against a self service gas station. He asked if the 6-pack operators will be using the new passenger-for-hire float?

Mr. Janes said he recommended to add in more wash down areas and waste opportunity on the new passenger-for-hire floats that would take care of a lot of issues at the fuel dock.

#### **X. Committee and Member Reports**

##### **1. Operations/Planning Committee Meeting- Thursday, June 21st, 2017**

Mr. Donek said the items talked about at the OPS/Planning meeting were discussed here tonight. The other item was the Live-aboards at Statter Harbor and the live-aboard meeting at the Yacht Club. These items will come up in a future OPS/Planning meeting.

##### **2. Finance Committee Meeting –CANCELLED**



## **CBJ DOCKS AND HARBORS BOARD**

### **REGULAR MEETING MINUTES**

**For Thursday, June 22<sup>nd</sup>, 2017**

#### 3. Member Reports-

4. Assembly Lands Committee Liaison Report- Mr. Eiler said their meeting was held on June 12<sup>th</sup>. CBJ Lands Department is looking into the possible purchase of a vacant lot adjacent to the Aurora Arms Condominium in order to provide access to City property that is outside the hazard zone.

5. Auke Bay Steering Committee Liaison Report – Mr. Janes said no report

#### XI. Port Engineer's Report

Mr. Gillette said his written report is in the packet and he also handed out an updated flow chart that Mr. Eiler requested and went over the report with the Board.

#### XII. Harbormaster's Report

Mr. Borg thanked Mr. Summers and Mr. Bush for their service to Docks & Harbors and welcomed Mr. Etheridge and Mr. Ridgeway to the Board. He invited the new members to take a tour of the Harbors with him.

Mr. Borg reported –

- The seaworthy test - there were approximately 45 vessels between E and M floats in Aurora Harbor due to take this test, 17 of the vessels passed the test, 12 will be doing the test in the next couple weeks, 2 patrons removed their vessels from the harbor. The rest are edging on a possible impound process due to lack of cooperation to do this seaworthy test. This is a necessary process and may cost Docks & Harbors money, but it is cleaning up the Harbors. Another 18 vessels in the other harbors have had seaworthy tests and passed. Harbor Officer Dennis Holloway has been the main lead on this testing and is doing a fantastic job.
- Next week notices will go out to all the boat owners that will be impacted by the harbor construction. Staff is actively moving vessels asking them to move into their temporary stalls during the construction.
- The re-configured commercial bus parking area at Statter Harbor is working smoothly and a lot less congestion.

#### XIII. Port Director's Report

Mr. Uchytel reported;

- Ms. Jennifer Shinn has been promoted to the Administrative Assistant III position.
- He said he received a complaint and voicing concerns about the M/V Seal using the docks space and blocking passage, and fire code safety. The M/V Seal is making progress on his renovation efforts on his boat. He said he communicates with his legal counsel when there are issues that need to be addressed. He said he also met with the fire marshall and the assistant fire marshal and explained the citizen complaint and they didn't know what code violation they would be able to site. They did go by and see what they could see in plain view. The M/V Seal owner is actively working on his vessel so he does have solvents and paints.

Mr. Eiler asked what rules are in place currently for working on your boat in the harbor?

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### **REGULAR MEETING MINUTES**

**For Thursday, June 22<sup>nd</sup>, 2017**

Mr. Borg said we have a level of what is allowed. He said in this instance the boat owner went beyond what was agreed to. He had constant communication with the vessel owner and this complaint issue is resolved. This owner is taking good steps to make his vessel safe.

- Mr. Uchytel gave an update on the affirmation on the Gold Creek-like marina. There is an offer on the Mental Health Trust property and that was made by a developer in town. It was an offer plus 20% which is what is customary for a Mental Health Trust. The developer has not heard anything from the Mental Health Trust. The developer had a meeting with the City Manager to try to have the Assembly write a resolution encouraging the Mental Health to sell that property. Part of the vision of that developer is to build a small boat harbor, as envisioned in the 2004 long range waterfront plan, along Egan Drive on tidelands managed by Docks & Harbors.
- The Presidents Infrastructure projects – The Governor asked for shovel ready projects – Mr. Uchytel said the two projects he submitted is the Auke Bay Marine Station application and the land use master plan from Norway Point to Bridge Park.
- He also submitted a summary to encourage the Corps of Engineers to develop a floating breakwater at Auke Bay Marine Station and this basically informs the federal delegation there is a potential project in their district.
- Next month for the 50/50 Municipality Harbor Grant program staff will submit Douglas Harbor and Harris Harbor. The ask will be for \$250,000 for zinc anodes.
- The Lessee for the boats yards is in arrears and he has been sent a letter.

#### **XIV. Assembly Liaison Report –**

Ms. Becker report –

- The Assembly approved The Bridge Park to Norway Point master plan (\$8M to \$100M) and the Auke Bay Marine station (\$2M to \$23M) projects to be submitted to the Governor for the Presidents Infrastructure program.
- From the \$47M collected for the 1% Sales tax Docks & Harbors submitted the Aurora Harbor Rebuild phase II (\$7M) and Douglas Harbor paving (\$2.5M).

Ms. Becker said she received a request from someone about the fence between the library and the dock. It is not high enough and the homeless people are crawling over it and it needs to be higher.

Mr. Uchytel explained where the fence is located and said it is not Docks & Harbors responsibility.

#### **XV. Board Administrative Matters**

- a. Ops/Planning Committee Meeting – Wednesday, July 19th, 2017 at 5:00 pm
- b. Finance Committee Meeting – Thursday, July 20<sup>th</sup>, 2017 at 5:00 pm
- c. Board Meeting – Thursday, July 27th, 2017 at 5:00pm

#### **XVI. Adjournment – The regular Board Meeting adjourned at 6:19 pm.**

# RESOLUTION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. xxxx

## **A Resolution of the City and Borough of Juneau in Support of Alaska Department of Transportation and Public Facilities Harbor Facility Grant Submission**

WHEREAS, the Alaska Department of Transportation and Public Facilities administers the Harbor Facility Grant program under AS 29.60.800 by reviewing, scoring, and ranking applicants seeking the limited state funds; and,

WHEREAS under each Harbor Facility Grant application, the municipalities have committed to invest 100% of the design and permitting costs and 50% of the construction cost; and,

WHEREAS, CBJ Docks & Harbors is committed to designing, constructing and maintaining infrastructure under its charge in a sustainable and efficient manner commensurate with available resources; and,

WHEREAS, due to fiscal limitations, the recapitalization projects at Mike Pusich Douglas Harbor and Harris Harbor were constructed without benefit of passive cathodic protection; and,

WHEREAS, the addition of retrofitting existing harbor facilities with zinc anodes as corrosion protection could extend the useable life of galvanized pilings 25% or more; and,

WHEREAS, CBJ Docks & Harbors intends to submit an application under the Harbor Facility Grant program and will commit Harbor fund balance amounts of \$125,000 for Harris Harbor and \$140,000 for Mike Pusich Douglas Harbor and request the Alaska Department of Transportation and Public Facilities support said request.

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

**Section 1.** The Assembly of the City and Borough of Juneau strongly supports the efforts of Docks & Harbors to retrofit existing harbor facilities with corrosion protection systems and request the Alaska Department of Transportation and Public Facilities provide matching Harbor Facility Grant funding.

**Section 2. Effective Date.** This resolution shall be effective immediately after its adoption.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

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Kendall Koelsch, Mayor

Attest:

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Laurie J. Sica, Municipal Clerk



# Port of Juneau

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

July 5<sup>th</sup>, 2017

Central Council Tlingit and Haida Indian Tribes of Alaska  
Business & Economic Development Department  
Andrew Hope Building  
9097 Glacier Highway  
Juneau, Alaska 99801

Dear Ms. Gardner,

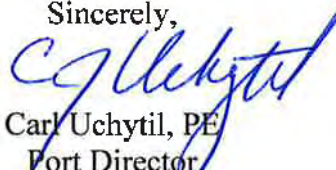
I have received your letter of June 28<sup>th</sup>, requesting Docks & Harbors' Board permission for CCFR to conduct an open burn training exercise to raze the existing leased building on July 29<sup>th</sup>, 2017. The signed lease is contingent upon the authorized use contained in the submitted RFP and appended to Exhibit B of the lease. In accordance with paragraph 5 of the lease, the lessee is required to obtain approval of all its development plans.

**5. AUTHORIZED USE OF PREMISES**

*Lessee is authorized to use the Lease Premises for Tlingit & Haida Immersion Park proposal submitted in RFP DH16-002 depicted in Exhibit B. Should Lessee wish to further develop the premises, Lessee shall be required to obtain approval of its development plans from the City Docks and Harbors Board prior to any further development of the Leased Premises or improvements. Lessee shall be responsible for obtaining all necessary permits and approvals for Lessee's development of the Leased Premises.*

Docks & Harbors Board members will meet twice prior to the proposed burn date. I highly encourage CCTHITA to attend both the Docks & Harbors Operations-Planning Committee meeting at 5 pm on July 19<sup>th</sup> and the regular Docks & Harbors Board meeting at 5 pm on July 27<sup>th</sup>. CCTHITA should present the modified development plans of the leased property to the Board for their approval. Presuming the Board approves the modified development plan at the July 27<sup>th</sup> meeting, CCFR should be able to conduct the open burn training exercise on July 29<sup>th</sup>.

Sincerely,



Carl Uchytel, PE  
Port Director

Copy: Docks & Harbors Board  
CBJ Law  
CCFR  
CBJ Manager



CENTRAL COUNCIL  
*Tlingit and Haida Indian Tribes of Alaska*  
Business & Economic Development Department  
Andrew Hope Building  
9097 Glacier Highway • Juneau, Alaska 99801

June 28, 2017

Carl Uchytel, PE  
Port Director  
City and Borough of Juneau  
155 South Seward Street  
Juneau, Alaska 99801  
E-Mail: [Carl.Uchytel@Juneau.org](mailto:Carl.Uchytel@Juneau.org)

Re: Tract B-1 and B-2 Lease plan

Dear Mr. Uchytel

Pursuant to Section 5 of Appendix A to the Lease Agreement for the Alaska Tidelands Survey 1328 (aka the Thane Ore House property), the Central Council of Tlingit and Haida Indian Tribes of Alaska hereby notifies the City and Borough of Juneau (CBJ) that structural engineers concluded the Thane Ore House is not suitable for renovation. As such, in order for the Tribe to be able to proceed with its development plan, the Tribe must demolish the building and build a new building. The Tribe intends to build a safe, usable building, obtaining all necessary permits to operate the Tlingit Haida Cultural Immersion Park business as identified in the Response to RFP DH16-002 (*see* Exhibit D to the Lease Agreement).

Tlingit & Haida paid PND Engineers for a structural condition report of the building formerly known as the Thane Ore House. A copy of the report is enclosed. The building was determined to be unusable. It had been abandoned for more than four years and was not attended to during that time. In fact, there was still oil in the fryers and fish on the counters, not to mention mold on the walls and other areas. Over the last two weeks, the Tribe has had cleaning crews in the building; the crew required constant use of respirators for their safety. The building is unusable and a health hazard in its present condition.

The Tribe requests the Docks and Harbor Board's approval under Section 5 of Appendix A to demolish the existing building by conducting an open burn training exercise. The Tribe initiated communication with Tod Chambers, Assistant Chief, Capital City Fire/Rescue (CCFR) to conduct this exercise. CCFR is very excited for this opportunity as it will serve as an excellent training opportunity for their members. Mr. Chambers has been working on the permits to perform the open burn on July 29, 2017.

I hope the Docks and Harbor Board will work with Tlingit & Haida and Capital City Fire/Rescue to allow the open burn training on July 29<sup>th</sup>, 2017, and allow this project to move forward for the benefit of the City and Borough and the Tribe.

Respectfully,



Myrna Gardner, Manager  
Business & Economic Development

Attachment: Thane Ore House Assessment

cc: Madeline Soboleff Levy, General Council, Tlingit & Haida



November 14, 2016

PND 162063

Ms. Myrna Gardner  
Manager, Business & Economic Development Department  
Central Council of the Tlingit and Haida Indian Tribes of Alaska  
9097 Glacier Highway  
Juneau, Alaska 99801

Re: Thane Ore House and Warehouse Structural Assessment  
Structural Engineering Report

Dear Ms. Garner:

Per your request, PND Engineers, Inc. (PND) has inspected and assessed the Thane Ore House. This report summarizes our field investigation, our observations, our analysis and findings and includes recommendations.

#### Field Investigation

On October 19, 2016, Mr. Chris Gianotti, P.E. visited the Thane Ore House and inspected its construction and assessed the condition. No framing plans were available, so the investigation included taking measurements of the construction including locating walls and columns; measuring wall heights; sizing wall framing, columns, roof truss members, rafters, roof purlins and wall girts; measuring roof truss connections. Photographs were taken. Mr. Gianotti noted the condition of framing.

#### Observations

The following observations were made:

- 1) The building is a wood-framed structure that apparently was constructed in 3 or more phases. There are distinct framing schemes in the north end, the middle and the south end. In addition to these three large areas there are shed roof structures on the east side of the building over the kitchen and storage areas at the north section and shed roof framing over a maintenance storage and shop area on the east side of the middle section. There is a single gable with a ridge running in a direction that is called north to south in this report.
- 2) The north end section consists of a main area that was used for dining and consists of a concrete slab floor, a west wall that has windows and doors over most of the length, a north wall that is half solid and half with windows, and east wall that is penetrated by doors to the kitchen and storage areas. The south wall of the north section is a fire wall that separates the north section from the middle section. The main area is approximately 29'-9" x 79'-4" in plan area. The kitchen/food storage/mechanical area is approximately 18 feet x 42 feet in footprint. North of the kitchen/food storage/mechanical area are storage areas under shed roofs. One storage area is approximately 10 feet by 22 feet and another is approximately 8 feet x 15 feet.

The roof framing at the main area consists of pre-engineered trusses at approximately 8 feet on center supporting 2x6 purlins at 2 feet on center. The underside of the purlins are sheathed with plywood. The purlins support metal roofing. There is batt insulation between the purlins. There is no venting of the space above the purlins. Exposed fastener metal roofing is screwed to the purlins. The trusses are Pratt-type with 2x6 top and bottom chords and 2x4 diagonal webs. Truss members are connected to each other with light gage metal plate connectors.



The roof trusses span transverse to the ridge approximately 14'-9" between the exterior walls and a center 6x8 beam line which is supported by 6x6 posts. The posts are spaced approximately at 8 feet on center.

Solid wall framing consists of horizontal wall girts that span between posts in the wall and sheathed with vertical planking. The wall girts are flat 2x members.

The lateral load resisting system of the main area of the north section appears to be the ceiling sheathing acting as a horizontal diaphragm and timber frames at the side walls and along the central row of posts, and some shear wall at solid wall sections. The braced frames consist of 6x8 beams, 6x6 posts and 2x6 knee braces that extend approximately 3 feet horizontally and 2.5 feet vertically. The braces are nailed to the sides of the posts and beams. The top of the beam is approximately 9'-6" above the concrete floor. There is some stiffness and strength in the solid portions of the side and end walls, although this construction is likely not building code compliant. The north end of the east side wall has a diagonal brace with minimal connection to post beam and foundation.

- 3) The kitchen and storage areas east of the north sections appear to be built at different times and using different framing schemes. All have rafters spanning east to west and have 1x or 2x flat purlins on them. Exposed fastener metal roofing is screwed to purlins. There appears to be no diaphragm or bracing in the plane of the roof. Some rafters are spaced at 24 inches and others at 48 inches on center. Purlins are spaced from 18 to 24 inches on center. Some rafters are covered at the interior with gypsum wall board ceiling panels.

Some kitchen ceiling panels have mold on the surface and are sagging. There appears to be a leaky roof and water damage.

Exterior siding along the east side of storage and kitchen areas has moisture damage.

- 4) The middle section of the building has 2 rooms: a main area that is approximately 29 feet x 66 feet and a storage/maintenance area that is approximately 10 feet by 66 feet in footprint.

The middle section main area roof consists of clear span trusses spanning 29 feet and spaced approximately 4 feet on center. The trusses are Howe-type, site-built, with plywood gussets nailed to 2x6 chord and web members. The trusses support 2x6 purlins at 24 inches on center. There is fabric on the underside of the purlins. The fabric covers a vapor barrier and batt insulation. There is no sheathing. Exposed fastener metal roofing is screwed to the purlins.

The east side storage/maintenance area has a shed roof with 2x6 rafters spaced at 24 inches on center spanning the 10 foot width. The rafters support flat 2x6 purlins spaced at 24 inches on center. There appears to be no sheathing on the top of the rafters or purlins and only gypsum wall board under the rafters.

Between the middle section main area and the storage/maintenance is a bearing wall with 2x6 horizontal girts spanning between 6x6 posts at 8 feet on center. A 6x10 top plate supports the main area trusses that are between the posts. This wall is sheathed on one side with vertical planking.

The east exterior wall of the middle section appears to be framed the same as the interior wall that is between the main area and the storage/maintenance area.

The floor of the middle section is a concrete slab on grade. It is discolored. The discoloration appears to be from moisture migrating upward through the ground and concrete. It is likely that there is no vapor barrier under the slab.

There appears to be minimal or no code approved lateral load resisting system in the middle section. The west exterior wall consisting mostly of windows and doors and minimal sheathing from sill plate to top of wall. The interior and east walls are not sheathed with plywood and have limited strength and stiffness.

- 4) The south section is approximately 29'-9" x 59 feet interior. It is covered with a roof that is framed with two different types of trusses that support 2x6 flat purlins at 24 inches on center. The trusses are spaced at 8 feet on center. Exposed fastener metal roofing is screwed to the purlins. There is no insulation and no sheathing in the roof.

Exterior walls are framed with 6x6 posts spaced at 8 feet on center, 2x6 flat horizontal wall girts and vertical planking for siding. The west wall has a line of relatively high rectangular windows between the posts. The south wall framing is covered on the interior and its construction is not known.

Exterior walls near the ground have water damage as there are no gutters on this section of the building. Water appears to drop from the eaves, accumulates in small puddles, splashes and wets the exterior wall. The limited amount or lack of direct sunshine results in long periods of being wet and mild and mildew growth.

The concrete slab surface is discolored. This appears to be from migrating water. There is likely no vapor barrier under the slab.

One type of roof trusses in the south section is supported at the exterior wall posts and a row of central posts 10 inches to one side of the ridge line. The trusses are Howe-type with rough-cut 2x6 members connected together with plywood gussets on each side nailed to the members. There are skewed knee braces on the ends of some of the trusses. There are also 2x6 knee braces on one side of the center posts.

The center row of posts is 6x6 posts at 8 feet on center supporting a double 2x6.

Between the posts there is a different type of truss, spaced 4 feet from the posts that is supported at the exterior walls and the double 2x6 that runs between the center row of 6x6 posts. The double 2x6 at the center of the building cuts through the bottom chord. The bottom chord is connected to the double 2x6 with light gage joist hangers. The trusses have 2x6 top and bottom chords, a 2x6 king post and 2x4 diagonal webs that slope up from the intersection of the king posts and the bottom chords to the top chord, approximately 30 degrees from vertical. The chords, webs and king posts are connected together with plywood gussets on both sides. The gussets are nailed to the other members.

