

CBJ DOCKS & HARBORS BOARD
REGULAR BOARD MEETING MINUTES
For Thursday, September 29th, 2011

I. Call to Order.

Mr. Jardell called the Regular Board Meeting to order at 7:00 p.m. in the Port/Customs Conference Room.

II. Roll Call.

The following members were present: Greg Busch, John Bush, Don Etheridge, Eric Kueffner, Budd Simpson, Michael Williams, and Kevin Jardell.

Absent: Tom Donek and Wayne Wilson

Also present were the following: Carl Uchytel – Port Director, Dwight Tajon –Harbormaster, Gary Gillette- Port Engineer, and Ruth Danner – City & Borough Assembly Liaison

III. Approval of Agenda.

Mr. Uchytel said no changes to the agenda.

MOTION by MR. WILLIAMS: TO APPROVE THE AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

The motion passed without objection.

IV. Approval of Previous Meeting Minutes.

Hearing no objection, the minutes of the August 16, 2011, Special Board Meeting Minutes and August 25th, 2011 Regular Board Meeting were approved as presented.

V. Public Participation on Non-Agenda Items.

None

VI. Items for Action

1. Contract Amendment for Statter Harbor Launch Ramp.

Mr. Gillette said this is a proposal from PND Engineers to continue work on Docks and Harbor Statter Harbor launch ramp project. We have gotten through the environmental assessment phase which will take us to the next phase, permitting with the Corps of Engineers. A major part of that permitting element is the 404 Clean Water Act Permit, Clean Water Certification, and mitigation for impacts to sensitive wetlands and tidelands. It is unknown how long this will take. The proposal is based on PND's best estimate for time and materials with the knowledge Docks and Harbors has at this point. There was an extensive environmental assessment and the Corps of Engineers participated in this process. The proposal to move forward on this project is \$172,000. This is a contract amendment and if approved by the Board, it will then go to the Assembly for approval.

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Board Question

Mr. Jardell asked what caused the increase?

Mr. Gillette said this contract has been done in phases. It was unknown how long each phase was going to take and how far along each phase would get to.

Mr. Busch wanted to know if there is appropriate mitigation measures prepared for the Corps of Engineers mitigation plan? Were they identified in preparation of the environmental assessment or is that something you participate on going through the permitting process?

Mr. Gillette said it is just something you participate on. Basically Docks and Harbors must propose a mitigation plan that will meet what the regulatory agencies have determined are the impacts. There is 4.1 acres of tideland/mud flats being filled that are classified as wetlands. Now that the study has been completed, a mitigation plan needs to be proposed as part of the Corps of Engineers permit requirements.

Ms. Danner asked what consideration goes into a time and materials bid?

Mr. Gillette said typically they prefer to have a lump sum because it is easier to track and monitor. Permitting is such an unknown. Docks and Harbors goes into a meeting thinking everything is prepared for the issue of the permit, and the Corps comes up with new questions and requesting more studies. The time and materials contract is really the best way to approach permitting.

Ms. Danner asked if there were clear rules when a time and materials contract could be used.

Mr. Gillette said he did not know of any rules, it is a specific call on each situation.

Mr. Uchytel said the problem with the mitigation strategy is it is unknown what it is going to be. To get to the 404 permitting, no one is saying what is going to be acceptable mitigation, and it is unknown how much mitigation is needed.

Mr. Williams said the agencies are not held accountable for what they put an entity through. He said he understands the process that is required, and the permits and regulations that need to be followed to do this right, but the agencies that are going to be looking at this are not held to any standards. Time and materials is the best way to approach the permitting process because of the unknown. This is a process that will have to be dealt with again, and again.

Mr. Bush asked if the proposed \$172,000 could change either direction?

Mr. Gillette said yes.

Public Comments

None

Board Discussion/Action

None

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MOTION by MR. KUEFFNER: TO RECOMMEND THAT THE ASSEMBLY APPROVE A TIME AND MATERIALS CONTRACT AMENDMENT FOR PND ENGINEERING, INC. UP TO THE AMOUNT OF \$172,000 TO PROVIDE PROFESSIONAL SERVICES FOR PERMITTING OF THE STATTER HARBOR LAUNCH PROJECT AND ASK UNANIMOUS CONSENT.

Motion passed without objection

2. Approval of the 2012 Committee and Board Meeting Calendar Draft.

Mr. Jardell said the City Clerk asks for Committee and Board meeting calendar for the entire year. This is in accordance with what past practice has been.

Board Questions

Mr. Busch said to move the CIP meeting to October 17th 2012.

