

CBJ DOCKS & HARBORS BOARD
CIP/PLANNING COMMITTEE MEETING MINUTES
January 19th, 2012

I. Call to Order.

Committee member Michael Williams called the meeting to order at 5:01 p.m.

II. Roll.

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

The following members were absent: Eric Kueffner

Also in attendance were: Carl Uchytel – Port Director, Gary Gillette – Port Engineer, and Tom Donek - Board Member.

III. Approval of Agenda.

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

The motion passed without objection.

IV. Public Participation.

Paul Swanson, Juneau, AK

He said he attended the Tuesday Operations meeting and it was pointed out that there is a CBJ rule that one owner can only have a maximum of two boats in the Harbor. When someone testified on the phone at the meeting, they said they have three boats and another person had four boats in the Harbor and has been using the facility for 30 years. He has no problem with following the rules, and he sees a reason for a grandfather clause. When CBJ bought DeHart's, there was 99 slips, and only 64 boats. With the notice they all had to move out of DeHart's, they were assured there was going to be places for their boats when the new Harbor was built. He said if a patron has been using DeHart's for 20 plus years, there should be some exceptions made for that with a grandfather clause.

Mr. Williams indicated the Operations Committee was going to look at that.

Dennis Watson, Juneau, AK

He said he agrees with Mr. Swanson on the grandfather issue, but wants to discuss another issue. He said he had the opportunity to read the application packet from Dock and Harbor for next week's Planning Commission meeting and wanted to discuss the Statter Harbor parking. He said he did some quick calculations and tried to figure out how many parking spaces there are exactly in the Statter Harbor parking lot. When counting the available parking areas, he noticed it also includes the trailer parking, and the three hour limited parking along the seawall. He doesn't see

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how the three hour parking areas can be counted as parking for the Statter Harbor and DeHart's daily or weekly patrons, because you can't park in the three hour area, but those are counted parking places for available parking for daily use of the marina. The math doesn't work for him. He believed he asked a question a few months back about how many parking stalls Docks & Harbors rents on a monthly basis at Statter Harbor in the summer time. He thought the percentage was 10, but he could be wrong. He thought about that again when he was reading the application packet. If he had three months parking at Statter Harbor, it would be half the amount than day to day basis. If that process is continued, then he suggests to use that incentive and make those longer term parking patrons, who pay less, to park at the lot across from the Thai restaurant. Taking the prime parking during the busy time in the summer at Statter and selling it at half price does not make sense. By adding a couple more fingers in the Marina and utilizing the total parking spaces to meet the parking space requirements in a Marina, the math does not quite come out.

Mr. Uchytel said the application submitted is only phase one of the Statter Harbor plan.

V. Approval of Previous Meeting Minutes.

Mr. Uchytel had some clerical corrections.

Hearing no objection, the December 8th meeting minutes were approved as amended.

VI. Items for Action.

1. Aurora Harbor Design Funds

Mr. Gillette said he would like to request for design funds for the Aurora Harbor replacement project. There has been a preliminary design completed and the total project design is \$18 million, so this project will need to be completed in phases. Docks & Harbors has applied for a \$2 million matching grant which would give us \$4 million for the construction phase. Phase one of this project would get us the main gangway, head float, and A and B floats with fingers. The first time Docks & Harbors applied for the matching grant, the Governor did not have this in his budget, so the Legislature did not approve this. Docks & Harbors applied again, the Governor has released his budget and is recommending full funding for the matching program. If the Legislature approves this, Docks & Harbor will have the money for construction. Checking with DOT the matching grant can only be used for construction. The estimate for the design, permitting, and administration for the project for the first phase is about \$600,000. The proposal is to take this money from the Harbors fund balance, and submit a request for proposal (RFP) to hire a professional firm for the design. The RFP would be structured so that it would cover the full project, but only authorize phase one at this time. This way, when Docks & Harbors gets additional funding we don't have to go out and get another RFP for each phase, and we would be able to use the same designer. Currently there is \$3.45 million in the Harbor fund, \$1.5 million has already been included in our match of the \$2 million. This would leave us with just under \$2 million, so we would take \$600,000 out and use for design. The process moving forward with the committee's recommendation would be to take this request to the Regular Board at next Thursday's meeting.