There appears to be little or no lateral load resisting system in the south section roof and walls.

See photographs at the end of the report.

### Analysis

The building should have been designed according to a previous version of the Uniform Building Code or the International Building Code as amended by the City and Borough of Juneau. If the building is remodeled or renovated extensively, which appears to be a likely option, it will need to meet the current building code which is the 2009 Edition of the International Building Code as amended by the City and Borough of Juneau.

Local amendments that affect structural are the snow, wind and seismic criteria. For this site that includes the following:

Snow: Ground snow load =  $p_g = 70$  psf.  
Appropriate thermal factor,  $C_t = 1.0$   
Appropriate exposure factor,  $C_e = 1.0$   
Appropriate Importance,  $I = 1.0$   
Low slope snow load over east side storage and kitchen (2 on 12 estimated slope)  $p_s = 44$  psf  
Main areas of building (5 on 12 estimated slope):  $p_s = 37$  psf  
Additional snow load on low slope areas due to shedding from main area = 20 psf over 15 foot width

Wind:

Velocity (3 second gust) 116 miles per hour  
Appropriate Importance:  $I = 1.0$   
Static Design Pressure  $q = 32$  psf  
Pressure on components walls and roof per ASCE 7

Seismic:

Site Class D for firm soil  
 $S_s = 0.50$  g,  $F_a = 1.40$ ,  $S_{ds} = 0.47$ g  
 $S_1 = 0.35$ g,  $F_v = 1.71$ ,  $S_{d1} = 0.36$  g  
Response Factor,  $R = 6.5$  for shear walls:  $C_s = 0.072$ g  
Response Factor,  $R = 1.5$  for timber frames,  $C_s = 0.31$ g  
Design Category D

PND performed a vertical analysis on the roof trusses and purlins using the existing dead load and the Building Code prescribed roof snow load. Trusses were modelled in RISA-3D computer analysis software.

Timber species and grade of individual framing members is not known. Much of the lumber and timbers is rough cut indicating it likely came from a local mill and is likely either Alaska Spruce or Alaska Hemlock. The lumber appears to be of a higher grade, leading to the use of No 1 grade material in the analysis.

Sawn and surfaced material is likely not from a local mill and is likely Hem Fir or Doug Fir species and wither number 1 or number 2 grade lumber. PND used No 2 Hem Fir values for the sawn and surfaced lumber.

### Findings

The following was found:

- 1) Roof purlins are likely adequate throughout the building
- 2) Roof trusses in the north area are overstressed when subject to the code prescribed snow and dead loads. The stresses computed are between 220 and 1000 percent of the allowable stresses.
- 3) Rafters at the low roof east of the main area of the north section are overstressed when subject to the balanced snow load added to the shedding snow load from the main roof. The stresses when subject to these loads is approximately 112 percent of code allowable stresses.
- 4) Rafters at the east shed roof over the storage/maintenance room of the middle section are overstressed when subject to dead loads plus the balanced snow load plus the snow loads from shedding off the main roof. The stresses in the rafters are approximately 180 percent of code allowable stresses.

- 5) The trusses over the main area of the middle section are overstressed when subject to roof snow and dead loads. The stresses in members are as high as 128 percent of code allowable stresses.
- 6) The trusses over the main area of the south section are overstressed when subject to code prescribed snow and dead loads. Some members have stresses as high as 525 percent of the code allowable stresses.
- 7) The double 2x6 that supports trusses between posts at the south section of the building is over stressed when subject to snow and dead loads, with stresses being approximately 345 percent of allowable stresses.. Connectors are not adequate to support the double 2x6 at the supports.

#### Recommendations

The buildings structural system is deficient to support code prescribed vertical loads and has a limited or non-existing code recognized lateral load resisting system. The foundation has unknown construction. The slab cannot be covered with a floor system that can be under warrantee.

Non-structural systems such as metal roofing, insulation, gypsum wall board, exterior siding, and gutter systems are either at their expected life, damaged or deficient that they will need to be replaced.

Building lighting and mechanical systems will likely need to be replaced if the building is used for a different purpose than for what it was previously used.

It is not cost effective to repair and retrofit the building. It is recommended that the building be demolished and replaced with construction meeting the current building code.

Hopefully, this report suits your needs. If you have questions or need additional information, please feel free to contact me.

Sincerely

PND Engineers | Juneau Office



Chris Gianotti, P.E., S.E.  
Senior Engineer –

Enc.



## Photographs



Thane Ore House from northeast



East side from south



West wall from the north end



East side, middle section from south



West wall from south end



East side north section



South end from west



East side middle and south section





Moisture damage at base of exterior siding south section



Roof trusses north section from northwest corner



Moisture damage under windows



North section, main room from northeast corner



North section, west and north walls



Deteriorated wall framing behind chimney





Middle section west wall



Wall between main area and storage/maintenance at middle section



Middle section roof trusses



South section – west wall windows



Middle section from southwest corner



South section, intermediate trusses where double 2x6 support cuts through bottom chord



Storage Maintenance area middle section



South section with truss on post with knee brace



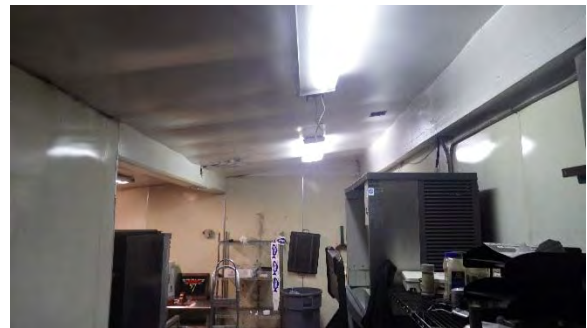
East side mechanical room with living quarters



Uneven ceiling in kitchen area- gypsum wall board attachment is failing.



Mechanical room equipment



Ceiling in kitchen



Ceiling damage in mechanical room



Damaged ceiling in kitchen area





# Tlingit & Haida Immersion Park

You've come all this way, immerse yourself in the land of our first people, walk among the Ravens, sing with the Eagles and experience what life is like harvesting and working Haa Aani (our land).

Central Council Tlingit and Haida Indian Tribes of Alaska  
9097 Glacier Highway  
Juneau, AK 99801  
907-463-7177  
Myrna Gardner, ICCM-F, GWCCM  
Manager, Business and Economic Development

## Exhibit D



### CENTRAL COUNCIL

Tlingit and Haida Indian Tribes of Alaska  
Office of the President • Edward K. Thomas Building  
9097 Glacier Highway • Juneau, Alaska 99801

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### Letter of Transmittal

City and Borough of Juneau  
Docks & harbors, Port Director's Office  
76 Egan Drive  
Juneau, AK 99801

Central Council Tlingit and Haida Indian Tribes of Alaska understand the proposal requirements of RFP No.DH16-002. The Central Council of the Tlingit and Haida Indian Tribes of Alaska (Central Council) is the tribal government representing nearly 30,000 Tlingit and Haida Indians worldwide. We are a sovereign entity and have a government-to-government relationship with the United States. Central Council's headquarters are in Juneau, Alaska. Central Council has the financial, organizational and management necessary to successfully operate the Tlingit Haida Immersion Park.

#### Authorized Representative:

Richard Peterson, President  
9097 Glacier Highway  
Juneau, AK 99801  
907-586-1432

CCTHITA Tlingit Haida Immersion Park is willing to accept the terms and conditions of the lease contained in Attachment 1 if awarded the lease.

By my signature below, I acknowledge all addenda to this solicitation.

---

Richard Peterson, President  
Central Council Tlingit and Haida Indian Tribes of Alaska

# Exhibit D

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## Exhibit D

### Operations/Business Plan

Since time immemorial the Tlingits and Haidas have walked the Taku and Auk Kwaan land. Living in harmony with the Eagles and the Ravens and the Salmon. Long houses were built from the majestic Red and Yellow cedar, Hemlock and spruce trees to weather the harsh winters. Walking through the forest you can hear the Eagle sing to his Raven brother as they sail over the mountains to the water harvesting the bounty given each year by the creator.

The Tlingit and Haida Immersion Park is a 35-year business development commitment to turn what was once known as the Thane'Ore House into a 100% Immersion Park for locals and guests to experience life on Haa Aani (our land).

The business plan is to build the Tlingit and Haida Immersion Park using the model the Polynesian Cultural Center.

**The Polynesian Cultural Center:** Skilled artisans and original materials from the South Pacific were imported to ensure the authenticity of the village houses. Fifty Years of Contribution to the local economy and strength of the Hawaiian Tourism.

- ✓ **1963** - The Polynesian Cultural Center opened to the public on Oct. 12, 1963.
- ✓ **By the late 1960s**, the amphitheater had been expanded to almost 1,300 seats. Villagers staged the evening show every night (except Sundays) and sometimes twice a night to accommodate peak-season crowds.
- ✓ A major expansion in **1975** relocated and enlarged the Hawaiian village and added a Marquesan tohua or ceremonial compound. The following year a new amphitheater, which now seats almost 2,800 guests, was opened and several other buildings were added to the grounds, including the 1,000-seat Gateway Restaurant in 1979.
- ✓ **In the 1980s**: a 70-foot bure kalou, or Fijian "spirit house"; the Migrations Museum; Yoshimura Store, a 1920's-style shop that serves island treats.
- ✓ **In 1995**, the Center introduced a new and exciting night show, Horizons, Where the Sea Meets the Sky; a breathtaking IMAX™ film, The Living Sea; and Treasures of Polynesia,
  - a \$1.4 million shopping plaza featuring a large collection of authentic island merchandise.

## Exhibit D

- ✓ **In 1996**, the Center created the Ali'i Luau, which takes guests on a nostalgic trip through Polynesia with popular hapa-haole hula music while they enjoy traditional Hawaiian luau food and entertainment.
- ✓ **In the 2000's**• the addition of the IMAX™ film Dolphins, improvements to the front entrance, modifications to the retail sales areas to create a more authentic shopping experience and more.
  - The Aloha Theater was renovated to handle special group functions of 1,000 or more. In response to visitor satisfaction surveys, cultural presentations were lengthened to an hour each to give the visitors more to experience. And, to give them more time to experience it all, the PCC introduced its "Free within Three" campaign that lets a guest purchase a ticket for a package and then come back again for two additional days to fit in all that they may have missed the first day.
  - The year 2001 brought the start of many changes to the face of the Center, with more than one million dollars in improvements to the front entrance landscaping.

As the PCC celebrated its 40th anniversary in 2003, even more changes took place to enhance the beauty, culture and learning guests of all ages and backgrounds enjoy. A new front entrance now features mini-museum displays of artifacts from each of the islands represented at the Center, as well as hand-carved replicas of the various voyaging canoes used throughout Polynesia. An exhibit featuring moai statues of Rapa Nui or Easter Island — created onsite by artisans from Rapa Nui — has opened to round out representation of the Polynesian Triangle; the all-new Hale Aloha venue now houses the award-winning Ali'i Luau, as does the all-new Hale Kuai and Hale 'Ohana, with a fun show featuring songs and dances that take guests on a journey around the Hawaiian Islands and into the heart of Hawai'i's people.

By investing our dollars, resources, personnel, capabilities and assets, Central Council Tlingit and Haida Indian Tribes of Alaska will build a Cultural Immersion Park for all of Alaska's guest to experience for generations.

## Exhibit D

*The Tlingit & Haida Immersion Park is a unique treasure created to share with the world the cultures, diversity and spirit of Alaska's First People.*

*In accomplishing this we will:*

- *Preserve and portray the cultures, arts and crafts of Alaska Natives.*
- *Contribute to the educational development and growth of all people in Juneau and the world in Tlingit & Haida Cultural.*
- *Demonstrate and radiate a spirit of love and service which will contribute to the betterment, uplifting and blessing of all who visit this special place*

### Implementation 1: Renovation

Renovation of current layout to be a Cultural Center. In year one, we will work with our workforce development department, TANF department, Employment & Training to train and employ tribal citizens and American Indian TANF clients in the construction and renovation of the Cultural Center.

The exterior and interior of the building will be renovated to replicate a traditional longhouse. Guests will eat traditionally and experience performances inside the longhouse.



## Exhibit D

Alternative Energy heating, cooling, lighting of campus. Central Council will work with its federal and state partners; Department of Energy, office of Indian Energy, Department of Agriculture, Rural Development, Alaska Energy Authority, the Alaska Center for Energy and Power (ACEP) University of Alaska Fairbanks to develop and operate one of the greenest campuses.

Alternative energy projects may include

- Illumient Solar Wind Hybrid Off-Grid Street lighting systems



Professional Technical Support: The Department of Energy, Office of Indian Energy provide technical support for tribes in project development. CCTHITA will submit an application for technical support through the development of our alternative energy project.



## Exhibit D

### Phase 2: Interactive Immersion Park

Walk and experience the Tlingit Interactive Immersion Park with a narrated guide. We will explain and share the tools, purposes, and processes of Carving an Alaska Canoe, or Totem Pole, learn how we weave some of the most intricate baskets in the world with Yellow and Red Cedar. Observe the process in making Devils Club Salve or how we use tanned hides for coats and gloves and accessories.

**Tent 1: Traditional Ship building.** Tlingit Canoes ranged in sizes to carry two or three people up to sixty. The canoes were used for fishing, for hunting sea mammals, such as whales, Seals and Sea Lions as well as for trade up and down the Pacific Northwest Coast with other tribes, Californians and Mexicans. Hear from a master carver the details and time involved in carving a traditional Tlingit Canoe. See and touch the tree and learn how our canoes once sailed to Mexico. Master Carvers and apprentices will work on a canoe throughout the year, demonstrating to our guests the intricate detail and time in carving a traditional canoe.



Transportation was primarily by water and distances were measured by how far a canoe could travel in a single day. The various Indian nations along the Northwest Coast undertook long trading voyages to exchanges specialized goods and local resources. In addition, distant nations were often connected through marriage alliances among the chiefly elites.

## Exhibit D



*"In taking a seat in a canoe, the paddler drops on his knees at the bottom, then turns his toes in, and sits down as it were on his heels. The paddle is grasped both in the middle and at the handle. To give a stroke and propel the canoe forward, the hand grasping the middle of the paddle draws the blade of the paddle backwards through the water, and the hand grasping the handle pushes the handle-end forward, and thus aids the other hand in making each stroke of the paddle; a sort of double action movement."*



With regard to the overall size of the Tlingit canoes, the long-distance voyaging canoes (sometimes called "war" canoes) ranged from

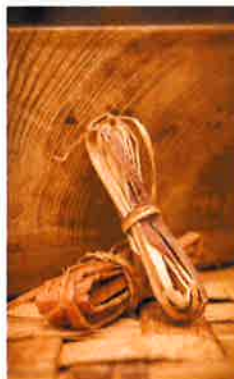
## Exhibit D

35 to 65 feet long and six to eight feet wide.

They could carry 50 to 60 people and had  
about a five-ton capacity



Tent 2: Centuries of weaving clothing, hats, sleeping mats, ceremonial objects, storage baskets and other items for everyday use. Once an important part of everyday life, is known as an international art. Some of the finest historic weavings are from the Haida and displayed prominently in museums. Weaving was traditionally practiced by women, although today there are a few men practicing this art.



## Exhibit D



Traditionally weaving materials included spruce root and red cedar bark. Today Haida basket weavers work mainly in cedar bark, but spruce root weaving continues. You will hear and see from the Haida Weavers the details and process involved in harvesting and weaving a traditional basket or hat.

[Tent 3: Food and Medicine from nature](#). Here you will experience the harvesting of an Alaska native traditional medicine, herb, tea, salve known as Devil's Club (*Oplopanax horridum*) root inner bark.





## Exhibit D



With the warming soil and longer daylight of spring, small leaf buds tip the devil's club's wicked stalks.

This plant is loved and hated at the same time.



Devil's club is well loved as a plant of beauty and medicine. It has been used as a physical and spiritual medicine for longer than history records



The methods of preparing this plant include tea, tincture, and salve. In this immersion, you will learn what a Devil's club is, how it is harvest and processed into a salve.

## Exhibit D



Main House: Here our guest will share in the bounty of the land. An Alaskan feast, Local Salmon, Salmon and Arugula Salad, Fruits, Alaska Blueberry Tarts and Pies, Salmonberry Tarts and Pies, Wild Raspberry Tarts and Pies.

### Canoe Launch

Central Council will store and display traditional canoes at the shoreline for guest to watch traditional canoers launch a canoe. The Canoes will be available for pictures on the shoreline. A long term opportunity we will evaluate the costs (Insurance and manpower) of taking individuals on a short ride.



## Exhibit D

### Longhouse Menu

This is a sample of the quality of our proposed menu.



#### *Cedar Plank Grilled Wild Salmon*

*The salmon comes out moist and tender with a hint of Red Cedar and dill. A buttery delicious fish.*



#### *Smoked Salmon & Arugula Salad*

*The lightly smoked salmon adds a beautiful flavor to the Arugula, apples and walnuts mixed with a Skinny Green Grapes Dressing. You are gonna love this!*



#### *Indian Tacos*

*Indian Tacos are like Mexican tacos but made with Fried Bread in place of the tortilla. Build your own with taco meat, cooked beans, shredded cheese, tomato, lettuce, pickled jalapenos, sour cream, and your favorite hot sauce*



#### *Salmon & corn Chowder*

*The salmon comes out tender and is a good match with the dill and potatoes and fire roasted corn.*



## Exhibit D



### *Salmonberry & Chocolate Tart*

*These tarts are fresh, rich and summery with the addition of in season, local Salmonberries and creamy coconut oil chocolate.*



### *Traditional Hudson Bay Tea*

*In a study published in the Journal of Ethnopharmacology in 1992, Dr. Allison McCutcheon found the branches of Labrador (Hudson Bay) tea act as an antibiotic against *E. coli* and *Bacillus subtilis*.*

Along with their dinner, they will be entertained with a 15 minute dance celebration. Interaction will include dancing and singing. Immediately following, guests will be taken through the gift shop to the buses.

There will be two showings; Noon – 2/2:30 PM and 4:00 – 6:30PM

**AVAILABILITY:**

**MAY–SEPT. Lunch & dinner daily.**

**DURATION:**

**2 to 2-1/2 HOURS**

**COST:**

**ADULT \$49 | CHILD \$24**

- Operates in all weather conditions.
  - By arrangement to meet tour & cruise ship schedules.
  - Times are approximate
  - Child rate applies to ages 12 & under.
- Taxes not included.

Two School Buses with guests twice per day. A school bus holds 72 passengers. We estimate 80% capacity per session, (115 guests) operating May 1 through September 30 for 152 days.



## Exhibit D

### Phase 3: Year-Round Commerce and Training

During the off-season period (October – April) Central Council will contract with Master Carvers and Artist to teach our youth and young adults the art of Carving Paddles, Weaving Baskets, Making Moccasins, Beadwork, making Devils club Salve, Hudson bay tea packages, jams, jellies and syrups for sale in the gift shop.

