

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, March 30, 2006

I. Call to Order.

Chairman Simpson called the Regular Board Meeting to order at 7:00 p.m. in the CBJ Assembly Chambers.

II. Roll Call.

The following members were present: Mr. Etheridge, Mr. Fisk, Ms. Jebe, Mr. Knapp, Mr. Kueffner, Mr. Preston and Mr. Simpson.

The following members were absent: Mr. Dore, and Mr. White.

Also present were the following: Mr. Stone--Port Director, and Mr. Krieber—Port Engineer.

Mr. Dybdahl – CBJ Assembly Liaison was absent.

III. Approval of Agenda.

Mr. Preston requested under VI. Items for Action, to move Item D. Tee Harbor Land Purchase Consideration, to Item A and move the rest of the items down one place.

Mr. Stone requested under VI. Items for Action, to add an Item #I, called Sea Walk Change Order.

MOTION by Mr. Fisk: ASK UNANIMOUS CONSENT TO ADOPT THE AGENDA AS AMENDED.

The motion passed without objection.

IV. Public Participation on Non-Agenda Items.

1. Mr. Howard Lockwood -- Manager – Juneau Port Development, LLC. – Juneau #209-4250

Mr. Lockwood gave a short presentation to the Board Members on the status of his marine development at the Little Rock Dump area.

He said that it looks to be moving forward in the CBJ Law Department and he is in hopes that it would be finalized soon.

V. Approval of Previous Meeting Minutes.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO APPROVE THE MINUTES FROM THE REGULAR BOARD MEETING HELD ON FEBRUARY 23, 2006 AS PRESENTED.

The minutes were approved as presented.

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VI. Items for Action.

A. Tee Harbor Land Purchase Consideration.

Mr. Preston gave a short presentation on this topic and said that this topic had been discussed at his last Finance Committee Meeting. He said that several property owners had testified on their concerns regarding this property.

He added that many of the property owners use this property for access to their properties and they fear that if the City does not purchase this property that they could lose their access across it.

Mr. Preston said that he does not recommend that the Board approve this purchase of land by the City.

PUBLIC COMMENT:

There were no people testifying.

Discussion followed with Mr. Fisk, Mr. Preston, Mr. Knapp, and Mr. Stone.

MOTION by Mr. Preston: ASK UNANIMOUS CONSENT TO MAKE NO RECOMMENDATION TO THE CBJ LANDS COMMITTEE AND THE ASSEMBLY REGARDING THE PURCHASE OF THE TEE HARBOR LAND.

The motion passed without objection.

B. Passenger-For-Hire Fee Regulations Amendments.

Mr. Preston gave a short presentation on this topic. These fee changes would not take place until 2007.

PUBLIC HEARING:

1. Jack Cadigan -- Vessel Charter Operator --586-3466.

Mr. Cadigan said that he had no problems with fees being charged for vessels using our facilities for commercial purposes.

He said that he feels that the fee should be based on the actual passenger daily count and not the registered passenger capacity count done by the Coast Guard, as this figure is usually much higher than the number of persons that are carried each trip.

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VI. Items for Action (cont'd).

This fee may not affect him this year as he launches from Fisherman's Bend but it could affect him in later years.

Discussion followed with Mr. Kueffner, and Mr. Simpson.

2. Bob Janes -- 4478 Mountainside Drive, Juneau, AK 99801

Mr. Janes said that he too, supports the new fees that will help to bring up the harbors to be self-supportive.

He plans to carry less people than the registered capacity allows. He added that he thought that companies should only be charged for actual passengers carried per trip.

Discussion followed with Mr. Preston, Mr. Fisk, and Mr. Kueffner.

3. Louis Jergens -- 4003 Columbia Blvd., Juneau, AK 99801

Mr. Jergens said that he did not have a problem with the raised fee. He now has a larger vessel than last year but will be providing tours for less passengers than the registered capacity. He would rather pay only for actual passenger count, not the registered capacity count.

Further discussion followed with Mr. Kueffner, Mr. Preston, Mr. Fisk, Mr. Knapp, and Mr. Simpson.

MOTION by Mr. Etheridge: MOVE TO ADOPT THE CHANGES TO THE FEE REGULATIONS FOR PASSENGER-FOR-HIRE ACTIVITIES WITHIN CBJ'S SMALL BOAT HARBORS AND LAUNCH RAMPS AS PRESENTED BY THE FINANCE COMMITTEE AND TO FORWARD TO THE CBJ ASSEMBLY FOR REVIEW AND FINAL APPROVAL.

Mr. Kueffner seconded the motion.

Mr. Preston added a friendly amendment to the motion. He said under part D – Inspected Vessel Fees, part 2 and subpart B, change to --A calendar year permit \$300.00 plus \$1.10 per passenger each calendar day that passenger-for-hire activities occur.

Mr. Etheridge seconded the friendly amendment and there was no objection to the amendment so it carried.

The main motion with the amendment passed unanimously.