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With the full Boards recommendation, it would then go to the Assembly for two meetings. It would be about a month before Docks & Harbors could access these funds.

Committee Questions

Mr. Etheridge asked if the \$600,000 would work toward the match of the \$2 million.

Mr. Gillette said no because the Municipal Harbor Grant program is for construction activities only, so it would not count toward the match. Docks & Harbors would have to use the \$1.5 million that has been identified out of the Harbor fund and \$0.5 million of passenger fees that Docks and Harbors received a couple of years ago to upgrade A float.

Mr. Busch asked if this project is broken into three phases.

Mr. Gillette said it has not been specifically broken into phases. The reason for the first phase is Mr. Gillette asked PND in their preliminary design to identify what part of the project could be completed with \$4 million. PND brought back phase one that I described above. There has not been other phases identified, because funding has not been identified. This is a replacement project, and the design carries through.

Mr. Busch asked if the economy would be a factor, and if future additions would be figured at 15% of the construction cost for the administration, design and permitting.

Mr. Gillette said 15% is generally what is estimated and budgeted at the planning level. The floats will be designed in the first phase and that float design will be used throughout. He said he doesn't think the next phase will cost as much, but economy would be figured in, and the planning costs varies on the complexity of the project.

Mr. Williams asked with this being Aurora Harbor and a Harbor has been there forever, does he think the permitting will be easier to get through.

Mr. Gillette said Docks & Harbors intends to apply under the Nation Wide permit, which is essentially meant for direct replacement, and does not see any problems.

Mr. Jardell asked if the \$600,000 is a normal amount, or is this a little high.

Mr. Gillette said this dollar amount is figured the same as all Docks & Harbors projects at a planning level. He said he prefers having money left over in the budget than not enough, and anything that is left over would be carried on to the next phase. This money will not be spent unless it is needed.

Public Comment

None

Committee Discussion/Action

Mr. Etheridge said Docks & Harbors needs to move forward with this, the Aurora Harbor is in poor condition. He said he has concerns about the cost, but the committee should still move forward with this, and know the cost is part of doing business.

Mr. Williams said we have to start somewhere. The initial design can be used in the other phases too. He is hoping the permitting costs are not as high because the Harbor is currently existing.

MOTION By MR. ETHERIDGE: TO RECOMMEND TO THE FULL BOARD TO APPROVE DESIGN FUNDS FOR THE AURORA HARBOR NOT TO EXCEED \$600,000 FROM THE HARBOR FUND AND ASK UNANIMOUS CONSENT.

The Motion Passed with no objection

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2. Harris/Aurora Harbors Master Plan Funds

Mr. Gillette said for the Harris/Aurora Harbor, Docks & Harbors does not have a master plan. The idea is to take a closer look at the area and have a sense of what is needed for future development. For the long term development, a master plan would be valuable for Docks & Harbors. He said he talked to Heather Marlow at Lands trying to come up with a cost on this project. There would be some community scoping for ideas to try to develop some concepts. This would then go back out to the public and ultimately have the Assembly approve this. The Willoughby area plan was \$100,000 for the consultants, and that did not include any staff time or public meetings. Mr. Gillette said this project would probably be about \$70,000 or less to do the level of effort that would be valuable.

Committee Question

Mr. Etheridge asked if the funding for this would be the same as for the Aurora Harbor Design.

Mr. Gillette said it would come out of the same account, which is the Harbor fund.

Mr. Jardell asked how much money is in the Harbor fund?

Mr. Gillette said right now, \$3.45 million. \$1.5 is committed to the matching fund for the Aurora Harbor construction, and \$600,00 has just been approved to take out for the Aurora Harbor design, and that leaves a little over \$2 million.

Mr. Busch asked in terms of the scope of this project if Douglas would be included in the Harris/Aurora master plan?

Mr. Gillette said just Aurora and Harris at this point. This would be a step toward looking at some of the studies that have been completed for that area and actually put in a plan.

Mr. Uchytel said this would dovetail with the replacement of A and B floats in Aurora Harbor. Docks & Harbors approach is to replace two floats with the money that we have, and having a master plan would give us the ability to look broader and have a more holistic view of what is going on in Harris and Aurora Harbors.

Public Comment

None

Committee Discussion/Action

Mr. Donek said he has some concerns about this. He said all of the downtown Harbor should be looked at for expansion, and not just Harris and Aurora.