### New Jobs and Money in the Juneau Community

#### Renovation Period: 20 – 30 Staff \$1,500,000

- Laborers
- Painters
- Electrical
- Plumbing
- Façade
  - The exterior of the building will have a façade installed to make it look like a traditional Tlingit long house.
- HVAC
  - Acquisition and Installation of new system
- Waste treatment
- Water treatment
- Repaving of road in leased area
  - There is the possibility of added value if we have a MOA with the Department of Transportation and DNR to allow us to include that property on our inventory and we would pay for the paving of their portion of the road.

#### Operations: 36 Employees - \$1,561,460

- Park Campus Program Manager
- Food Service Manager
- Head Chefs (2)
- Prep Cooks (2)
- Cashiers (2)
- Wait staff (4)
- Dishwashers (2)
- Walking Tour Guides (5)
- Master Carver Instructors (2)
- Apprentice Carvers (6)
- Craft Artist (Demonstrators) (2)
- Bus Drivers (2)
- Bus Driver Part-time (1)

## Exhibit D

- Secretary/Assistant (2)
- Retail Sales Clerks (2)

Contracted Staff (Dancers): 10 per week (15 weeks) = 150 Dancers \$4000 a month x 5 months = \$20,000

Net New Direct Jobs = 216

1<sup>st</sup> year Payroll Infusion to local economy = \$3,081,460 Annual,

Year 2 – 35 = \$56,851,088.00

Tax Revenue

With the operations of the Tlingit Immersion Park, we project 80% occupancy for the 3<sup>rd</sup> season. With prices and projections this would conservatively add \$81,959 in sales tax revenue annually and an additional \$75,000 in sales tax revenue from Gift shop sales. Over 35 years, that is \$5,493,566.

CCTHITA is a solid reputable tribe. We comply with all Federal, State and Tribal regulations. We would remit all tax revenue to CBJ when due.

### Capacity of Firm

Federally recognized tribe

The Central Council Tlingit and Haida Indian Tribes of Alaska (CCTHITA) is a federally recognized Indian Tribe that serves 20 villages and communities that are spread over 43,000 square miles within the Alaska Panhandle. The Tlingit and Haida community is among the largest, most isolated, and most geographically dispersed Native or Tribal populations nationwide. CCTHITA was created by the Jurisdictional Act of 1935, when it sought federal recognition for the purpose of pursuing Tlingit and Haida land claims in Federal court. The Act was amended in 1965, to formally recognize CCTHITA as the federally recognized governing body of the Tribes. In 1966, the U.S. Court of Claims awarded the Tribe 7.5 million dollars for lands the government withdrew to create the Tongass National Forest and Glacier Bay National Monument. These funds have been prudently managed by the Tribe under a long-term plan approved by Congress.

## Exhibit D

CCTHITA provide services to 23,000 citizens of the Tlingit and Haida Tribes. Each of these Tribes has a distinct culture, including their own language and traditions. Tlingit people traditionally lived furthest north, and the Haida people inhabited the Prince of Wales Island area. Over 16,000 citizens of this



population reside in Southeast Alaska, with the remainder residing in the lower 48 states. **Over 20% (3,200 individuals) of this total service population lives in the Juneau area**, with the remaining 80% (12,800 individuals) residing within villages throughout the region.

The administrative structure and methods of CCTHITA are well developed and sufficient for managing numerous and diverse programs. The line of authority is clearly established and the levels of policy-making and program management are defined. CCTHITA has a solid track record of political stability and self-governance.

CCTHITA presently operates over 50 programs providing direct services to community members in the areas of public safety, social services, economic development, housing, education, youth and elder's services, and substance abuse. The Tribe employs over 200 staff and operates an annual budget of 27 million dollars.

### [Government](#) [Governance](#)

The Tribal Assembly of the Central Council is composed of delegates from the Communities of Tlingit and Haida Indian Tribes listed in the Rules of Election who have been elected in accordance with such *Rules* and Article III of the Tribe's Constitution.

## Exhibit D

The governing body of the Central Council shall be comprised of the Tribal Assembly of delegates, and, consistent with the terms of the *Constitution*, the Executive Council. The governing body of the Central Council possesses sovereign and plenary power to legislate for and to govern, conduct and manage the affairs and property of the Tribe.

### Administration

The tribe and all of its business operations is managed by the President, Chief of Business Operations, Chief Financial Officer, the Managers of Business & Economic Development, Employment & Training, Head Start, Human Resources, Information Technology, Native Lands and Resources, Temporary Assistance for Needy Families, Tribal Child Support Unit, Tribal Family & Youth Services, Tribal Vocational Rehabilitation, Tribal Transportation and the Vocational Training and Resource Center.

### General Overview:

- Program Compliance – establishes eligibility and official registration of tribal citizens
- Employment and Training – Employment services, Job Placement, Training Services, Vocational Rehabilitation
- Education Services – Higher Education, GED, VTRC, Johnson O'Malley
- Family Services – Financial Assistance, Child support, Child Care, Child Welfare, Head Start, Youth Employment & Training, Counseling Services, and Suicide Prevention
- Elderly Services – Financial Assistance, Health and Social Services, Caregiver Support
- Community Services – Business & Economic Development, Repatriation, Public Safety, Tribal Governance, Environmental, Forestry, Realty, Roads & Transportation, Tax & Financial Management
- Vocational Technical Resource Center – Training and career advancement through high quality, postsecondary academic and vocational education.

### Tlingit & Haida Immersion Park Business Structure

The Tlingit & Haida Immersion Park will be a for-profit Limited Liability Corporation wholly-owned by the Tlingit Haida Business Development Corporation. We are members of the American Indian Alaska Native Tourism Association, the Juneau Chamber of Commerce, and we will join the Alaska Travel Industry Association. We will partner and utilize our associations as well as the **Travel Alaska** – the Official State of Alaska Tourism & Vacation Information managed by the State of Alaska Division of Tourism.

## Exhibit D

### Disadvantage Business Enterprise Status

The State of Alaska, Department of Transportation & Public Facilities, Civil Rights Office defines the Disadvantage Business Enterprise Program as; A disadvantaged owner must be a U.S. citizen and meet the federal definition of socially and economically disadvantaged as defined in 49 CFR 26.67 presumptive groups include Native Americans, owned and controlled by disadvantaged owner. The Tlingit & Haida Immersion Park is a wholly-owned enterprise of the Tlingit Haida Tribal Business Corporation, a wholly-owned corporation of Central Council Tlingit and Haida Indian Tribes of Alaska. It meets the standards of a DBE.



### Employment & Training

Internal Commitment to the project. The CCTHITA Employment and Training Department is an integral part of the increased jobs, and training of Juneau's unemployed tribal residents. Our commit to this partnership by committing funds through

- ✓ economic development,
- ✓ client training,
- ✓ support services,
- ✓ case management and
- ✓ work experience contracts or
- ✓ on-the-job training

Our team of workforce professionals will ensure that support systems are in place and that trainees are matched to opportunities arising from this project and that appropriate training resources are

## Exhibit D

available. This project will have access to approximately \$1,050,000 in employment and training funds for economic development, training costs and support services annually.

### Vocational Training Resource Center

To develop the workforce for this project, Central Council will offer retail sales, customer service, grooming, Etiquette and public speaking workshops all tailored like the "Nordstrom Way." A business professional, customer driven sales program. Nordstrom's has "One Rule". "Use Good judgement in all situations."

- A Nordstrom salesperson rarely points. If you have a question about where something is located, they walk you there.
- Salespeople are taught to walk your bagged purchased around the counter to you vs. just handing it across the counter.
- Salespeople can offer to ring up your purchase without you ever having to stand in line. This particularly happens a lot in the shoe departments.
- Departments are generally trained to answer the phone on no more than the 2nd ring.

Tribal marketing is *customer-centric*, because it is less about you and more about strengthening the *human* bond between us and our guest.

Classes and training like:

- ✓ Travel & Tourism Specialist
- ✓ Restaurant Management
- ✓ Administrative Assistant
- ✓ Culturally appropriate guided tours
- ✓ How to Communicate with Diplomacy, Tact and Credibility
- ✓ Public Speaking

### Public Safety

The Village Public Safety Program works closely with local mayor and city council, the Alaska State Troopers and municipal police to respond to public safety emergencies, search and rescue, fire protection,

## The Nordstrom Way

The Nordstrom Way is to focus solely and exclusively on doing whatever it takes to create a satisfied customer.

The underlying philosophy and culture of the Nordstrom Way is disarmingly simple: Use your own initiative to provide customers with exceptional levels of service. You'll never be criticized for doing too much for a customer, only for doing too little. If you're ever in doubt, err on the side of doing too much rather than too little.

How the company organizes and empowers its employees to use their initiative in practice is impressive. Firstly, the company has a culture which lauds exceptional acts of customer service and stresses employees are free to use their initiative at all times and in all situations -- to act as if they were entrepreneurs in business for themselves. But equally importantly, the company then delivers on that basic premise by supporting its employees in the decisions they make.

The result is employees find innovative and appropriate ways to provide customers with knock-out levels of service. Customers love it, employees thrive on the responsibility and flexibility of their job and sales soar.

And paradoxically, the Nordstrom Way illustrates the direct link which many companies fail to realize -- specifically that the more front-line employees are trusted and empowered, the stronger the long-term relationship that can be built between a company and its customers. When a company gets the mix right (like Nordstrom has), it creates a sustainable competitive advantage that endures and flourishes.

*The Nordstrom Way is the gold standard of customer service.*

## Exhibit D

emergency medical assistance, crime prevention and basic law enforcement. Our VPSOs will incorporate this area as part of their program management and presence.

### Financial Capacity

Central Council administers over \$27,000,000 annually. We have a \$1,500,000 line of credit, a trust fund valued at \$11,500,000. We have extensive lines of credit with vendors. We have over 80 years of professional references in Juneau, Statewide and Nationally.

We have a full range of personnel, facilities, networks, accounting software for managing programs and businesses, performing payroll and purchasing. We successfully administer numerous local, state, private and federal funding. With over 34 years of history of grant administration, we will continue to conduct business through the tribal government and business enterprises.

### Sustainability

This Immersion Park will not only be an economic enterprise of the tribe it will be a Public-Private partnership to grow local jobs, increase cultural awareness, increase commerce, increase tourism and allow the tribe to partner with agencies like the U.S. Department of Commerce, the U.S. Department of Labor, the Department of Health & Human Services, the U.S. Department of Agriculture; Rural Development and the State of Alaska tourism and employment programs.

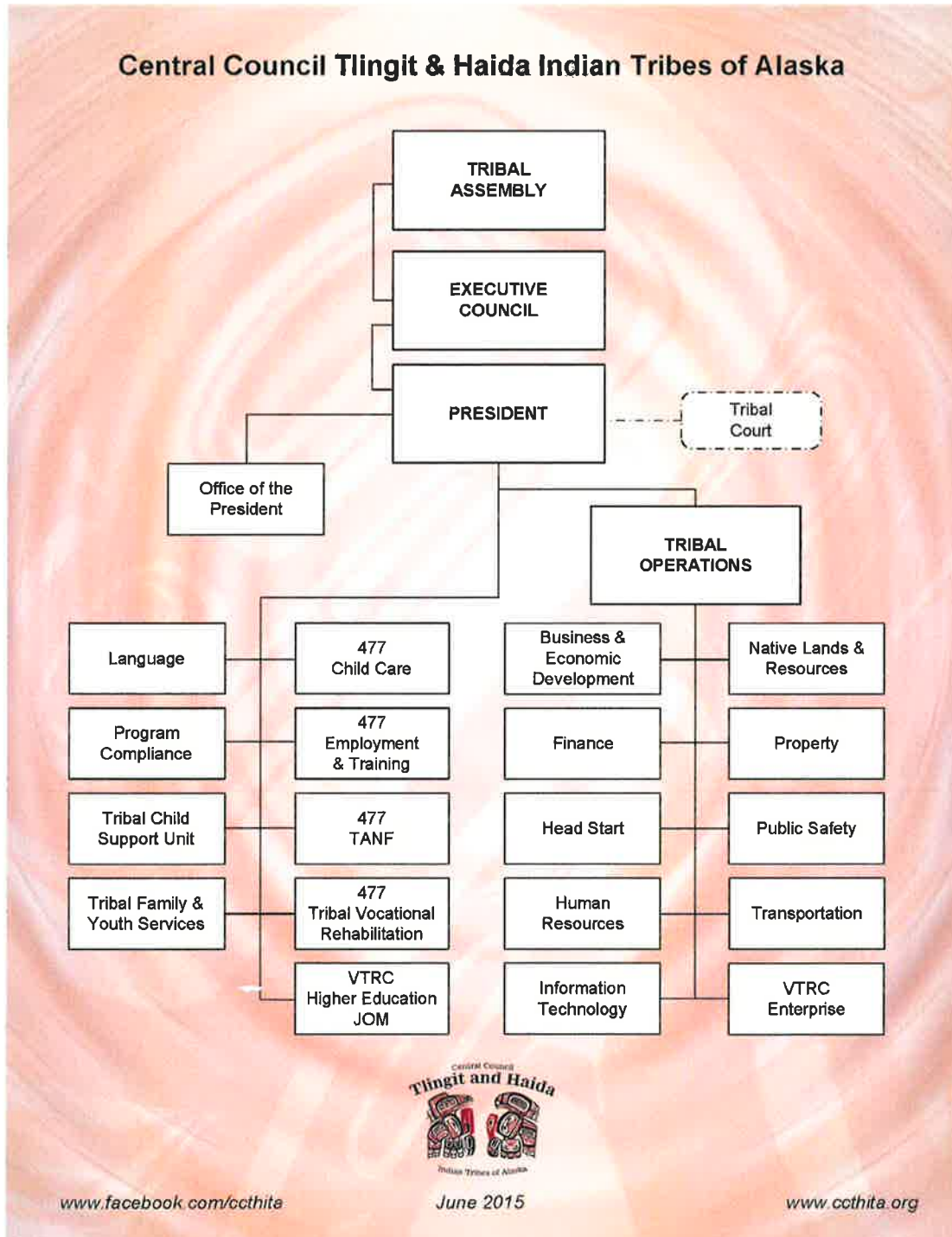
Unlike any other business proposal, Central Council will ***always*** be a strong economic force in Juneau and Southeast Alaska. We are not going anywhere. We will last long after most business have come and gone.

### Succession Plan

Every other year, the President is elected by the Delegates at General Assembly. Each year, the core management team updates a succession plan for continuation of tribal operations. The Immersion Park will become part of the plan. The tribe's business has lasted longer than generations residing in Juneau. It will go on beyond generations.

## Exhibit D

### Organizational Chart



### Resumes

The following are the resumes of Management and Key Personnel of Central Council Tlingit and Haida Indian Tribes of Alaska.



## Exhibit D

### Richard Peterson, President

Richard Peterson joined the governing body of Central Council Tlingit & Haida Indian Tribes of Alaska in 2000 and became President of Central Council Tlingit & Haida Indian Tribes of Alaska in April 2014.

As President, Peterson is responsible for the overall administration of all operations of the Tribe, representing over 29,000 tribal citizens. He has oversight of more than 200 employees.

Management of \$27,000,000 operating budget. Management of \$11,000,000 Tribal Trust Fund investment and responsible for the implementation of the general administrative policies of the Tribe. He is responsible for the completion of all actions of the CCTHITA Tribal Assembly and Executive Council. Peterson also serves as the President of the Tlingit & Haida Tribal Business Corporation (THTBC), a wholly-owned tribal business enterprise of Central Council. He has served since 2013.

Previously Mr. Peterson served as the President of the Organized Village of Kasaan for 16 years, President of POWTEC Solutions, a business enterprise for 16 years, a Board Member of the Southeast Island School District for 11 years, Committee Member for the USFS Alaska Tribal Leadership Committee (ATLC) for 3 years, a Board Member for the Rural Alaska Community Action Program (RurAL CAP) for 2 years, the distinguished Mayor of Kasaan Alaska for 12 years

#### Current board and commissions:

- Member – SEARHC Suicide Prevention Task Force 2014 – Present
- Committee Member – USFS Tongass Advisory Committee 2014 – Present
- Chair – Tlingit Haida Tribal Business Corporation 2013 – Present
- Board Member – Alaska Federation of Natives (AFN) Board of Directors 2013 – Present
- Chair – AFN Elections and Media Committee 2013 – Present
- Vice President – Alaska Native Brotherhood Camp #11 2010 – Present
- Committee Member – Federal Subsistence Work Group on Tribal Consultation 2010 – Present
- Committee Member – USFS Alaska Tribal Leaders Committee 2008 – Present
- 2nd Vice President – Southeast Conference Board of Directors 2008 – Present
- Delegate – Central Council Tlingit & Haida Indian Tribes of Alaska 2000 – Present
- Member - AFN Council for the Advancement of Alaska Natives
- Member – AFN Native Tribal Relations Committee
- Member – AFN Transportation/Infrastructure Committee

## Exhibit D

### Corrine M. Garza, Chief Operating Officer

Corrine Garza joined Central Council Tlingit & Haida Indian Tribes of Alaska in 1998 during her tenure Ms. Garza has served as the Chief Executive Officer, Chief of Business Operations and Chief Operating Officer for Central Council Tlingit & Haida Indian Tribes of Alaska.

As the Chief Operating Officer, Garza manages the tribe's operations by directing and coordinating activities of tribal operations consistent with established goals, objectives, and policies. She ensures that all administrative and program activities are carried out within the framework of adopted budgets, applicable laws, regulations, policies, and procedures as established by Congress, the State of Alaska, and the CCTHITA.

Previously Ms. Garza served as the General Manager for Ketchikan Indian Corporation for 4 years, Owner of Shinaku Consulting, 1 year, Chief Executive Officer for Klawock Heenya Corporation for 7 years, Financial Development Officer, SEAFirst Bank 1 year.

Ms. Garza served as the Chief Executive Officer of Tlingit & Haida Steel Industries for 6 years and has served as a Trustee for the CCTHITA Internal Employee Benefit Plan, a Member of the CCTHITA Investment Committee that provides oversight and management of the tribe's Trust Fund.

Ms. Garza holds a Masters in Business Administration, University of Washington and a Bachelor of Arts in Economics, Stanford University

#### Previous board and commissions:

- Board Member, SEARHC Foundation & Healing Hand Foundation 2003-2004
- Delegate & Vice-President Tlingit & Haida Community Council 1996
- Member, Blue Ribbon Committee, Ketchikan Gateway Borough 1995, 1996
- Treasurer, Past President, Past Co-President, Past Co-secretary, Past Vice-President, Alaska Native Sisterhood, Camp 19
- Director, Tongass Girl Scout Council, 1991
- Member, Klawock Overall Economic Development Committee, 1990-91

## Exhibit D

### Theresa Belton, Chief Financial Officer

Theresa Belton joined Central Council Tlingit & Haida Indian Tribes of Alaska in 2012 during her tenure Mrs. Belton has served as the Financial Systems Analyst and the Chief Financial Officer for Central Council Tlingit & Haida Indian Tribes of Alaska.

As the Chief Finance Officer (CFO) Belton has overall responsibility for supervision of Finance Department personnel and for the development, implementation, oversight, and coordination of finance related functions, including but not limited to: general accounting, purchasing, inventory, property leasing, travel, accounts payable, accounts receivable, and payroll. Mrs. Belton oversees the overall fiscal management of the Tribe and ensures that all activities are carried out within the framework of applicable laws, regulations, policies and procedures as established by the federal government, the State of Alaska, and the Central Council of Tlingit and Haida Indian Tribes of Alaska.