More discussion followed with Mr. Simpson, and Mr. Preston.

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VI. Items for Action (cont'd).

C. Harbors Electric Utility.

Mr. Stone gave a short presentation on this topic.

Mr. Mike Hubbard from Energy and Resource Economics was on a teleconference telephone and gave a brief power point presentation on the results of the Harbor Electric Study.

Discussion followed with Mr. Knapp, Mr. Simpson, and Mr. Stone.

Mr. Kueffner recused himself from the discussion and voting due to his conflict of interest as he represents the AEL&P Company.

PUBLIC COMMENT:

1. Tim McCloud – President of AEL&P Company – 10448 Fox Farm Trail, Juneau, AK 99801

Mr. McCloud said that AEL&P would be willing to work with the CBJ Docks and Harbors Department to facilitate our electrical needs for our patrons in the harbors. They would like to continue the current status and provide power to our annual and transient customers.

2. Bob Tkatz – Stall Owner in Aurora Harbor, K Float, Stall #34.

Mr. Tkatz said that he still does not understand why the City wants to take over the utilities from private enterprise.

He added he would like to be reimbursed if he leaves his slip and allows another boater to hook up to his power pedestal.

Discussion followed with Mr. Preston, Mr. Simpson, and Mr. Hubbard.

MOTION by Mr. Fisk: MOVE TO ADOPT THE STUDY FINDINGS, TO FORWARD THE STUDY TO THE ASSEMBLY AND TO RECOMMEND THAT THE DOCKS AND HARBORS DEPARTMENT REQUEST CERTIFICATION AS AN ELECTRIC UTILITY FROM THE REGULATORY COMMISSION OF ALASKA.

Mr. Preston added further comments.

Mr. Knapp seconded the motion.

The motion failed with 4-yes votes and 2-no votes.

Discussion followed with Mr. Preston, Mr. Fisk, Mr. Stone, and Mr. Simpson.

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VI. Items for Action (cont'd).

Mr. Fisk filed for Notice of Reconsideration at the next Docks and Harbors Board Meeting.

More discussion followed with Mr. Fisk, and Mr. Preston.

Mr. Simpson called for a break at 9:15 p.m.

The meeting resumed at 9:21 p.m.

D. Waterfront Sales Permit Regulations Amendments.

Mr. Etheridge gave a short presentation on this topic.

Discussion followed with Mr. Preston, and Mr. Simpson.

MOTION by Ms. Jebe: ASK UNANIMOUS CONSENT TO ADOPT AMENDMENTS TO THE WATERFRONT SALES PERMIT PROVIDING FOR ADDITIONAL ENFORCEMENT POWER TO REMEDIATE TOUR QUALITY COMPLAINTS AS RECOMMENDED BY THE OPERATIONS COMMITTEE, AND TO FORWARD THE REGULATIONS TO THE CITY ATTORNEY FOR REVIEW AND PRESENTATION TO THE ASSEMBLY.

The motion passed without objection.

E. Old Douglas Harbor Moorage Float Replacement Engineering Design RFP.

Mr. Krieber gave a short presentation on this topic.

MOTION by Mr. Knapp: ASK UNANIMOUS CONSENT TO DIRECT THE PORT DIRECTOR TO ACCEPT PROPOSALS FROM QUALIFIED CONSULTANTS FOR ENGINEERING AND DESIGN SERVICES FOR THE REPLACEMENT OF OLD DOUGLAS HARBOR MOORAGE FLOATS.

Mr. Kueffner added a comment.

The motion passed without objection.

F. Floathouse Prohibition Area.

Mr. Etheridge gave a short presentation on this topic.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO INFORM THE PLANNING COMMISSION THAT THE DOCKS AND HARBORS BOARD DOES NOT OBJECT TO THE NEW FLOATHOUSE PROHIBITION AREA MAPS.

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VI. Items for Action (cont'd).

The motion passed without objection.

G. Mount Robert's Tramway Tidelands Lease Rent Adjustment.

Mr. Preston gave a short presentation on this topic.

Discussion followed with Mr. Stone, and Mr. Knapp.

MOTION by Mr. Preston: ASK UNANIMOUS CONSENT TO ADJUST THE ANNUAL RENT FOR TIDELANDS LEASE FOR THE MOUNT ROBERT'S TRAMWAY TO 8% OF THE 2005 ASSESSMENT AS PRESENTED BY THE FINANCE COMMITTEE.

Mr. Kueffner recused himself from voting due to conflict of interest, as he represents the owners of the Mount Robert's Tramway.

The motion passed without objection.

H. Auke Bay Commercial Loading Facility Operations and Maintenance Resolution.

Mr. Krieger gave a short presentation on this topic.

MOTION by Mr. Knapp: ASK UNANIMOUS CONSENT TO INFORM THE DENALI COMMISSION THAT THE CBJ DOCKS AND HARBORS BOARD IS AUTHORIZED BY LOCAL ORDINANCE TO PROVIDE FOR THE OPERATION AND MAINTENANCE OF THE AUKE BAY COMMERCIAL LOADING FACILITY AND IS PREPARED TO ACCEPT THE FINANCIAL RESPONSIBILITY FOR SUCH.