Public Comments

None

Board Discussion/Action

None

MOTION BY MR. ETHERIDGE: TO ADOPT THE 2012 CALENDAR AS AMENDED AND ASK UNANIMOUS CONSENT.

Motion passed without objection.

VII. Items for Information/Discussion.
None

No Audio from here forward.

VIII. Committee and Board Member Reports.

1. Operations Committee Meeting- September 20, 2011

Mr. Etheridge reported the committee discussed Harbor maintenance and power issues. The action item was deferred to another committee.

2. CIP/Planning Committee Meeting – September 22, 2011

Mr. Williams reported the committee had one action item, the contract amendment for Statter Launch Ramp.

He said Mr. Uchytel sent a memo to the law department on 1% of Art, what really applies, and asked for clarification.

The damaged piles in Aurora A float invoice was sent to risk management, and they will pay for the two piles. Docks and Harbors is still waiting on permitting to move forward with the work.

3. Finance Committee Meeting – September 27, 2011

No meeting because they did not have a quorum.

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IX. PRAC Representative Report
None

X. Port Engineer's Report.

Mr. Gillette's report was included in the packet.

He gave an update on the Douglas breakwater. The project has stopped due to the Corps of Engineers design failure. The Corps is relooking at this and will have to come back with a different approach. Trucano is on hold at this time.

Mr. Kueffner asked if the breakwater would still get installed this fall.

Mr. Gillette didn't know with weather and equipment issues.

There was more discussion on the Douglas breakwater.

Ms. Danner said at the Committee of the Whole, Mr. Sanford would like an update.

Mr. Gillette said the Cruise Ship upland staging area final design is going forward. He handed out a proposed development plan and discussed the future vendor booth locations. In 2013, the plan shows two locations, and in 2014, just one location. There was more discussion on the vendor booth size and locations.

XI. Harbormaster's Report.

Mr. Tajon said he has contacted the State Ferry system to propose having the M/V Susitna dock at the Intermediate Vessel Float. He has not heard back yet.

He is working with the bank on a lien release for a fishing vessel to be able to impound the vessel.

XII. Port Director's Report.

Mr. Uchytel reported Phil Benner's last day is Friday.

End of season party for the seasonal employees is on Friday at the Buoy Deck.

Greg Craig was hired to take Dwight Tajon's Operations & Maintenance Supervisor position at Statter Harbor. Docks and Harbors will keep Greg's position open until spring to save on expenses.

The dedication ceremony at the Auke Bay Loading Facility was well attended.

Risk Management will pay for the two damaged pilings due to weather. The third piling will cost Docks and Harbors about \$8,000.00.

Demolition has started at the Visitor Center and North Pacific Erectors was awarded the bid. The project should be completed by the end of April. Mr. Uchytel said he will be looking into an appropriate lease for that facility.

Electric pedestals for Douglas and Statter Harbors are estimated to be \$120,000.

XIII. Assembly Liaison Report

1. Ms. Danner wanted information on the electrical pedestal that got damaged.

Mr. Tajon said a boat operator forgot to unplug his boat before pulling away from the dock and pulled the pedestal in the water. The lag bolts were in good wood and were bent over from the boat owner not unplugging. Mr. Tajon said he called and told the boat owner he was liable for the damage.

2. Ms. Danner said she had a member of the public call that operates a whale watching business focusing on elderly tourists with wheelchairs and oxygen tanks. Their concern is if the A & B parking areas in the plan would still be accessible for elderly drop offs and pick ups.

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XIII. Assembly Liaison Report(continued)

Mr. Jardell encouraged the individual to bring the complaint to the Harbor staff.

3. Ms. Danner said there was not enough response to CBJ's request for comment on what impact having agenda items placed in the Newspaper would have. There is no action yet.

4. Ms. Danner said there are about 30 inebriates in Juneau. This situation has been getting more aggressive and not getting better. The Juneau Homeless Coalition had a meeting to discuss this situation. The agency heads are going to go to Anchorage to gather information and be looking at what can be done here in Juneau. They are looking for ideas, and will report back.

XIV. Committee Administrative Matters.

1. Operations Committee Meeting – October 19, 2011
5:00 p.m. in the Port/Customs Conference Room.
2. CIP/Planning Committee Meeting – October 20, 2011
5:00 p.m. in the CBJ Assembly Chambers
3. Finance Committee Meeting – October 25, 2011
5:00 p.m. CBJ Room 224
4. Regular Board Meeting – October 27, 2011
7.00 p.m. in the CBJ Assembly Chambers

XV. Adjournment.

The Regular Board Meeting adjourned at 8:00 p.m.