Previously Mrs. Belton served as a Bond Accountant for the State of Alaska, from 2002 – 2011 Mrs. Belton served Central Council Tlingit & Haida Indian Tribes of Alaska as the Controller, Lead Accountant and General Ledger Accountant.

Mrs. Belton holds a Masters of Accountancy with Honors, St. Josephs College, and a Bachelor of Business Administration in Accounting with Honors, University of Alaska Southeast

## Exhibit D

### Myrna Gardner, Manager Business & Economic Development

Myrna Gardner, ICCM-F, GWCCM returned to Central Council Tlingit and Haida Indian Tribes of Alaska in 2015. In July 2015, Ms. Gardner became the Manager of Business & Economic Development for the Tribe.

As the Manager of Business & Economic Development, Gardner will work with local, state, and federal governments to foster and improve the Southeast Alaska economy. She is responsible for creating partnerships with Native organizations and businesses, as well as leading and supporting the Tribe's enterprise development. She will also focus on providing business development and marketing support services.

Previously Ms. Gardner has served as the General Manager, 3R Products & Services, Supervisory Contract Specialist & Alternate Contracting Officer, SouthEast Alaska Regional Health Consortium, Vice-President of Development, Gana-A-Yoo Service Corporation, President & Chief Executive Officer, Kakivik Asset Management. Previous tenure with the tribe included Director of Business Development and Marketing, THTI and Business Development Specialist.

Ms. Gardner holds the professional designations of Industry Certification Contract Management – Federal (ICCM-F) from the National Contract Management Association and the George Washington Certified Contract Manager (GWCCM) from George Washington University. She has a Masters Certification in Federal Contracting from George Washington University, School of Business as well as an Associates.

#### Previous and Present Board, Commissions and Affiliations

- Member: Board of Equalization – City Borough Juneau 2012 - 2013
- Member: Fisheries Development Committee – City Borough Juneau 2012 - 2013
- Member: Community Service Commission – Statewide 2011 -2013
- Past President & member: Alaska Native Sisterhood, Camp #14 – Ketchikan, Alaska 1998 - 2000
- Member: Local Boundary Commission - Statewide 2001 -2003
- Member: Economic & Employment Diversification Strategy Committee 2005 -2006

## Exhibit D

### Elias Duran, Property Manager

Elias Duran joined Central Council Tlingit & Haida Indian Tribes of Alaska in 2003. In 2003, Mr. Duran became the Property Manager for the tribe.

As the Property Manager, Mr. Duran is responsible for managing the tribe's portfolio of commercial properties in excess of 12 million dollars. He carries out all daily administrative, leasing and maintenance. He supervises and coordinates all maintenance service and repair pertaining to real properties owned by the tribe throughout 20 communities in Southeast Alaska.

As Manager he Prepare and manage annual budget, creates and implement all marketing, leasing, and closing strategies. Perform all service and vendor contract bid acquisition, approval, and management. Review all vendor and contractor work, and determine all requirements met before payment release. Recruit, hire, and supervise administrative, janitorial, and maintenance personnel. Participate in and oversee employee training and Conduct property inspections, and move-out / move-in walk-throughs.

Previously, Mr. Duran managed Dura-Bilt Construction for 5 years. He held a General Contractor's License, Alaska Real Estate License, R.S. Means Professional Estimator, Certified Property Manager, and a Master Trainer from the National Center for Construction Education and Research.

Mr. Duran holds a Bachelor's of Science, Economics, University of Utah

#### Professional Organizations:

- Institute of Real Estate Management
- National Center for Construction Education and Research

## Exhibit D

### William Ware, Manager, Tribal Transportation

Mr. Ware joined Central Council Tlingit & Haida Indian Tribes of Alaska in \_\_\_\_\_. In \_\_\_\_\_, he became the Tribal Transportation Manager.

As the Tribal Transportation Manager, Mr. Ware is responsible for completing and maintaining the Tribal Transportation Improvement Program (TTIP) and managing the tribal transportation program and networking with other tribes as well as with local, state, and federal agencies to determine transportation system priorities for shared transportation systems (land, marine, air).

As the Transportation Manager Mr. Ware ensures that Federal and State funds are spent in accordance with funding agency requirements including but not limited to recruitment, contracting, acquiring permits, construction, inspections, and financial and narrative reporting are completed in a timely manner.

Over the last 15 years, Mr. Ware served as the Tribal Transportation/Indian Reservation Roads Program Manager, the Tribal Administrator and the Assistant Tribal Administrator for the Petersburg Indian Association, the Fleet Manager, Trident Seafoods and the Pastor/Administrator for the Salvation Army, Western United States.

#### Previous and Present Board, Commissions and Affiliations

- Chair, Transportation Subcommittee, National Congress of American Indians 2015-Present
- Chair, National Inter-Tribal Transportation Association, 2014-Present
- Vice Chair, National Inter-Tribal Transportation Association 2013-2014
- Advisory Board Member, the Salvation Army 2008-2010
- Chair/President, Petersburg Indian Association 2005-2008
- Board of Director, Petersburg Indian Association 2002-2005

## Exhibit D

### Jason Wilson, Public Safety Manager

Mr. Wilson joined Central Council Tlingit & Haida Indian Tribes of Alaska in \_\_\_\_\_. In \_\_\_\_\_, he became the Public Safety Manager.

As the Public Safety Manager, Mr. Wilson is responsible for administrative support and oversight of all facets of the Village Public Safety Officer Program. He supervises all Village Public Safety Officers in all of our service communities. He manages all staff complying with complex policies and procedures including VPSO Field Manuals, State Regulations and Tribal laws and jurisdiction.

He supervises all department staff including hiring, monitoring, mentoring, coaching, staff development, evaluations, dispute resolution, progressive discipline and termination. He is responsible for managing and maintaining confidential records.

Over the last 12 years, Mr. Wilson has worked for Central Council as the Children's Justice Act Specialist, the ICWA Program Specialist, the Alaska NW Native Partnership Program Specialist, a Family Caseworker and Youth Program Specialist.

Mr. Wilson is a Certified Trainer of the White Bison Sons of Tradition curriculum. He is a Certificate Trainer of Casey Family Program's Better Together curriculum. A Certified Tester for the Casey Family Program's Ansell-Casey Life Skills Assessment Program. He has attended the University of New Mexico, University of Alaska Southeast and University of Alaska Fairbanks with a focus on Psychology and Sociology.



## Exhibit D

### Past Record of Performance

Central Council has successfully worked with the following Federal, State and Local Agencies and private sector firms.

- the State of Alaska; Office of the Governor, Office of the Lt. Governor, Department of Labor & Workforce Development, Natural Resources, Commerce, Corrections, Education & Early Development, Environmental Services, Natural resources, Public Safety, Revenue, and the State Legislature.
- City Borough Juneau
- U.S Department of the Interior
- U.S. Department of Health & Human Services
- U.S Department of Education
- U.S. Department of Commerce,
- U.S. Department of Labor,
- U.S. Department of Energy
- U.S. Department of Agriculture
- Rasmussen Foundation

### References

#### **Bank Information:**

Wells Fargo

Contact Person: Karen West

123 Seward St.

Juneau, AK 99801

907-586-2460

907-463-3997; Fax

#### **Credit References:**

American Express

Dallas, TX

1-88-708-8128

Kroger – Fred Meyer

Juneau, AK 99801

888-327-4911

Bank of America

Wilmington, DE

1-800-673-1044

Costco Wholesale

Contact Person: Carmen, Vault Manager

Juneau, AK 99801

907-780-6740



## Exhibit D

### Established Local Business

#### *10,000 Years of Economic Contribution to Juneau and Southeast Alaska*

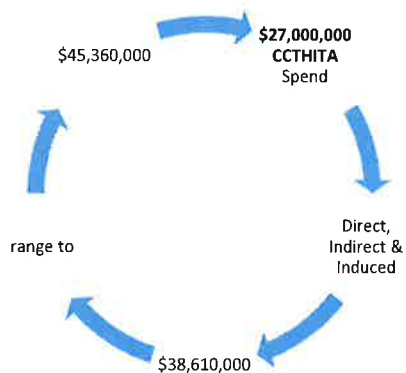
Central Council is a strong business force in Juneau and Southeast Alaska. In early days, pre-America, Tlingits and Haidas commerce and trade expanded to Mexico, California and during the territorial days, the Russians. Through a written Constitution, Central Council organized as a single regional tribal entity and gained federal recognition in 1935.

#### 80 Years of Operating in Juneau

Central Council operates an annual budget of \$27 million dollars. We manage more than 40 grants and have a solid track record with well-established support system. The 2014 Financial Audit had no findings.

Civic Economics' Andersonville neighborhood (Chicago) study found a total impact (direct, indirect and induced) of \$.68 for each dollar spent at ten local independents, compared to \$.43 projected for their chain competitors. However, the projection of indirect and induced impacts *does not mean \$.68 of each dollar spent at a local independent "stays" in the local economy*, but that \$.68 of *additional* local economic activity *ultimately is generated* after additional spending cycles.

Using this formula, Central Council economic impact to Juneau and Southeast Alaska direct, indirect and induced ranges from \$38,610,000 to \$45,360,000 annually.



## Exhibit D

### Employees:

Central Council employees 196 employees in 20 communities, 159 are full-time, and 37 part-time

Juneau Presence: Services operated in Juneau by location include:

- **Andrew Hope Building, 320 W. Willoughby Avenue**
  - Child care Services
  - Computer Information Services (CIS)
  - Elderly Services
  - Employment and Training (E&T)
  - Human Resources (HR)
  - Indian Child Welfare Act (ICWA) Services
  - Tribal Court
  - Preserving Native Families
  - Program Compliance (Enrollment)
  - Self-Governance
  - Tribal Child Support Unit (TCSU)
  - Tribal Family & Youth Services (TFYS)
  - Tribal Vocational Rehabilitation (TVR)
- **Edward K Thomas Building, 9097 Glacier highway**
  - Tribal Operations
  - Business & Economic Development
  - Finance
  - Native Lands and Resources (NLR)
  - Property Management
  - Tribal Transportation
  - Publications
  - Village Public Safety Officers (VPSO)
- **Head Start, 201 Cordova Street**
  - Douglas Head Start Center
  - Head Start Administration
- **Mendenhall Mall, 9109 Mendenhall Mall Road, Suite 8**
  - PL-477 Services

## Exhibit D

- Computer Lab
- Distance Learning
- Intake Services
- GED & Job Placement
- Training Services
- **Vocational Training and Resource Center, 3239 Hospital Drive**
  - Computer training
  - Higher Education
  - Johnson O'Malley (JOM)
  - Vocational Training
- **Temporary Assistance to Needy Families (TANF) 709 W 9<sup>th</sup> Street**
  - Burial Assistance
  - Elderly Emergency Assistance
  - General Assistance
  - Intake Assessment
  - Counseling

### Marine Related Activity

Our Immersion Park will teach tribal apprentices how to carve and make a traditional Canoe. We intend to carve two traditional 30' Canoes; One Eagle and One Raven. We will also work with Department of National Resources (DNR) to develop canoe launching activities as part of our immersion park. Any and all activities we will operate will be in accordance with all State and local zoning and permissible uses.

### Annual Lease Rent Offering (minimum \$8,600/year)

Year 1 – CCTHITA will commit to the base of \$8,600 for the year.

Year 2 – 35 CCTHITA will commit to the base + \$1.00 per participant. At 80% booking our projections are 7497 guest through the May – Sept season. This would bring the CBJ an additional \$7497 in revenue.

### Insurance

Central Council actively holds Commercial General Liability, Employer Liability Protection, Comprehensive Automotive Liability, Fire and casualty as well as workman's compensation Insurance

## Exhibit D

policies. Marsh & McLennan Agency is our brokerage of record. Upon successful selection the City and Borough Juneau will be named as additional insured. Marsh & McLennan are prepared to add the additional coverage on our policy.

Commercial General Liability Insurance \$1,000,000. Per occurrence, \$2,000,000 Aggregate

Workers Compensation. This policy shall endorse to waive all rights of subrogation against the CBJ by reason of any payment made for claims under the above coverage.

The coverage shall include Employer's Liability Protection in the amount of \$100,000 per accident \$500,000 policy limit, \$100,000 each employee

Comprehensive Automotive Liability Insurance. All owned, leased, hired vehicles \$1,000,000 combined single limit coverage.

Fire or other casualty insurance for the leased premise

## Exhibit D

### Local Bonus Points (Juneau Bidder)

1. Holds Alaska Business License	Yes – Since 1935
2. Has had local presence for at least 6 months	Yes- 10,000 years
3. Submits a bid or proposal under the name appearing on the bidders current state business license	Yes – CCTHITA
4. Is incorporated under the laws of the state of Alaska, and a resident of CBJ	Yes and Yes (Non-profit, tribal status)
5. Is not delinquent in the payment of any taxes, charges or assessments owing to the CBJ	Yes – Not delinquent
6. Adds value to Juneau	Yes- \$27,000,000 Budget Annually and Jobs currently. Immersion Park - \$1,661,060 Annually in wages and contracts

## Exhibit D

### Proposal Evaluation Form

Proposer: Central Council Tlingit and Haida Indian Tribes of Alaska

Scored by: \_\_\_\_\_ Date: \_\_\_\_\_

#### Evaluation/Ranking

	Points	
	Possible	Score
1. Operation/Business Plan	0 – 35	_____
2. Capacity of Firm	0 – 15	_____
3. Record of Performance	0 – 15	_____
4. Established Local Business	0 – 5	_____
5. Marine Related business Activity	0 – 10	_____
6. Annual Lease Rent Offering (minimum \$8600/Year)	0 – 20	_____
	Subtotal	_____

**The Port Director will assign points for criteria 7 below.**

7. Juneau Proposer	0 – 5	_____
	Total Points	_____
	Individual Ranking	_____





# Port of Juneau

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

## **NOTICE OF PROPOSED CHANGES TO REGULATIONS Amendment of Title 05, Chapter 45 SMALL BOAT HARBOR AND PORT FACILITIES USE REGULATIONS**

DOCKS & HARBORS BOARD IS PROPOSING TO ADOPT AN AMENDMENT TO THE FOLLOWING REGULATIONS.

**05 CBJAC 45.005- ~~(Reserved)~~. Wastewater discharge, 05 CBJAC 45.010 – Marine sanitation devices and 05 CBJAC 45.015 – Marine Sanitation requirements for vessels**

The above regulations are a requirement for Clean Harbors certification which prohibits the discharge of sewer into Juneau Harbors.

These regulations are proposed for adoption pursuant to CBJ's 01.60 and CBJ 85.02.060, and CBJ 85.02.100. Interested persons may obtain a full copy of the proposed regulations at any of the harbor offices, at the CBJ libraries, at the CBJ Clerk's Office, and online at [www.juneau.org/harbors/proposed\\_regulations.php](http://www.juneau.org/harbors/proposed_regulations.php)

The Board is holding a public hearing and intends to take final action on the proposed changes on July 27th at 5 pm in the Assembly Chambers which is a change from the previously advertised date of June 29<sup>th</sup>. This will be introduced to the Assembly on July 31<sup>st</sup> at 7:00 p.m. in the Assembly Chambers. Written comments may also be submitted to the Port Director's Office by fax at (907) 586-0295, by hard copy at 76 Egan Drive, and online by web form at the above web address until 4:30 p.m. on July 27th.

Interested persons may obtain more information by calling Port Director Carl Uchytel at 586-0292.

# A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

## Amendment of Title 05, Chapter 45 SMALL BOAT HARBOR AND PORT FACILITIES USE REGULATIONS

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

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

**Section 2. Adoption of Regulations.** The City and Borough of Juneau Administrative Code is amended by adding the following new sections in Title 05, Chapter 45:

### **05 CBJAC 45.005 - ~~(Reserved)~~. Wastewater discharge.**

- (a) *Definition.* The term *wastewater* means sewage, organic human waste, waterborne industrial waste, and other wastes that are waterborne.
- (b) *Prohibition and Penalties.* Untreated wastewater, inadequately treated wastewater, or any substance or material deleterious to humans, fish, plants, animals, or the marine environment shall not be discharged from a vessel within the boat harbor except in a lawful and approved manner. The Harbormaster may undertake any reasonable actions to abate a wastewater discharge, and all abatement costs shall be charged against the vessel owner or occupant(s). The penalty for violating this wastewater requirement includes but is not limited to immediate termination of moorage or boat harbor privileges, prohibition from mooring in the boat harbor or on Docks and Harbors managed property, restitution for abatement costs, and liability for the discharge.
- (c) *Lawful and approved discharge.* A vessel may discharge wastewater into one of the City and Borough pump out stations, or a licensed wastewater handling contractor may offload and lawfully dispose of a vessel's wastewater.

**05 CBJAC 45.010 – Marine Sanitation Devices.** There are three different types of Marine Sanitation Devices that can be certified by the U.S. Coast Guard to meet the requirements in 33 CFR Part 159, each having its own design, certification, and discharge criteria:

- (a) Type I is a flow through discharge device that produces effluent having a fecal coliform bacteria count not greater than 1,000 per 100 milliliters and no visible floating solids. This type of device is typically a physical/chemical based system that relies on maceration and chlorination. Type I Marine Sanitation Devices are issued a Certificate of Approval.
- (b) Type II is a flow through discharge device that produces effluent having a fecal coliform bacteria count not greater than 200 per 100 milliliters and suspended

solids not great than 150 milligrams per liter. This type of device is typically a biological or aerobic digestion based system.

- (c) Type III is a device that prevents the overboard discharge of treated or untreated sewage or any waste derived from sewage. This type of device is typically a holding tank and may include other types of technology including incineration, recirculation, and composting.

**05 CBJAC 45.015 – Marine sanitation requirements for vessels.**

- (a) *Installed toilet facility regulation.* No person may operate a vessel in the boat harbor having an installed toilet facility unless it is equipped with an installed and operable Marine Sanitation Device of a type certified by the U.S. Coast Guard to comply with the requirements of 33 CFR Part 159.
- (b) *Live aboard vessel wastewater requirements.* Live aboard vessels, as defined in 05 CBJAC 20.050, shall be equipped with a permanently installed, operational, and a Coast Guard approved Type I, II, or III Marine Sanitation Device. Marine Sanitation Devices must be designed, installed, and operated in such a manner as to prohibit the discharge of untreated sewage while moored within the confines of the Harbor. Vessels with a Type II or III Marine Sanitation Device must have a holding tank of no less than 10 gallons. Portable toilets are not considered a permanently installed Marine Sanitation Device and do not meet the requirements of this section.
- (c) *Compliance and Inspections.*
  - (1) Upon application for moorage or moorage renewal, the vessel owner or owner's agent shall identify whether the vessel has a toilet or wastewater facility, and if so certify the vessel complies with the wastewater requirements. The Harbormaster may inspect the vessel and require the vessel owner or owner's agent to demonstrate the vessel complies with the wastewater requirements. A vessel that does not comply with the wastewater requirements is prohibited from mooring or anchoring in the boat harbor or on Docks and Harbors managed property.
  - (2) As a condition of moorage or use of the boat harbor, an owner, owner's agent, and occupant of a vessel with toilet or wastewater facility consents to the Harbormaster performing wastewater inspections upon reasonable notice and at reasonable times. A vessel owner or occupant that refuses to have the vessel inspected is deemed to have immediately terminated the moorage and the vessel shall be immediately removed from the boat harbor. Upon inspection, a vessel that does not comply with the wastewater requirements shall be given 72 hours to abate the wastewater violation or to remove the vessel from the boat harbor. A wastewater inspection may require the vessel owner, owner's agent, or occupants to demonstrate the vessel complies with the wastewater requirements. The refund provision of 85.10.050(f) applies to a vessel that has an outstanding moorage credit and that is prohibited from mooring due to a wastewater violation.