The motion passed without objection.

I. Sea Walk Change Order.

Mr. Krieger gave a short presentation on this topic.

He said that the CBJ Engineering Department is requesting to have the Contractor install the previously purchased piles. This is the second change order for this Project. This action requires formal approval by the Docks and Harbors Board as well as the CBJ Assembly.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO APPROVE THIS CBJ ENGINEERING DEPARTMENT CHANGE ORDER REQUEST AND TO FORWARD TO THE CBJ ASSEMBLY FOR FINAL APPROVAL.

Discussion followed with Mr. Preston, Mr. Krieger, and Mr. Simpson.

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VI. Items for Action (cont'd).

The motion passed without objection.

Mr. Stone introduced Mr. Karl Ferlauto and Mr. Shaun McFarland from Tryck, Nyman and Hayes Engineering Firm. They came down from Anchorage on business and wanted also to attend our Board Meeting to see how we operate.

They said they are interested in our Fish Terminal Project that we are considering.

Discussion followed with Mr. Krieber, Mr. Preston, Mr. Simpson, Mr. Etheridge, and Mr. Kueffner.

VII. Items for Information/Discussion.

A. Auke Bay Commercial Facility Permit Status Update.

Mr. Krieber gave a short presentation on this topic.

He said that we would be trying to resolve the many concerns on this project before we can proceed. There will be many meetings forthcoming on this project.

VIII. Committee, Members & Staff Reports.

1. Finance Committee Meeting – March 16, 2006.

Mr. Preston gave a short summary of his last Finance Committee Meeting. He drew attention to the letter from Mr. Novak (see packet). Through this complaint, the Committee may look at doing away with the annual rate and charge only a monthly or daily rate for permanent stalls. Staff was directed to look at possible changes to our yearly rates.

2. Operations Committee Meeting – March 14, 2006.

Mr. Etheridge gave a short summary of his last Operations Committee Meeting. He said that the Committee Members looked at and discussed the Parking Lot Study presentation. More discussion will follow on this topic at a later meeting.

3. CIP/Planning Committee Meeting – March 28, 2006.

Mr. Stone gave a short summary on the last CIP/Planning Meeting. He said that they have removed the DeHart's Revenue Budget item from the spreadsheet so now we have a new spreadsheet.

Mr. Etheridge gave a short report on the last Passenger Fee Committee Meeting. He said that we got most of the items we requested except under Port Security we requested \$100,000 and got only \$15,000.

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VIII. Committee, Members & Staff Reports (cont'd).

The other three items were the following:

Lightering Improvements Project – we got one-half million dollars
Deck-over Pavilion Project (both designs) – we got \$100,000 dollars.
EIS – Statter Harbor Project – we got \$250,000 dollars.

IX. Capital Improvement Project Report.

Mr. Kriber gave a short presentation of his projects.

He talked about the North Douglas Floats; the Pedestrian Bridge Project at the Steamship Wharf; the ADA Ramps are here and ready to be set; the Dock Diving Project Inspection – all piles are in good shape; the Wetlands Board has requested an open bridge gangway at the Auke Bay Commercial Loading Facility with grates to use so we will be able to provide them per their request; the lightering gangway at Marine Park is in bad shape – there is extensive rot problems that will have to be corrected before usage but the float section is fine. He said we are having a structural inspection but it is doubtful that the gangway will pass the inspection.

Discussion followed with Mr. Etheridge, Mr. Simpson, Mr. Kueffner, Mr. Kriber, and Mr. Stone.

X. Harbormaster's Report.

There was none as Mr. McCall was out of town.

XI. Port Director's Report.

Mr. Stone said that the Pacific Coast Congress Conference starts on April 11, 2006 here in Juneau. He invited the Board Members to come to the Banquet on Thursday, March 13, 2006 and be sure to make reservations to attend. Mr. McCall has been very busy with preparations for this Conference.

The Harbor Bill is still moving forward in the Legislative Session.

He added that we are continuing to move forward on the new Marina Management System. We are having problems in getting the hand-held machines that will interface with this new Marina Program.

XII. Committee Administrative Matters.

1. Meeting Calendar for April 2006

Operations Committee Meeting April 18, 2006 5:00 p.m. Aurora Harbor Office

Finance Committee Meeting April 20, 2006 5:00-7:00 p.m. Aurora Harbor Office

XII. Committee Administrative Matters (cont'd).

Regular Board Meeting April 27, 2005 7:00-10:00 p.m. CBJ Assembly Chambers

XIII. Adjournment.

MOTION BY Mr. Etheridge: ASK UNANIMOUS CONSENT TO ADJOURN THE MEETING.

The motion passed without objection.

The meeting was adjourned at 10:30 p.m.