Mr. Etheridge said Docks & Harbors did do a study on all of the Harbors to put in a haul out and the firm that was hired came back with only Harris and Aurora.

Mr. Donek said it is not just the haul out, but other expansions.

Mr. Simpson said he also sees some value in looking at all three downtown Harbors at the same time. He also remembers the study on all three facilities for the haul out. The haul out location decision was postponed because there was not a comprehensive conceptual plan in place.

Mr. Donek said another concern of his is years ago, Statter Harbor had a really nice plan, and when the permittees were finished with the plan, it was all sliced and diced down to nothing.

Knowing what we know now about permitting, there needs to be caution in allowing project ideas to grow

with knowing they cant' be done.

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Mr. Busch said he would like Douglas included with Harris and Aurora, and tie this all in with the cruise ship master plan as well.

Mr. Williams said including Douglas is a good idea, but thinks to wait until it is figured out what is going to happen with Douglas. Docks & Harbors should look into getting help with planning from other agencies and help with funding.

Mr. Simpson said that has been tried before and did not get anywhere.

Mr. Jardell said he sees a value in a master plan, but looking at the list of projects needing to be completed already, he would recommend to spend \$70,000 on something that can be seen.

Mr. Gillette said this project is not time sensitive. More work can be done and brought back to the committee at another time.

Mr. Etheridge said his preference is to wait on this.

Mr. Williams said he does not see the timing good now.

NO MOTION

VII. Items for Information.

1. Update on Statter Harbor

Mr. Gillette said there is a power point presentation in your packet that Mr. Uchytel presented to the Juneau Charter Fisherman's Organization recently and was also presented at the lecture hall.

This is the information that has been given out to the public on Statter Harbor. The most current project is phase one, which is the Statter Harbor maintenance and repairs of the existing facility, and the DeHart's replacement. The planning commission will consider the conditional use permit and City project review at their meeting on Tuesday evening. The planners said they don't have any comments at this point. Staff report concurs with the project and only has one condition relative to lighting, which has not been designed yet. Docks and Harbors already has the Corps of Engineers permit and the funding for this project. The plan is to advertise for this project in February for construction. The reason for the long lead time is to give the contractor time to get the floats and steel ready to start the project in September.

2. List of CIP's inclusions in CBJ Budget

Mr. Gillette said this is projects that Docks and Harbors is asking funding for and not all projects. The list in the packet includes all projects even the ones we have funding for, so the updated page handed out tonight is the one without the projects already funded. This is the request for funding in FY13. Mr. Gillette went through the list and described the different funding.

3. Update on Cruise Berths

Mr. Gillette said the Cruise Ship berth design is in 65% design submittal. Mr. Gillette took the design to the planning commission and they decided to have continued discussion on this because they wanted more information on the Fisherman's Memorial and the process Docks and Harbor went through. The Assembly decided not to move the memorial, so he was unclear of what the commission's intent was. There was other issues regarding maneuverability of small boats at the area of the south berth, and in front of the Fisherman's memorial. Mr. Gillette said in reviewing this again, the 400 foot float could be moved to the north berth, and the 300 foot float could be moved to the south berth. This will give more clearance in front of the Taku Fisheries Dock. He said he has also been tweaking the alignment to bring the berths out a few more feet. There should be 150 feet between the Taku Fisheries dock and the floating berth. Also, the piling structures are

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changed to vertical pilings placed at the ends of the berths. This will gain the maximum fairway possible.

This has been reviewed with Cruise line agencies and the industries tech team will be in town February 1st to review and make sure this will work. There is overall support of this effort to gain more maneuverability for the smaller boats and still retain the intent and use of the cruise berth. Some of the finer details are still being worked out, and this is not set in stone.

Mr. Williams said usually this is just items for information, but invited Mr. Day to add to this information.

Mr. Day, Juneau, Alaska.

Mr. Day just wanted to make sure it is reviewed by the cruise ships operational and technical committee first.

Mr. Uchytel said the follow up for the planning commission to discuss the conditional use permit for 16B is February 28th.

Mr. Williams said there has been a lot of work on this. He said Mr. Fisk also gave some input for Taku Smokeries and the docks. This looks good for Taku Smokeries and the Fisherman's Memorial.