(3) Any vessel that violates these compliance or inspection provisions is subject to impound pursuant to 85.25.180.

**Section 3. Notice of Proposed Adoption of a Regulation.** The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on \_\_\_\_\_, which is not less than 21 days before the date of adoption of these regulations as set forth below.

### **Adoption by Agency**

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: \_\_\_\_\_

\_\_\_\_\_  
Carl Uchytel  
Port Director

### **Legal Review**

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

(1) Consistency with federal and state law and with the charter, code, and other municipal regulations;

(2) The existence of code authority and the correctness of the required citation of code authority; and

(3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: \_\_\_\_\_

\_\_\_\_\_  
Robert H. Palmer, III  
Assistant Municipal Attorney

### **Assembly Review**

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

Date: \_\_\_\_\_

\_\_\_\_\_  
Laurie J. Sica, Municipal Clerk

### **Filing with Clerk**

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

1. These regulations were accepted for filing by the office of the clerk at \_\_\_\_:\_\_\_\_ a.m./p.m. on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.
2. After signing I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
3. A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
4. Effective date: \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
Laurie J. Sica, Municipal Clerk



# Port of Juneau

---

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

## NOTICE OF PROPOSED CHANGES TO REGULATIONS Amendment of Title 05, Chapter 20 SMALL BOAT HARBOR FEES AND CHARGES

DOCKS & HARBORS BOARD IS PROPOSING TO ADOPT AN AMENDMENT TO THE FOLLOWING REGULATION

05 CBJAC 20.070(a) and (b) – Fees for commercial use of boat launches

- (a) *Definition.* The fees assessed to an owner for using ~~a one or more of the~~ Douglas Harbor Boat Launches, the Harris Harbor Boat Launch, the North Douglas Boat Launch, ~~a the~~ Statter Harbor Boat Launch, the Amalga Harbor Boat Launch, the Auke Bay Loading Facility, and the Echo Cove Boat Launch for any type of commercial use.
- (b) ~~Annual Fee.~~ A commercial user of the launch ramps must pay ~~a an annual~~ fee prior to using a launch ramp as follows:

Daily fee \$30.00

Annual fee (January 1—December 31): \$250.00 per trailer

This regulation is proposed for adoption pursuant to CBJ's 01.60, 85.02.060, and 85.02.100. Interested persons may obtain a full copy of the proposed regulation at any of the harbor offices, at the CBJ libraries, at the CBJ Clerk's Office, and online at [www.juneau.org/harbors/proposed\\_regulations.php](http://www.juneau.org/harbors/proposed_regulations.php)

The Board is holding a public hearing and intends to take final action on the proposed changes on July 27th at 5 pm in the Assembly Chambers. This will be introduced to the Assembly on July 31st at 7:00 p.m. in the CBJ Assembly Chambers. Written comments may also be submitted to the Port Director's Office by fax at (907) 586-0295, by hard copy at 76 Egan Drive, and online by web form at the above web address until 4:30 p.m. on July 27th.

To obtain more information please call the Port Director Carl Uchtyl at 586-0292.



# REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

## Amendment of Title 05, Chapter 20 SMALL BOAT HARBOR FEES AND CHARGES

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

**Section 1. Authority.** These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

**Section 2. Amendment of Section.** 05 CBJAC 20.070(a) and (b) are amended to read:

### **05 CBJAC 20.070 - Fees for commercial use of boat launches.**

(a) *Definition.* The fees assessed to an owner for using ~~a one or more of the~~ Douglas Harbor Boat Launches, the Harris Harbor Boat Launch, the North Douglas Boat Launch, ~~a the~~ Statter Harbor Boat Launch, the Amalga Harbor Boat Launch, ~~the~~ Auke Bay Loading Facility, and the Echo Cove Boat Launch for any type of commercial use.

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### **Adoption by Agency**

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: \_\_\_\_\_

\_\_\_\_\_  
Carl Uchytel  
Port Director

### Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority following each section; and
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Date: \_\_\_\_\_

\_\_\_\_\_  
Robert H. Palmer, III  
Assistant Municipal Attorney

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Laurie J. Sica, Clerk

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4. Effective date: \_\_\_\_\_.

Date: \_\_\_\_\_

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# Port of Juneau

---

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

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# REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

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Date: \_\_\_\_\_

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Carl Uchytel  
Port Director

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Robert H. Palmer, III  
Assistant Municipal Attorney

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4. Effective date: \_\_\_\_\_.

Date: \_\_\_\_\_

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Laurie J. Sica, Clerk



# Port of Juneau

---

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

**From:** Port Director  
**To:** Docks & Harbor Board  
**Date:** July 25<sup>th</sup>, 2017  
**Re:** Committee & Special Board Assignment

---

1. In accordance with the Docks & Harbors Bylaws, elections are required at the “annual meeting” specified as the last Thursday of July each year. At the annual meeting, a Chair, a vice Chair and other such officers as the Board shall deem necessary, shall be elected. Special Committees are defined in the Bylaws as:

2. *SPECIAL COMMITTEES*. *The Board or the Chair may establish special committees to facilitate any Board business.*

*The Chair shall appoint two or more Board members and may appoint any individual that is not a member of the Board to serve on any special committee established.*

*The Chair shall appoint a Board member to serve as the Chair of each special committee.*

*Unless otherwise directed by the Chair, all special committees will function at the direction of the appointed committee Chair.*

*A special committee shall serve for a period of time or for the accomplishment of a particular task or tasks as determined by the Chair. No special committee shall serve beyond the annual Board meeting unless reconstituted by the newly elected Chair.*

2. Over the past two years, the Board had focused and stood-up “special committees” to facilitate a comprehensive fee review for the Docks Enterprise and Harbors Enterprise rates. With only a few exceptions, we are complete with that tasking.

3. The Board has previously mentioned standing up various Special Committees to conduct additional work consistent with the Docks & Harbors missions. Some of these committees could include:

- a. Title 85 Review
- b. Fisheries Development
- c. Marketing & Promotion of Juneau Harbors
- d. Land Management Plan (i.e. leases/tideland management)

4. The Board should consider what, if any, Special Committees to organize and appoint. As well as discuss the makeup, goals and schedule for the Standing Committees (Ops-Planning and Finance) for the upcoming year. Per the Bylaws, the Board shall meet at least once each month at a place and time designated by the Chair.





# Port of Juneau

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

**PROFESSIONAL SERVICES CONTRACT**  
**For**  
**Statter Harbor Planning and Permitting Services**  
**Contract No. RFP DH08-081**

**AMENDMENT NO. 11**

**CONSULTANT:** PND Engineers, Inc.

All provisions of the Basic Contract not specifically changed by this Amendment remain in full force and effect. This Amendment modifies the scope of services and compensation as follows.

**SCOPE OF SERVICES.** Perform "Additional Permitting Services" and "Final Design and Bid Phase Services" as described in the July 24, 2017 letter proposal from Dick Somerville, PE of PND Engineers, Inc. and attached hereto.

**COMPLETION.** Consultant services shall be completed in a timely manner to support progress of the project with the target to complete services by March 31, 2017.

**REPORTING.** The CBJ Project Manager for this project is Gary Gillette, Port Engineer. The Consultant's primary representative is Dick Somerville, P.E., Vice President.

**COMPENSATION.** Consultant shall be paid on a time and materials basis not to exceed the amount of \$60,000.00 for the "Additional Permitting Services" and a lump sum fee of \$230,000 for "Final Design and Bid Phase Services" as referenced in this contract amendment.

IN WITNESS WHEREOF, the parties have executed this Amendment.

**CITY AND BOROUGH OF JUNEAU**

Carl Uchytel, P.E. \_\_\_\_\_ Date  
Port Director

**PND ENGINEERS, INC.**

 7/25/17  
Dick Somerville, P.E. \_\_\_\_\_ Date  
Vice President



July 24, 2017

PND 152069

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

Re: Statter Harbor Ph. IIIA - Permitting & Final Design  
Engineering Services - Revised Fee Proposal

Dear Mr. Gillette:

PND Engineers, Inc. (PND) appreciates the opportunity to provide this revised scope and fee proposal for additional permitting efforts, final design and bid phase services on the Statter Harbor Phase IIIA project. The scope of construction improvements under Phase IIIA generally includes;

- dredging and offshore disposal of marine sediments
- blasting, rock dredging and upland disposal of bedrock encountered within the harbor basin
- demolition of existing haul out pier and boat launch facilities
- MSE marine seawall with sub excavation, foundation base and armor rock slope erosion control
- partial uplands expansion and slope reconfiguration connecting to Phase 2 site improvements
- minor adjustments to existing utilities as required near slope improvements
- safety barriers at top of MSE wall

The attached concept plans and budget level estimate further illustrate the construction scope and costs of the project included under this fee proposal.

#### **Additional Permitting Services**

As you recall, bedrock removal and ocean disposal tasks were not included in PND's original contract scope. The estimated fees associated with additional permit application work are summarized below. Due to the uncertainties associated with regulatory reviews and subsequent information requests, PND proposes to perform these services on a time and expenses reimbursable basis utilizing our standard billing rates at time of service. The T&E limit shall not be exceeded without prior written authorization from the CBJ.

<b>Additional Permitting - Task Description</b>	<b>Est. T&amp;E Fees \$</b>
1. ADFG Marine Disposal Site Location Study	\$5,000
2. MPFATE Marine Disposal Site Dispersion Modeling	\$15,000
3. ADNDR Disposal Site Land Use Application (Excludes survey & platting)	\$5,000
4. Alaska Seismic & Environmental - Blast consultation/environmental services	\$15,000
5. Federal & State Regulatory Agency Preapplication Meetings	\$5,000
6. Respond to regulatory review comments (Excludes IHA – Scope TBD)	\$15,000
<b>Total Estimated Additional Permitting Services (T&amp;E)</b>	<b>\$60,000</b>

Be advised that the above list does not include studies for Incidental Harassment Authorization requests. The scope of that work, if required by the NMFS, will not be known until after the Preapplication agency meeting currently being scheduled by the USACE.

### **Final Design and Bid Phase Services**

The scope of engineering services under Final Design and Bid Phase includes five tasks intended to move the project through final engineering design, preparation of bid ready contract documents and bid phase assistance including preparation of conformed contract documents following the bid opening. Construction phase engineering services are not included in this proposal however shall be negotiated at a future date following successful outcome of the bid phases. PND proposes to provide Final Design and Bid Phase services on a fixed price basis for the tasks summarized below

<b>Final Design and Bid Phase - Task Description</b>	<b>Fixed Fees \$</b>
35% Preliminary Design	\$60,000
65% Design Development	\$80,000
95% Final Design	\$50,000
100% Bid Ready Documents	\$25,000
Bid Phase Assistance and Prepare Conformed Contract Documents	\$15,000
<b>Total Final Design and Bid Phase Services (Fixed Price)</b>	<b>\$230,000</b>

We are available to commence immediately and look forward to working with the Docks and Harbors Department towards the successful completion of this challenging dredging project at Statter Harbor.

We appreciate the opportunity to provide services to the CBJ on this important project. Thank you for reviewing the proposed scope and fees and please let me know if we have perceived your needs appropriately for this project. We are available to commence immediately and look forward to working with the Docks and Harbors Department towards the successful completion of this exciting project at Statter Harbor.

Sincerely,  
PND Engineers, Inc. | Juneau Office



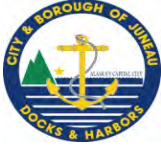
Dick Somerville, P.E.  
Vice President

Enclosures



**PND ENGINEERS, INC.**  
**STANDARD RATE SCHEDULE**  
**EFFECTIVE MAY 2017**  
**EFFECTIVE UNTIL MAY 2018**

		<i>Hourly Rate</i>
<u>Professional:</u>	Senior Engineer VII	\$190.00
	Senior Engineer VI	\$175.00
	Senior Engineer V	\$160.00
	Senior Engineer IV	\$150.00
	Senior Engineer III	\$140.00
	Senior Engineer II	\$130.00
	Senior Engineer I	\$120.00
	Staff Engineer V	\$115.00
	Staff Engineer IV	\$110.00
	Staff Engineer III	\$105.00
	Staff Engineer II	\$95.00
	Staff Engineer I	\$90.00
	Environmental Scientist VI	\$170.00
	Environmental Scientist V	\$155.00
	Environmental Scientist IV	\$140.00
	Environmental Scientist III	\$125.00
	Environmental Scientist II	\$110.00
	Environmental Scientist I	\$95.00
	GIS Specialist	\$95.00
<u>Surveyors:</u>	Senior Land Surveyor III	\$125.00
	Senior Land Surveyor II	\$115.00
	Senior Land Surveyor I	\$105.00
<u>Technicians:</u>		
	Technician VI	\$130.00
	Technician V	\$115.00
	Technician IV	\$95.00
	Technician III	\$85.00
	Technician II	\$75.00
	Technician I	\$50.00
	CAD Designer VI	\$115.00
	CAD Designer V	\$105.00
	CAD Designer IV	\$90.00
	CAD Designer III	\$75.00



**STATTER HARBOR IMPROVEMENTS  
PHASE IIIA**

**BUDGET LEVEL ESTIMATE**

Prepared by: PND ENGINEERS, INC.

July 21, 2017

Item	Item Description	Units	Quantity	Unit Cost	Amount
1505.1	Mobilization	LS	All Req'd	\$298,850	\$298,850
1570.1	Erosion & Sediment Control	LS	All Req'd	\$50,000	\$50,000
2060.1	Demolition, Salvage & Disposal	LS	All Req'd	\$150,000	\$150,000
2202.1	Mining Area Restoration and Road Cleaning Guarantee	CS	All Req'd	\$5,000	\$5,000
2202.2	Unusable Excavation	CY	3,500	\$20	\$70,000
2202.3	Usable Excavation	CY	25,000	\$10	\$250,000
2202.4	Class A Shot Rock Borrow	CY	12,500	\$25	\$312,500
2204.3	Roadway Base Course	CY	250	\$60	\$15,000
2205.1	Class III Armor Rock	CY	3,000	\$50	\$150,000
2205.2	Salvage and Replace Existing Armor Rock	CY	1,000	\$25	\$25,000
2501.1	Storm Drain Modifications	LS	All Req'd	\$15,000	\$15,000
2601.3	Water Service Modifications	LS	All Req'd	\$5,000	\$5,000
2702.1	Construction Surveying	LS	All Req'd	\$100,000	\$100,000
2726.2	MSE Wall	SF	4,000	\$75	\$300,000
2729.1	Jersey Barrier with Fence	LF	180	\$200	\$36,000
2881.1	Dredging and Offshore Disposal	CY	22,000	\$40	\$880,000
2881.2	Rock Dredging and Disposal	CY	2,500	\$250	\$625,000
3303.3	Curb and Gutter Modifications	LS	All Req'd	\$15,000	\$15,000
<b>ESTIMATED CONSTRUCTION COST</b>					<b>\$3,287,350</b>
<b>CONTINGENCY (10%)</b>					<b>\$328,735</b>
<b>COMPENSATORY MITIGATION &amp; MARINE MAMMAL OBSERVATION</b>					<b>\$200,000</b>
<b>PERMIT APPLICATIONS, ENVIRONMENTAL STUDIES &amp; AGENCY COORDINATION</b>					<b>\$150,000</b>
<b>FINAL DESIGN, CONTRACT DOCUMENTS &amp; BID PHASE ASSISTANCE</b>					<b>\$230,115</b>
<b>CONTRACT ADMINISTRATION &amp; CONSTRUCTION INSPECTION</b>					<b>\$328,735</b>
<b>TOTAL RECOMMENDED PROJECT BUDGET</b>					<b>\$4,524,935</b>







REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.

P

N

D

ENGINEERS, INC.

9360 Glacier Highway Ste 100  
Juneau, Alaska 99801  
Phone: 907-586-2093  
Fax: 907-586-2099  
www.pndengineers.com

DESIGN: BMI    CHECKED: CRS  
DRAWN: PJD    APPROVED: CRS

SCALE: 0 60 120 FT.  
SCALE IN FEET

CITY & BOROUGH OF JUNEAU, ALASKA  
STATTER HARBOR IMPROVEMENTS PH III  
CBJ PROJECT - DH16-XXX

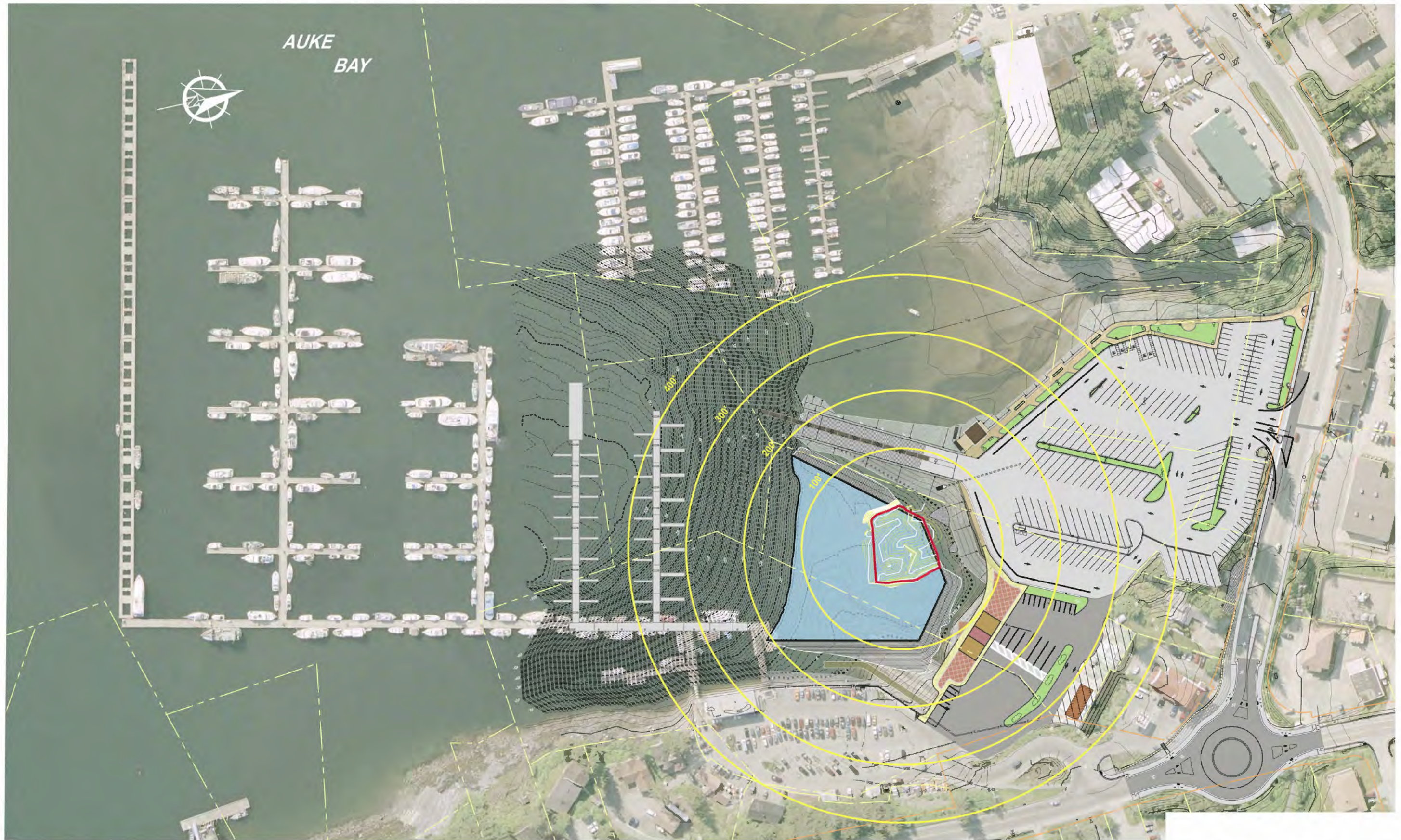
SHEET TITLE:  
SITE PLAN CONCEPT NO.7  
COMMERCIAL CHARTERS ONLY

DATE: MARCH 2017

PND PROJECT NO.: 152069

11  
SHEET  
11 OF X





REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.

**P | N | D**  
ENGINEERS, INC.

DESIGN: PJD    CHECKED: CRS  
DRAWN: PJD    APPROVED: CRS

SCALE: SCALE IN FEET

DATE: MAY 2017

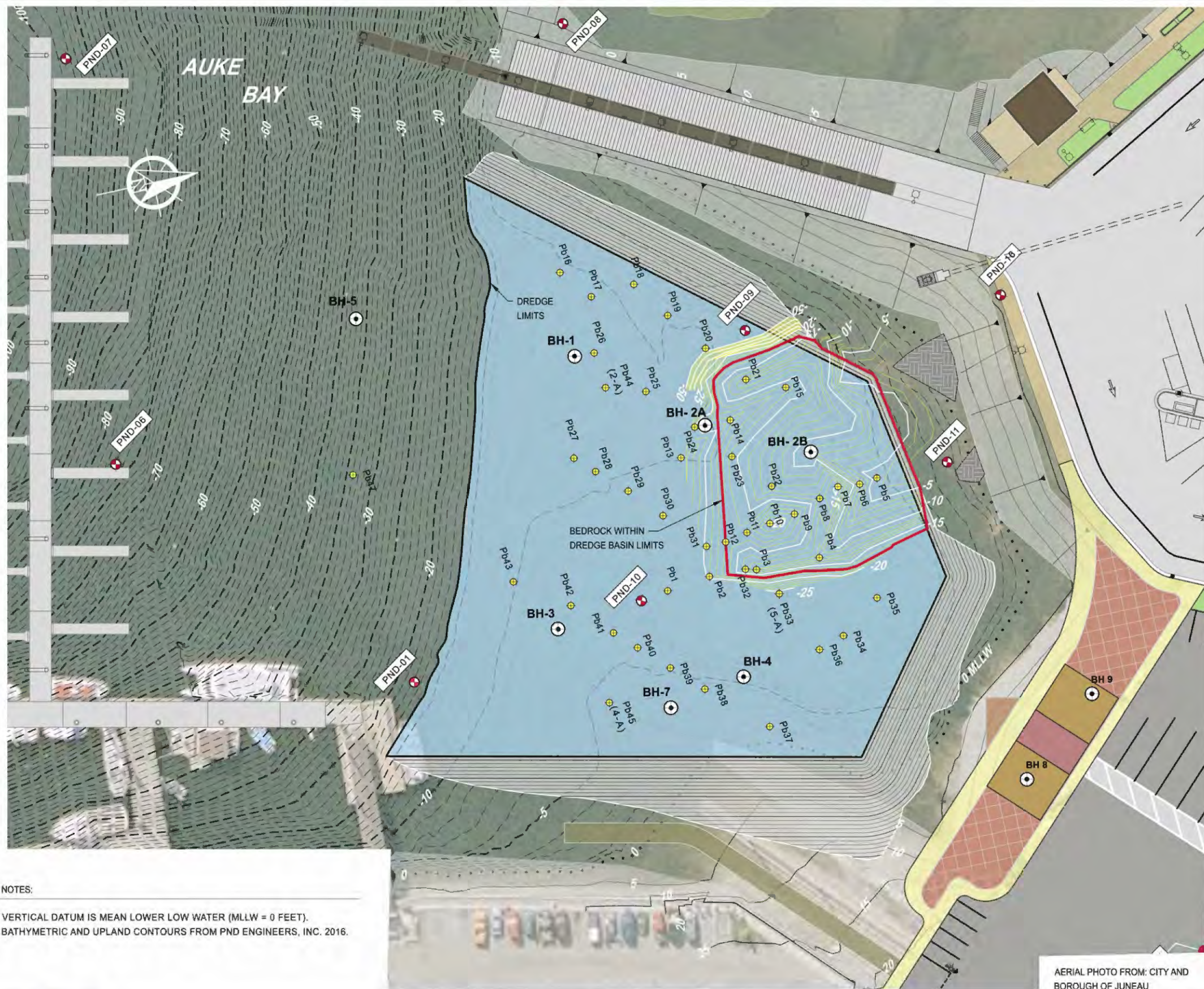
**CITY & BOROUGH OF JUNEAU, ALASKA**  
**STATTER HARBOR IMPROVEMENTS PH III**  
CBJ PROJECT - DH08-081

SHEET TITLE:  
**OVERALL SITE MAP**

PND PROJECT NO.: 152069.03

**1**  
SHEET  
1 OF 4





NOTES:

1. VERTICAL DATUM IS MEAN LOWER LOW WATER (MLLW = 0 FEET).

2. BATHYMETRIC AND UPLAND CONTOURS FROM PND ENGINEERS, INC. 2016.

**LEGEND**

**BH1** BOREHOLE LOCATIONS THIS INVESTIGATION

**Pb1** PROBE HOLE LOCATIONS THIS INVESTIGATION

SUBSURFACE PROFILE LOCATION

PROPOSED -16ft MLLW DREDGE LIMITS

REGION OF PROPOSED ROCK CUT

PREVIOUSLY DRILLED BOREHOLE LOCATIONS

PND, INC. - BOREHOLES DRILLED 2011 THROUGH 2014

**BOREHOLE SUMMARY TABLE**

BOREHOLE	MUDLINE ELEV. (FT. MLLW)	BEDROCK/ OR REFUSAL ELEV. (FT. MLLW)	TOTAL DRILL DEPTH BELOW GROUND SURFACE (FT.)
PND - 01	-14.8	-79.8	65.0
PND - 07	-100.0	-145.0	45.0
PND - 08	-3.4	NOT ENCOUNTERED	62.0
PND - 09	-10.0	-52.0	42.0
PND - 10	-8.0	-33.0	25.0
PND - 11	-4.0	-10.5	6.5
PND - 16	+3.0	-0.5	3.5
PND - 17	+12.0	-4.5	16.5



REVISIONS				
REV.	DATE	DESCRIPTION	DWN.	CKD.

**PND**  
ENGINEERS, INC.

9360 Glacier Highway Ste 100  
Juneau, Alaska 99801  
Phone: 907-586-2093  
Fax: 907-586-2099  
www.pndengineers.com

DESIGN: PJD    CHECKED: CRS

DRAWN: PJD    APPROVED: CRS

SCALE: SCALE IN FEET

0 30 60 FT.

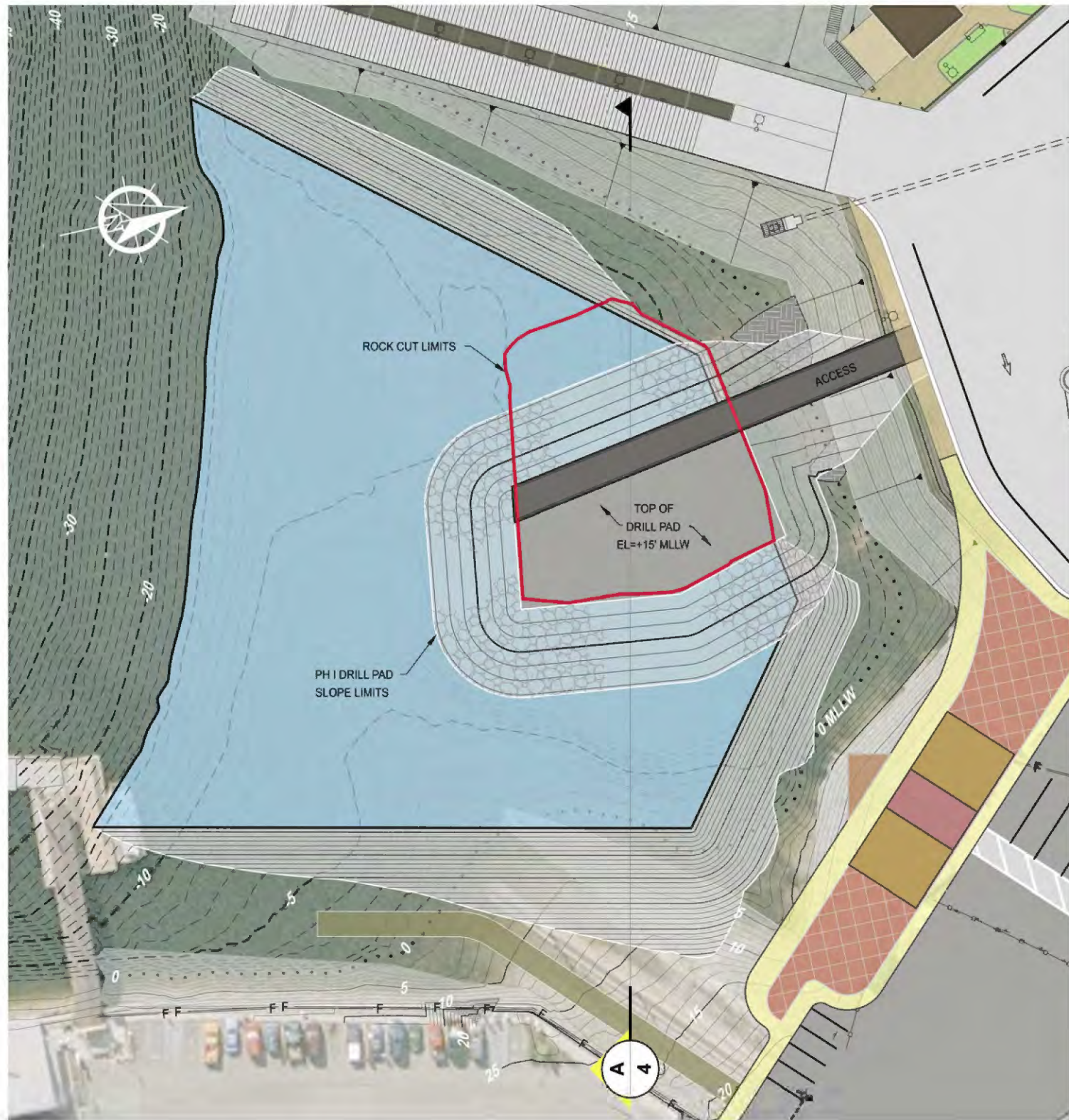
CITY & BOROUGH OF JUNEAU, ALASKA  
STATTER HARBOR IMPROVEMENTS PH III  
CBJ PROJECT - DH08-081

SHEET TITLE: DREDGE PLAN  
w/ BOREHOLE AND TEST PROBE  
LOCATIONS

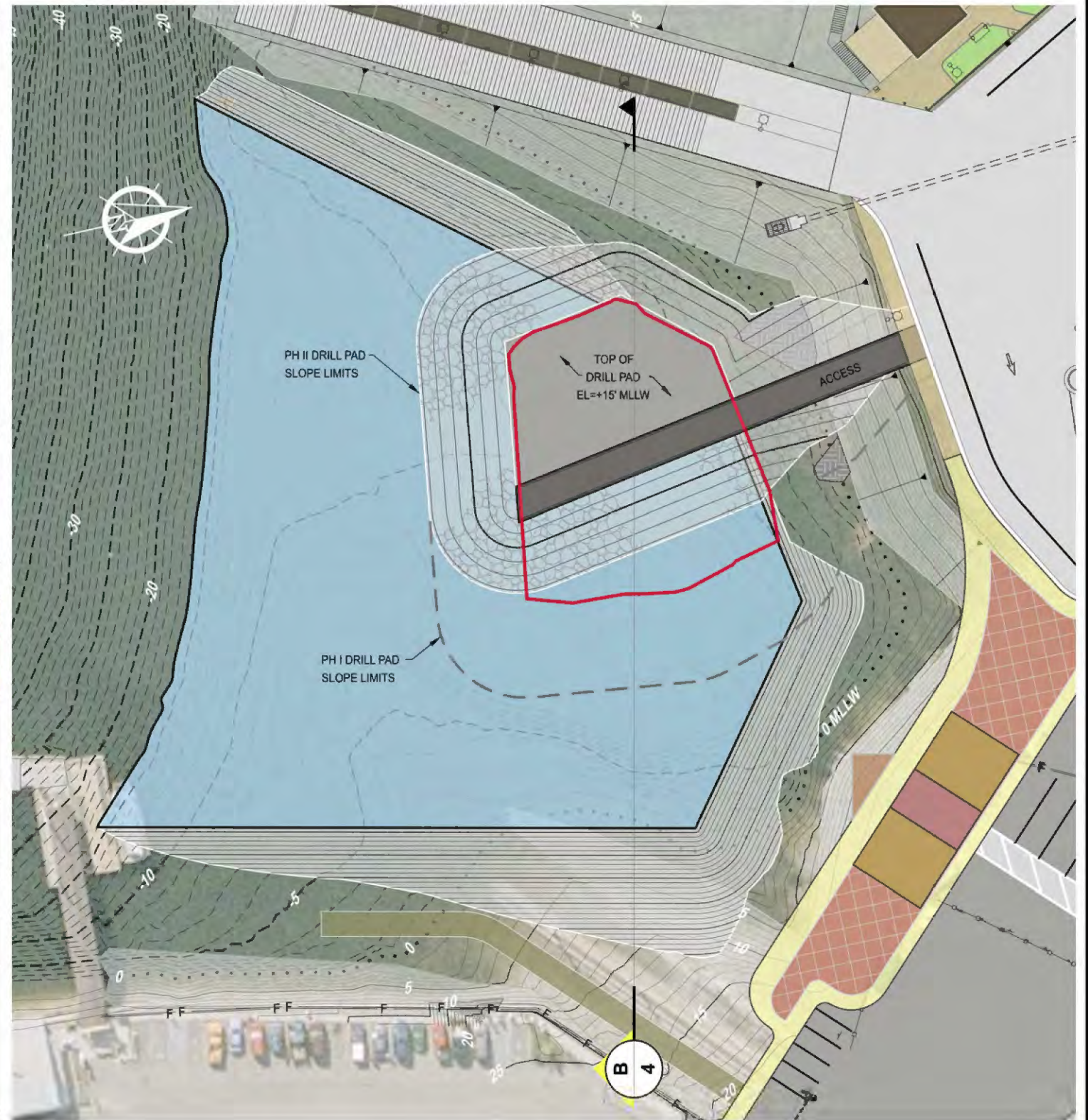
PND PROJECT NO.: 152069.03

DATE: MAY 2017





ROCK CUT SITE PLAN - PHASE I



ROCK CUT SITE PLAN - PHASE II



REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.



9360 Glacier Highway Ste 100  
Juneau, Alaska 99801  
Phone: 907-586-2093  
Fax: 907-586-2099  
www.pndengineers.com

DESIGN: PJD CHECKED: CRS  
DRAWN: PJD APPROVED: CRS

SCALE: SCALE IN FEET  
0 30 60 FT.

DATE: MAY 2017

CITY & BOROUGH OF JUNEAU, ALASKA  
STATTER HARBOR IMPROVEMENTS PH III  
CBJ PROJECT - DH08-081

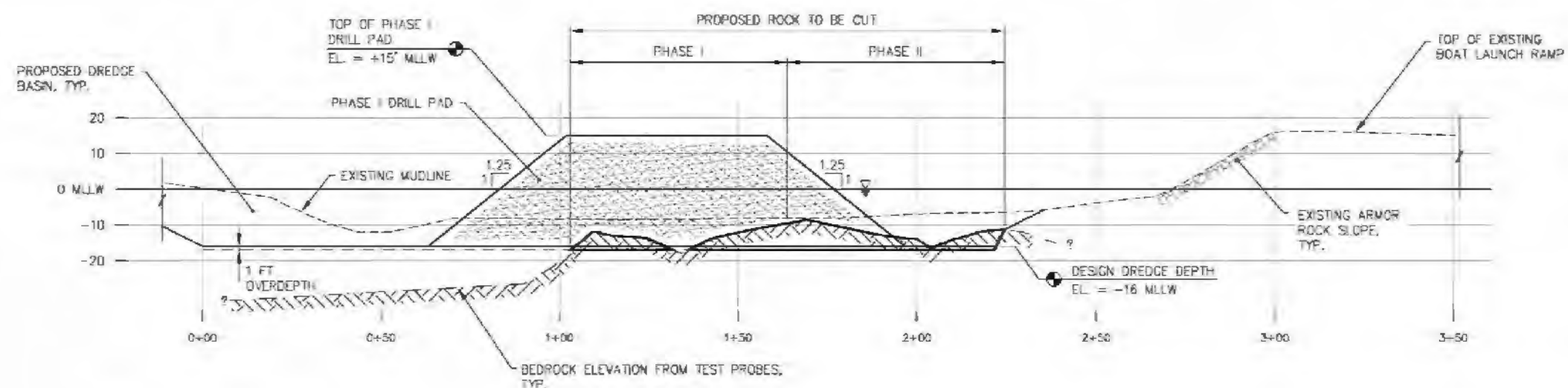
SHEET TITLE: ROCK CUT SITE PLAN:  
PHASE I AND PHASE II

PND PROJECT NO.: 152069.03

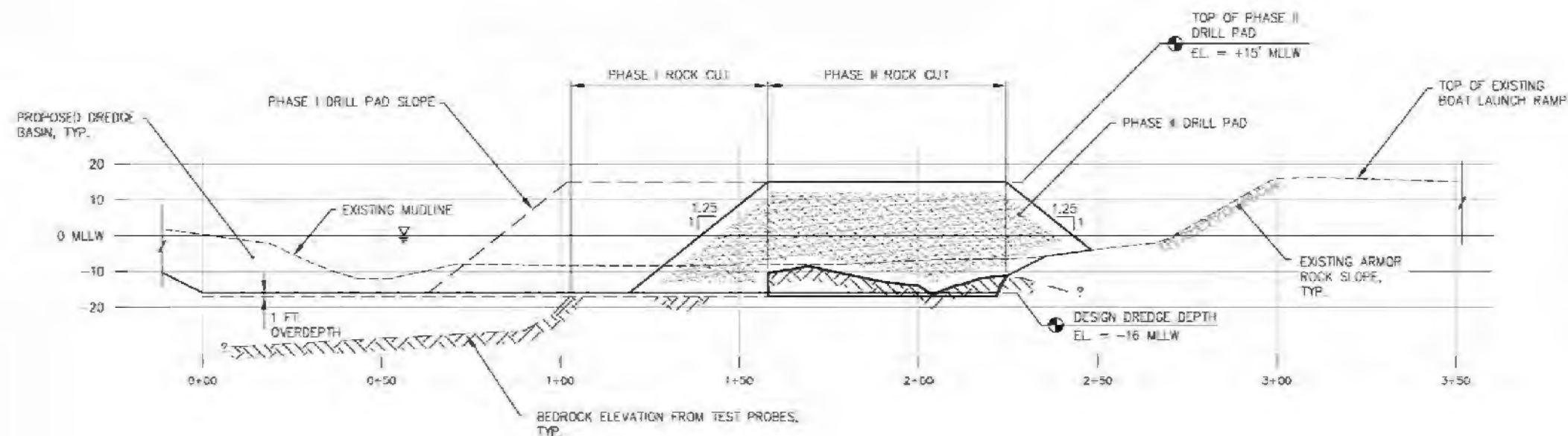
3

SHEET  
3 OF 4





**A**  
**2** PROFILE WITH PHASE I DRILL PAD - VIEW SOUTH



**B**  
**2** PROFILE WITH PHASE II DRILL PAD - VIEW SOUTH

**PRELIMINARY**



REVISIONS					
REV.	DATE	DESCRIPTION	DWN.	CKD.	APP.