4. Update on 1% for Art.

Mr. Uchytel said at the 65% design, Docks and Harbors will be ready to engage in the process of looking at specific portions of the design and integrate that into the project as apposed to waiting for it to be completed. The discussion with Juneau Arts and Humanity Council(JAHC) indicated it would be used on the 16B project and not derailed to another part of the waterfront. Mr. Uchytel said Docks & Harbors is looking at using the 1% for Art on the security gates.

Mr. Jardell said it was a productive meeting, and views engaging in the process now instead of waiting to the end very valuable. He has received phone calls from individuals wanting to use the 1% for Art monies outside the 16B project area. The ordinance for 1% for Art states that the money will be used on art within the project, unless the Assembly votes to exempt that. Without that action it will be used in the 16B project.

Mr. Williams said he would like to know when the 1% for Art meetings are so he can start attending them.

VIII. Member & Staff Reports.

Mr. Etheridge asked Mr. Uchytel about the Douglas Harbor permitting meeting.

Mr. Uchytel said on Tuesday there was a dredging summit meeting with the regulatory agencies and Docks & Harbors consultants engaged in securing the 404B permit for dredging Douglas Harbor. He said this was a frustrating four hours, but did not see it as a negative. He would be willing to go over the history of the project and also the Tier IV study with anyone that was interested. In the testing manual of dredge disposals, the highest level of evaluation you can do, we are fortunate to have a PHD, Dr. Lotufo, from the Corp of Engineers who is a foremost expert on dredge disposals. He is confident Docks & Harbors is on solid ground, and there is no reason we should not be allowed to dispose of the dredge materials in the channel. Mr. Uchytel said he would recommend to move on, but Dr. Lotufo is very confident that Docks & Harbors needs to continue the dialog with EPA, DEC, and Corp of Engineers. Mr. Uchytel explained the continued

efforts to acquire this permit. He said if Docks and Harbors maintains persistence, this should be favorable.

Mr. Etheridge asked if there was additional funding required?

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Mr. Uchytel said when he called the Alaska District, he found out there is a fund for Low Use Navigation Pilot program. This program is set up to allow smaller dredging projects throughout the country to have some financial assistance for the studies, permitting and everything up to construction. He is asking the Corp of Engineers to use these funds if additional funding is required by Docks and Harbors for permitting.

Mr. Jardell said he attended the meeting and found it very disappointing. However, with witnessing Dr Lotufo's knowledge of the dredging, he said he thinks another meeting with the same dialog is worthwhile.

Mr. Williams said he is skeptical and said the whole Board should weigh in on this decision to continue.

Mr. Etheridge said if it is just meetings, he said to go ahead, but if it is more money he is against it.

Mr. Williams said Docks and Harbors is enabling and at our expense making sure people have jobs.

Mr. Williams said he does not expect to be here for the full Board meeting next Thursday. He also said he attended an Engineers meeting and Mr. Uchytel did a presentation on where Docks and Harbors is at and what projects are happening. He commended Mr. Uchytel for getting out in the public and advocating and informing the public in agencies, meetings, groups, and professionals and letting them know that Docks and Harbors is here and approachable. He said the presentation was informative and well received.

Mr. Etheridge said he received good feedback on Mr. Uchytel's presentation at the Chambers. He said the Chamber members were very appreciative.

Ms. Becker asked when the decision to move forward on the 1% for Art was made, has there been a dollar amount chosen?

Mr. Gillette said it is 1% of the construction contract that is estimated to be \$47 million, so that will be \$470,000.

Ms. Becker said that was one of the questions at the Assembly was why say go ahead now, when things could change?

Mr. Jardell said in looking at the design, he sees value in planning now with the 1% for Art. Docks & Harbors plans to look into having a larger gateway with art, and not just a gate, and also planning for lighting on the landscaping. He said there would be value in getting engaged now at the 65% level.

Mr. Uchytel said the naming of the Douglas Harbor has been postponed until the March regular Board meeting.

Mr. Uchytel said there has been some electrical problems with the cold weather in the Aurora Harbor on A float and the staff is doing everything possible to provide that power with an aging infrastructure.

IX. Committee Administrative Matters.

The next meeting is scheduled for February 16th, 2012 at 5:00 pm in the Assembly Chambers.

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X. Adjournment.

The meeting was adjourned at 6:20 pm.