**PND**  
ENGINEERS, INC.

9360 Glacier Highway Ste. 100  
Juneau, Alaska 99801  
Phone: 907-586-3093  
Fax: 907-586-2199  
www.pndengineers.com

DESIGN: PJD CHECKED: CRS  
DRAWN: PJD APPROVED: CRS

SCALE: SCALE IN FEET  
0 20 40 FT.

DATE: MAY 2017

**CITY & BOROUGH OF JUNEAU, ALASKA**  
**STATTER HARBOR IMPROVEMENTS PH III**  
**CBJ PROJECT - DH08-081**

SHEET TITLE:  
**SUBSURFACE PROFILES**

PND PROJECT NO.: 152069.03

**4**  
SHEET  
4 OF 4

**Draft Manager's Recommended Starting Point - 1% Sales Tax CIP Project Ideas FY 19-24**

PROJECT TITLE		FULL REQUEST	Funding Recommendation	Running Total	
1	Wastewater Existing Infrastructure Mtnc	18,000,000	13,500,000	13,500,000	96
2	Building Maintenance - CBJ Owned	5,000,000	3,500,000	17,000,000	79
3	Water Existing Infrastructure Mtnc	4,500,000	2,000,000	19,000,000	72
4	Airport FAA Project Match	3,000,000	3,000,000	22,000,000	69
5	P&R Augustus Brown Pool Deferred Mtnc	5,500,000	5,000,000	27,000,000	51
6	P&R Centennial Hall Upgrade/Deferred Mtnc	8,500,000	4,500,000	31,500,000	50
7	Building Maintenance - JSD Major Mtnc / Match	3,000,000	5,000,000	36,500,000	45
8	BRH - Rainforest Recovery Center Upgrades	2,500,000	2,500,000	39,000,000	41
9	Airport Snow Removal Equipment Building (SREB) Phase 1c	5,500,000	0	39,000,000	32
10	P&R Treadwell Ice Arena Roof	1,000,000	0	39,000,000	31
11	IT - Infrastructure Upgrades	2,000,000	2,000,000	41,000,000	25
12	Waste - RecycleWorks Waste Diversion Program	2,000,000	2,000,000	43,000,000	22
13	Housing - Affordable Housing Fund & Existing Grant, Loan, Support Programs	3,000,000	2,000,000	45,000,000	21
14	P&R Parks	2,085,000	500,000	45,500,000	16
15	Harbor - Aurora Harbor Rebuild Phase III	7,000,000	1,500,000	47,000,000	14
16	JACC - The New Juneau Arts & Culture Center	5,000,000	0	47,000,000	10
17	Parking - Downtown/Willoughby Area	8,000,000	0	47,000,000	6
18	Harbor - Douglas Harbor Parking and Landscape	2,500,000	0	47,000,000	4
19	Land Fund Capital	3,000,000	0	47,000,000	4
20	Airport Terminal Parking Improvements	3,000,000	0	47,000,000	3
21	Housing - New: Loan, Grant & Redevelopment Programs	1,100,000	0	47,000,000	3
22	Equipment/Fleet Replacement Fund Capital - Emergency Vehicles	3,000,000	0	47,000,000	2
23	P&R Mt Jumbo Gym Deferred Mtnc	1,000,000	0	47,000,000	1
24	P&R Trails	2,525,000	0	47,000,000	1
25	Childcare & Development - Best Starts	14,000,000	0	47,000,000	
26	Waterfront Development Local Contribution/Match	5,000,000	0	47,000,000	
Total Request \$		120,710,000	47,000,000		

## **ACQUISITION AGREEMENT FOR AUKE BAY MARINE STATION**

This acquisition agreement is made by and between the **University of Alaska**, a body corporate under the Alaska Constitution whose address is 1815 Bragaw Street, Suite 101, Anchorage, Alaska 99508-3438 (“UA”), and the **City and Borough of Juneau, Alaska**, a municipal corporation whose address is 155 S. Seward St., Juneau, Alaska, 99801 (“CBJ”). The UA and CBJ are collectively referred to herein as the “Parties.”

### **List of Attached Exhibits**

- Exhibit 1: Estimate of subdivision costs
- Exhibit 2: UA application to US DOE.
- Exhibit 3: CBJ application to MARAD.
- Exhibit 4: Drawing with notes.
- Exhibit 5: Parcel for UA to receive.
- Exhibit 6: Parcel for CBJ to receive.

### **A. RECITALS**

1. The United States of America owns the following real property, collectively known as the Auke Bay Marine Station (“ABMS”):

#### **ABMS1**

Legal Description: Fraction of USS 1500 consisting of approximately 154,123 sq. ft. (3.54 acres) in the Juneau Recording District, First Judicial District, State of Alaska.  
Tax ID: 4B2301050040  
Parcel Address: 11305 Glacier Highway, Juneau, AK, 99801

#### **ABMS2**

Legal Description: Fraction of USS 1504 consisting of approximately 18,278 sq. ft. (0.42 acres) in the Juneau Recording District, First Judicial District, State of Alaska.  
Tax ID: 4B2301050050  
Address: 11309 Glacier Highway, Juneau, AK, 99801

2. The United States General Services Administration (“GSA”) on March 31, 2016, identified the ABMS as surplus and gave public agencies an opportunity to submit applications for acquisition (GSA Control No. 9-C-AK-0855).
3. The UA submitted an application through the U.S. Department of Education to acquire the ABMS. Exhibit 2. DOE informed UA in writing on September 27, 2016, that it had contingently approved the application for research and classroom uses and that UA would be granted a Public Benefit Allowance of 100 percent. The UA desires the property so it can develop robust research and educational programs in the natural sciences such as marine biology, biology, environmental science and geography, through control of the Main Building and access to waterfront facilities, including the dock.

4. The CBJ, through its Docks and Harbors Department (“DH”), also submitted an application to acquire the ABMS. Exhibit 3. MARAD informed DH in writing on November 7, 2016, that it had approved the application for a port facility public benefit allowance and that it requested GSA authorize the conveyance to the CBJ. The DH desires the property so it can further develop its master plan for Statter Harbor, which envisions a new public dock facility for scientific, government, commercial, and recreational users, which includes uplands support facilities.
5. The CBJ Manager has authority to acquire property on behalf of the CBJ pursuant to CBJ 53.04. The DH has authority to lease property pursuant to CBJ Title 85 upon approval by the Assembly by ordinance. CBJ Title 53.
6. The UA has authority to enter into this agreement pursuant to Alaska Statutes 14.40.170, 14.40.250, and AS 14.40.291, and Board of Regents’ Policy 05.11.050, and pursuant to UA Board of Regents action on June 3, 2016, authorizing the UA President to proceed with applying for acquisition of the ABMS;
7. The Parties have met and decided that instead of competing for the ABMS, the public interest is best served if the Parties agree on a partition of ABMS into two parcels to be conveyed individually to the two parties.
8. The Parties have communicated their intent to arrive at a partition agreement to the General Services Administration, which has confirmed that both the DOE and MARAD are amenable to a partitioning of the property. The GSA has indicated that the federal agencies just need recordable legal descriptions, both to complete GSA’s assignment of the applicable partitioned portion of the property to the sponsoring agency and for the sponsoring agencies to complete their drafting of the Quitclaim Deeds for each applicant. The applications with the sponsoring agencies may need to be amended to include the partitioned portion of the property to which the applicant will be receiving title; however, the amended application will not affect the agency’s prior determinations.

THEREFORE, to settle the otherwise competing applications for ABMS, the following is mutually agreed to by the Parties:

## **B. AGREEMENT**

9. **Condition Precedent.** The Parties explicitly make this agreement on the condition precedent that the United States of America is ready, willing, and able to convey ABMS to the Parties as described herein. In the event that this agreement results in either party failing to qualify for the public benefit allowance authorizing conveyance of the ABMS parcel to that party without consideration for the acquisition, this agreement will be voidable at the behest of the party losing the advantage of that public benefit allowance.
10. **Amendment of Applications.** The Parties will submit this agreement as an amendment to their respective acquisition applications to jointly request conveyance of a separate parcel of the ABMS to each Party with the terms and conditions described in this agreement. Except for the amendments explicitly or implicitly made by this agreement, the provisions in the Parties’ original applications remain unaffected. Each party agrees to act in good faith and support the other’s application. *See Exhibits 2 & 3.*

11. **Acquisition Price.** The Parties will not pay money to the United States of America to acquire ABMS, although the Parties will be required to comply with the terms of the conveyances.
12. **Separate parcels.** The Parties agree that the UA is to obtain the southern/eastern portion of ABMS and the CBJ is to obtain the northern/western portion of ABMS. The legal descriptions and depictions for each parcel are in Exhibits 5 and 6.
13. **Subdivision of ABMS:**
  - a. **Timing of federal conveyance and CBJ platting authority approval.** The Parties agree to receive quitclaim deeds from the United States with metes and bounds property descriptions, and then finalize approval of the subdivision by the local platting authority, which is the CBJ Community Development Department Director. If the subdivision approval requires any minor property line adjustments, the Parties will negotiate any such adjustment issues in good faith, including whether quitclaim deeds between themselves may be necessary to effectuate those adjustments. The Parties agree that any property line adjustments required by the platting authority will not invalidate the conveyances from the United States.
  - b. **CBJ Platting Authority Approval.** The CBJ will take primary responsibility, with the assistance of UA, for obtaining the subdivision approval from the CBJ Community Development Department Director. The parties acknowledge that the CBJ enters into this agreement in its proprietary capacity and not in its regulatory capacity.
  - c. **Additional Documents:** The Parties agree to act in good faith and present any necessary supplemental documents to effectuate the subdivision.
  - d. **Common property line:** The Parties intend to divide ABMS along the common property line in Exhibits 5 and 6. The line is intended to include the Main Building in the UA portion, while including the Fish House, Seawater Filter Building, Specimen Storage Building, and Butler Building in the CBJ portion. The existing dock and pier are to be included in the CBJ portion, subject to those rights of access in UA as specified below.
    - i. **CBJ Temporary Parking License Area.** The UA agrees to provide the CBJ with reasonable and temporary vehicle access for parking purposes in the area between 20 and 40 feet north of the existing “Main Building” (the “CBJ temporary parking license area”) as depicted in Exhibit 4. This license will extend until the earlier of (i) a mutual written agreement by the Parties to terminate the license or (ii) the expiration of six months following a written notice from UA to CBJ that the license needs be terminated due to UA undertaking development of that area for construction of an additional to the “Main Building” or other construction or development incompatible with such license. The CBJ is prohibited from erecting any permanent structures, from excavating, or from making



significant modifications to the CBJ temporary parking license area without the written permission of UA.

- e. **UA Access to the Main Building.** The CBJ agrees to provide the UA with reasonable and temporary vehicle access from Glacier Highway to both the East and West Faces of the Main Building until the earlier of (i) December 31, 2019, or (ii) completion of a permanent access road which UA intends to build across its share of the subdivided property. Reasonable vehicle access is defined as the width and condition of the driveway that exists as of the date of this agreement. The Parties agree that the CBJ may relocate the existing vehicle access and temporarily prohibit vehicle access during emergencies, construction activities, and similar circumstances. The CBJ shall, to the extent practicable, provide UA 30 days' notice of any anticipated vehicle access restrictions.
- f. **Erroneous upland easement.** Some documents have mentioned a 50-foot easement for access from Glacier Highway to Alaska Tidelands Survey (ATS) 1691 across both parcels and crossing over the common property line. That erroneous upland easement depiction appears to be associated with the current CBJ application to the Department of Natural Resources (DNR) for conveyance of ATS 1691 to the CBJ, which has not been finalized. The Parties agree that AS 38.05.127 (and 11 AAC 51.045) does not provide authority for such easement on uplands not being conveyed by the State. The Parties anticipate that subsequent discussions between CBJ and DNR will result in the removal of mention of that easement depiction from ATS 1691. If that upland easement is found to legally exist, the Parties agree to cooperate in pursuing the vacating of this easement, either as part of the subdivision process or separately.
- g. **Utilities:**
  - i. **Grant of utility easement.** The Parties agree to identify the current location, to the extent known, of the existing utilities on the plat and grant the other party necessary utility easements for the existing utilities as of the date of this agreement. The location of the relevant easements is believed to be as depicted on Exhibit 4. The intent of the parties is that these utility easement provisions apply even if the actual location of the utility lines should differ from Exhibit 4.
  - ii. **Utility meters.** The Parties agree to install and share the installation costs of any and all necessary meters to separate the utilities as the result of the subdivision. This is to include the existing water service for which the Parties intend to install meters while awaiting installation of a new separate water line to the property intended for the UA. The Parties acknowledge that a joint use water agreement or a financial guarantee (CBJ 49.55.010) may be required to complete the subdivision.
  - iii. **Relocation, replacement, and installation utilities.** UA will make arrangements for and bear the costs for installation of the separate water supply line to the Main Building. Upon completion of this separate water

line, the easement for the water line crossing over the CBJ parcel will be deemed abandoned. If another utility line (sewer, electrical, communications) needs to be replaced or if the dominant estate decides to upgrade or install a new utility, the dominant estate property owner shall locate any such utility on its own property at the dominant estate owner's sole cost and abandon the utility easement(s), or portion thereof, created by this subdivision. The Parties agree that the servient estate property owner can relocate any utility on the servient estate at the servient estate owner's sole cost without consent of the dominant estate owner; the dominant estate owner can also agree to have the utility relocated onto the "dominant" estate and if that occurs then the utility easement, or portion thereof, created by this subdivision is deemed abandoned.

- h. **Seawater infrastructure:** The parties believe that there are seawater lines running from the dock area to the Seawater Filtration Building, and from the Seawater Filtration Building to the Main Building. The condition of these lines is unknown, and the parties do not yet know whether either may wish to utilize that infrastructure, either independently or in a joint undertaking. The Parties therefore agree (1) neither party will demolish or further degrade the seawater lines or any associated seawater storage facility on that party's share of the partitioned property before December 31, 2022, without the written consent of the other party; and (2) the parties will consult with each other in good faith regarding any proposals to utilize the seawater infrastructure. After December 31, 2022, the Parties may agree in writing to continue the cooperative use of the seawater infrastructure or the servient property owner may demolish the seawater infrastructure only on that servient property owner's property.

- i. **Subdivision Costs:**

- i. **Shared costs.** The Parties agree to equally divide the following costs: (a) surveying and platting ABMS such that it can be subdivided; (b) platting authority and recording fees; (c) costs to modify access to each newly created parcel as described in the March 10, 2017, upper and lower vehicle access as depicted in Exhibit 1; (d) costs to install separate metering for the utilities; and (e) demolition of the "Genetics Lab" building and the "Supercold Freezer Building," both of which straddle the common property line. The Parties envision each party will be obligated to pay approximately \$220,000 plus demolition costs in shared subdivision costs. Each party will track its own expenditures, provide a final accounting of its expenditures under this paragraph, and provide documentation at the request of the other party. Unless otherwise agreed to by the parties, the parties will exchange their final accountings no later than December 31, 2019, and the party with the resulting obligation will pay that no later than March 31, 2020.
  - ii. **Individual costs.** Except for the shared costs identified above, the Parties are individually responsible for all other costs, including but not limited to staff (and attorneys) and relocation of utilities, as identified in Exhibit 1.

The Parties agree that the CBJ is not responsible for demolition of the “ATCO” building, and the UA is not responsible for demolition of the “Hip Roof” Building.

- iii. **Procurement.** To the extent a third party is required to complete a cost shared by the Parties, the Parties agree to designate either UA or the CBJ as the contracting party.

- j. **Subdivision Contacts:** The Parties designate the following people to be the point of contact for any subdivision purposes:

CBJ	City and Borough of Juneau Attn: Gary Gillette, Docks and Harbors 155 S. Seward St. Juneau, AK 99801 Email: gary.gillette@juneau.org Phone: (907) 586-0398
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UA	University of Alaska Southeast Attn: Nathan Leigh, Facilities Services 11066 Auke Lake Way Juneau AK 99801 Email: nleigh1@alaska.edu Phone: (907) 796-6487
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#### 14. **Moorage and Access to dock.**

- a. **Purpose.** The parties recognize that access to moorage is an integral component of UA’s planned use of its share of the ABMS property for both its existing and planned programs for teaching and research of marine-related subjects. This is directly related to the UA parcel’s proximity to the marine environment and docking facilities. UA’s agreement that CBJ is to get ownership of the dock and its adjacent uplands is explicitly premised on CBJ’s agreement to allow UA access to current and future docking facilities.
- b. **Existing Dock.** The CBJ agrees to provide UA access to and the exclusive use of 60 linear feet of moorage on the existing dock, consisting of the northernmost 30 feet on the west side and northernmost 30 feet on the east side of the existing dock. UA’s use of this moorage will be subject to the customary fees and terms of CBJ Title 85 and 05 CBJAC.
- c. **Exclusivity.** UA will have the prerogative to secure its moorage, at its own expense, subject to DH approval if any fixture is attached to the dock, which approval will not be unreasonably withheld. Nothing herein will preclude CBJ from utilizing, and/or renting to third parties, the remaining moorage space on the existing dock.
- d. **Rate.** The lease rate for the dock shall be the rate established for moorage at Statter Harbor, which is currently defined at \$7.15 per foot per month or \$5,148

per year. 05 CBJAC 20.035. If UA prepays the moorage, then it can avail itself of the discounts offered by 05 CBJAC 20.042, which could make the first year's annual payment \$4,634.

- e. **Term.** The CBJ agrees to provide UA this moorage and access to the existing dock for the life of the existing dock, so long as (a) UA timely pays moorage; (b) UA complies with the standard moorage terms and conditions; and (c) the dock is safe or repairs are feasible, as determined by the CBJ. The Parties also acknowledge that UA's moorage on the existing dock will terminate upon 30 days' notice if the CBJ Assembly appropriates funds to demolish or replace the existing dock; at which time the CBJ will act in good faith to accommodate UA vessels in its other facilities for the usual and customary fee. The CBJ shall, to the extent practicable, provide UA 30 days' notice of any decision to terminate the lease for safety reasons or for facility improvements.
- f. **Future Harbor Development.** If CBJ does construct a new dock on the ABMS property, CBJ will allow UA comparable moorage at and access to that new dock. UA will pay the then-applicable moorage fees and will comply with the standard moorage terms and conditions. UA will be given the option to separately secure its moorage area at its own expense, subject to DH approval, which approval will not be unreasonably withheld. As planning for the new dock facility gets underway, the CBJ envisions UA as a prospective tenant in the CBJ's anticipated harbor development and recognizes the UA as a major economic driver in Auke Bay. In recognition that UA's utilization of its portion of the ABMS lands for its educational and research purposes is inextricably linked to the parcel's proximity to the marine environment and suitable docking facilities, the CBJ will solicit UA input on the design of the harbor expansion and make good faith efforts to accommodate UA in a new development when the access and moorage on the existing dock terminates.

**EXECUTION.** The parties agree and sign below. The parties represent that the person signing below has the authority to do so and that it is a valid and binding contract enforceable in accordance with its terms.

**CITY & BOROUGH OF JUNEAU**

Date: \_\_\_\_\_

By: \_\_\_\_\_

Duncan Rorie Watt  
CBJ Manager

Content Approved by: \_\_\_\_\_, Docks and Harbors Department

Form Approved by: \_\_\_\_\_, CBJ Law Department

**CITY AND BOROUGH OF JUNEAU ACKNOWLEDGEMENT**

STATE OF ALASKA)

First Judicial District ) ss

This is to certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared DUNCAN RORIE WATT, to me known to be the Manager of the City and Borough of Juneau, Alaska a municipal corporation, who on oath stated that he was duly authorized to execute said instrument on behalf of said corporation, who acknowledged to me that he signed the same freely and voluntarily on behalf of said corporation for the uses and purposes therein mentioned.

WITNESS my hand and official seal on the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_

**UNIVERSITY OF ALASKA**

Date: \_\_\_\_\_

By: \_\_\_\_\_

James R. Johnsen

President

Content Approved by: \_\_\_\_\_, University of Alaska Southeast

Form Approved by: \_\_\_\_\_, UA General Counsel's Office

**UNIVERSITY OF ALASKA ACKNOWLEDGEMENT**

STATE OF ALASKA)

Fourth Judicial District ) ss

This is to certify that on the \_\_\_\_\_ day of \_\_\_\_\_, 2017, before the undersigned, a Notary Public in and for the State of Alaska, duly commissioned and sworn, personally appeared James R. Johnsen, to me known to be the President of the University of Alaska, who on oath stated that he was duly authorized to execute said instrument on behalf of said corporation, who acknowledged to me that he signed the same freely and voluntarily on behalf of said corporation for the uses and purposes therein mentioned.

WITNESS my hand and official seal on the day and year in this certificate first above written.

\_\_\_\_\_  
Notary Public in and for the State of Alaska  
My Commission Expires: \_\_\_\_\_



NOTES:

- 1) THE ERROR OF CLOSURE OF THIS SURVEY DOES NOT EXCEED 1:10,000.
- 2) ALL DISTANCES ARE MEASURED IN U.S. SURVEY FEET.
- 3) RECORD INFORMATION DERIVED FROM OFFICIAL PLAT OF U.S. SURVEY 1500, APPROVED THE OFFICE OF US GENERAL SURVEYOR 6 FEBRUARY 1925; US SURVEY 1504, APPROVED THE OFFICE OF US GENERAL SURVEYOR; WILLIAM SPERLING ET AL. CIVIL NO 7826-A, 11/18/1958; PLAT No. 665 RECORDED 23 MAY 1972; MEMORANDUM OF AGREEMENT RECORDED IN BOOK 36 PAGES 377-379 RECORDED 5 JUNE 1972; WARRANTY DEED BOOK 1411 PAGE 502 RECORDED 12 MAY 1978; QUIT CLAIM DEED RECORDED IN BOOK 151 PAGE 353; EASEMENT FOR RIGHT OF WAY BOOK 200 PAGES 894-897 RECORDED 10 SEPT 1982; WARRANTY DEED 2010-004143-0; PLAT No. 82-29 ATS 1251 RECORDED 16 JUNE 1982; RECORDED 20 DECEMBER 1982; PLAT 81-3 ATS 1126 RECORDED 26 JANUARY 1981; PLAT 2003-26 RECORD OF SURVEY RECORDED 16 SEPTEMBER 2016; ON FILE IN THE JUNEAU RECORDERS OFFICE. UNRECORDED BOUNDARY SURVEY PERFORMED BY R&M ENGINEERS, INC OF JUNEAU JANUARY 2000 AND OF FILE WITH THE UNIVERSITY OF ALASKA.
- 4) WHERE DIFFERENT FROM MEASURED OR CALCULATED DISTANCE ARE SHOWN IN PARENTHESES.
- 5) DOMESTIC WATER PROVIDED BY THE CITY AND BOROUGH OF JUNEAU PUBLIC UTILITIES. ON SITE WASTEWATER DISPOSAL SUBJECT TO ALASKA DEC APPROVAL.
- 6) SUBJECT TO EASEMENTS AND RESTRICTIONS OF RECORD.
- 7) THE ON LOT STORMWATER RUNOFF DRAINAGE IS ACCEPTABLE AS EXISTS BETWEEN THE PLATTED LOTS OF THIS SUBDIVISION AND MAY NOT BE MODIFIED UNLESS PERMITTED BY CBJ ENGINEERING PURSUANT TO CHAPTER 19.12.120.1 BEST MANAGEMENT PRACTICES.

BASIS OF BEARING:1504

THE BASIS OF BEARING FOR THIS PLAT IS THE RECORD BEARING OF N 07°15'28" W BETWEEN FOUND NATIONAL MARINE FISHERIES SERVICE MONUMENTS AS DESCRIBED IN RECORD OF SURVEY 2003-26.

LEGEND:

- ⊕ PRIMARY MONUMENT RECOVERED SEE TABLE SHEET 2
- SECONDARY MONUMENT DESCRIPTIONS SEE TABLE SHEET 2
- SECONDARY MONUMENT SET THIS SURVEY
- PROPERTY LINES MEASURED THIS SURVEY
- PROPERTY LINES
- - - PROPERTY LINE VACATED THIS SURVEY
- - - EASEMENT BOUNDARY LINE
- (SOUTH)R1 RECORD INFORMATION FROM US SURVEY 1500
- (S 00°06'33"W)R2 RECORD INFORMATION FROM PLAT No. 2003-026
- (S 66°50'45" W) R3 RECORD INFORMATION FROM R&M BOUNDARY RETRACEMENT



TYPICAL SET MONUMENT DETAIL  
N.T.S.  
No. 5 x 36" REBAR WITH 2.5" ALUMINUM CAP

CERTIFICATE OF PLAT APPROVAL:

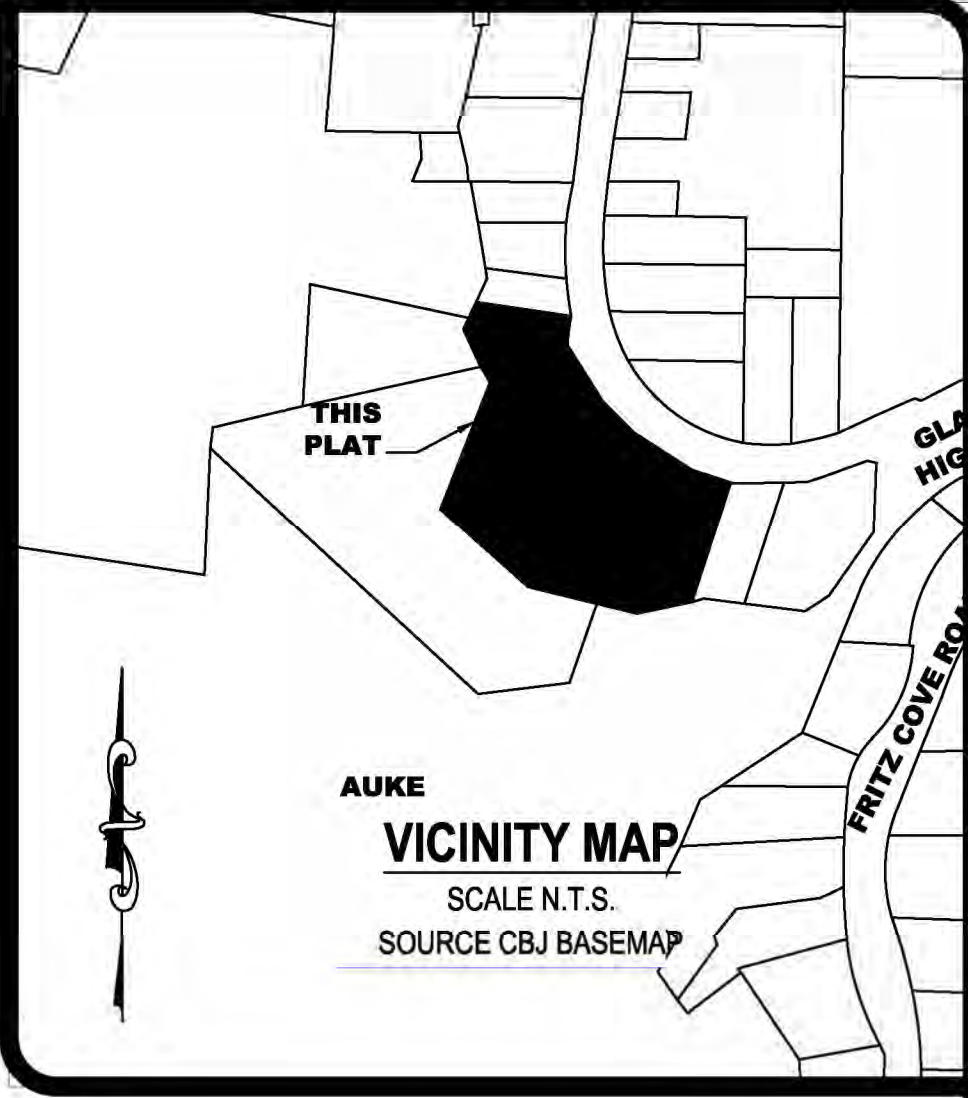
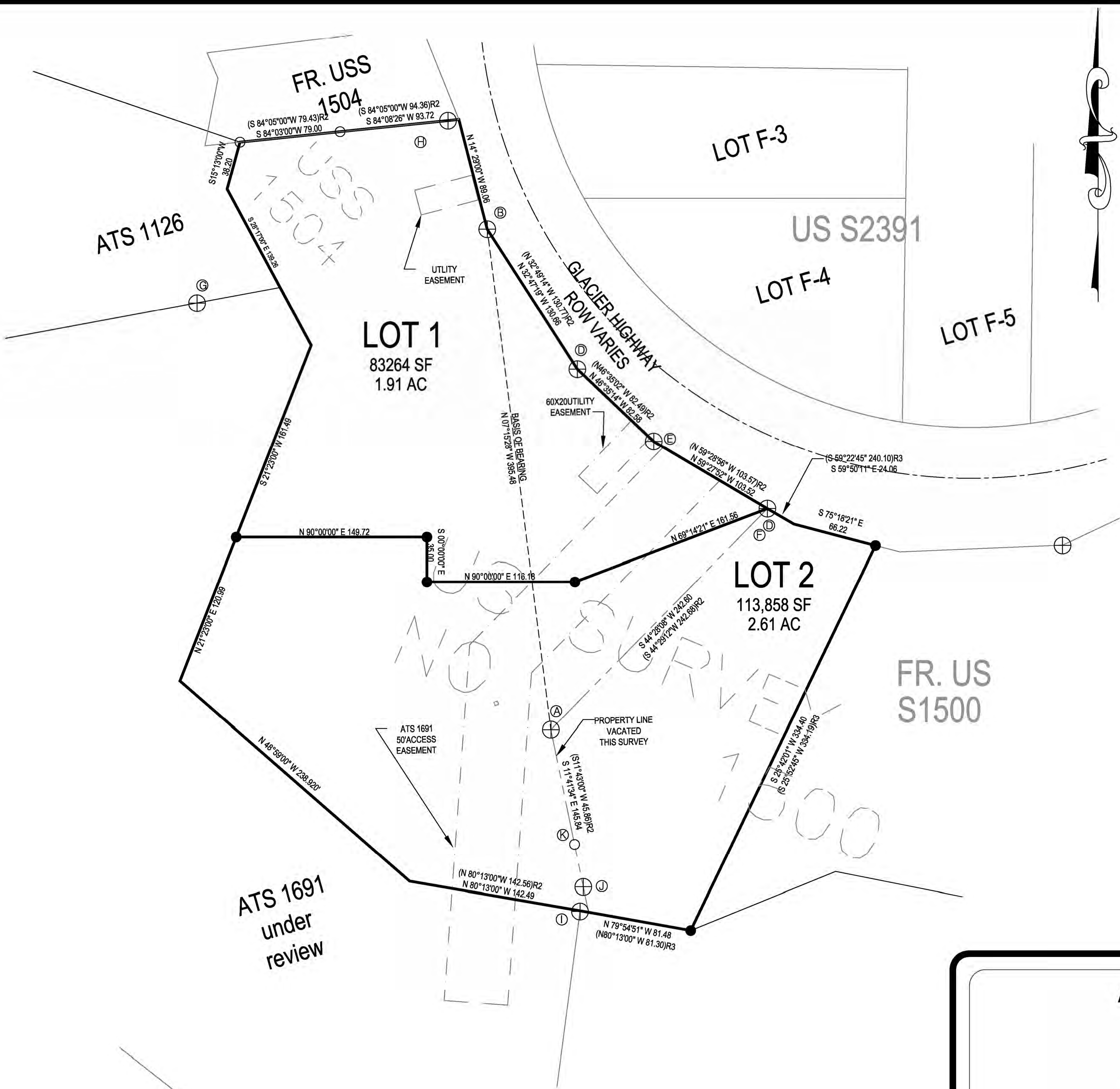
I HEREBY CERTIFY THAT THE PLAT SHOWN HEREON HAS BEEN FOUND TO COMPLY WITH TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU AND IS APPROVED BY THE CITY AND BOROUGH OF JUNEAU, DEPARTMENT OF COMMUNITY DEVELOPMENT, FOR RECORDING IN THE OFFICE OF THE JUNEAU RECORDING DISTRICT, JUNEAU , ALASKA.

DATED \_\_\_\_\_, 2017

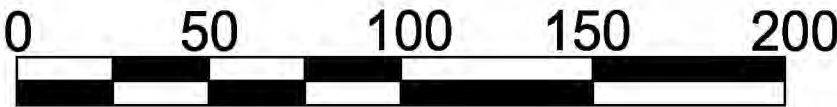
ROB STEEDLE, DIRECTOR, CITY AND BOROUGH OF JUNEAU,  
DEPARTMENT OF COMMUNITY DEVELOPMENT

ATTEST:

CLERK, CITY AND BOROUGH OF JUNEAU



1"=50'



PLAT OF  
**A.B.M.S. SUBDIVISION**  
A SUBDIVISION OF  
**THE NOAA TRACT & LOT 003**  
WITHIN  
**USS 1500 & USS 1504**  
CITY & BOROUGH OF JUNEAU, ALASKA  
JUNEAU RECORDING DISTRICT

STATE RECORDERS OFFICE AT JUNEAU

**CHILKAT SURVEYING & MAPPING, LLC**  
10654 PORTER LANE JUNEAU, ALASKA 99801  
907-957-1908

**OWNER**  
US DEPARTMENT OF COMMERCE,  
NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION  
NATIONAL MARINE FISHERIES SERVICE,  
AUKE BAY LABORATORY,  
C/O GENERAL SERVICES ADMINISTRATION,  
AUBURN FIELD OFFICE (9P2PPZF),  
400 15TH STR. SW, ROOM 1161, AUBURN, WAS 98001

**OWNER**  
UNIVERSITY OF ALASKA  
11120 GLACIER HIGHWAY  
JUNEAU, AK 99801

SCALE:  
1" = 50'

DATE:  
APRIL 2017

SHEET NO.  
1 OF 2

SURVEYOR'S CERTIFICATE

I, JOSHUA FRANTZ IVANISZEK, IN MY CAPACITY AS A PROFESSIONAL LAND SURVEYOR REGISTERED IN THE STATE OF ALASKA, CERTIFY THAT THIS PLAT REPRESENTS THE SURVEY MADE BY ME OR UNDER MY DIRECT SUPERVISION, THAT THE ACCURACY OF THE SURVEY IS WITHIN THE LIMITS REQUIRED BY TITLE 49 OF THE CODE OF THE CITY AND BOROUGH OF JUNEAU, THAT ALL DIMENSIONAL AND RELATIVE BEARINGS ARE CORRECT, AND THAT MONUMENTS ARE SET IN PLACE AND NOTED UPON THIS PLAT AS PRESENTED.

DATED: \_\_\_\_\_, 2017







# Port of Juneau

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

**From:** Port Director  
**To:** Docks & Harbor Board  
**Date:** July 21<sup>st</sup>, 2017  
**Re:** BOAT SHELTER – FOR SALE

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1. In accordance with 05 CBJAC 40.020, Mr. Allen Shattuck has provided his notice of their intentions to sell Boat Shelter (AE-022) in Aurora Harbor. Docks & Harbors has the first right of refusal to purchase this structure at fair market value.
2. The applicable “Boat shelter sales” regulation states:

*05 CBJAC 40.020(f) - Boat shelter sales. Reserved moorage status within a boat shelter may transfer between the seller and buyer of a boat shelter. In order to transfer the reserved moorage status within a boat shelter, the owner of a boat shelter shall inform the Port Director of the owner's desire to sell a shelter before offering the shelter for sale to the general public. The Docks and Harbors Board has the first right of refusal to purchase the shelter at fair market value. If the Board does not exercise its first right of refusal within 30 days after notice, the owner may offer the shelter for sale to the general public. If the owner sells the shelter without informing the Port Director and allowing the Docks and Harbors Board its first right of refusal, the reserved moorage within the shelter will not transfer to the buyer. This subsection does not allow an inappropriately sized vessel to be assigned reserved moorage space within a boat shelter.*

3. Per the guidance provided by the Docks & Harbors Board, I have informed Mr. Shattuck that we are waiving Docks & Harbors’ right of first refusal and that he is free to sell Boat Shelter AE-022 on the open market.

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Copy: Allen Shattuck