

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING MINUTES
For Tuesday, May 22nd, 2012

I. Call to Order.

Mr. Busch called the meeting to order at 5:11 p.m. at the Aurora Harbor office.

II. Roll.

The following members were present: Greg Busch, Wayne Wilson, John Bush and Kevin Jardell (Phone).

Also in attendance were: Dwight Tajon – Harbor Master and Carl Uchtyl – Port Director.

III. Approval of Agenda.

MOTION by Mr. Bush: TO APPROVE THE AGENDA.

IV. Public Participation on Non-Agenda Items.
NONE

V. Approval of April 17th, 2012 Operations committee Meeting Minutes.

Hearing no objection, the minutes from the April 17th, 2012 Operations Committee Meeting is approved.

VI. Items for Action.

1. Vendor Booth Locations

Presentation by Port Director

Mr. Uchtyl

At the last DH board meeting the Operations Committee was directed to take another look at the vendor booths near the Archie Van Winkle Memorial. There was a consensus from the vendor booth operators that they would like reconsideration of four vendor booths to be placed adjacent to the Archie Van Winkle Memorial. I wanted to review the process that was followed to get where it is today. DH wanted to be very clear of what the Vendor Booth/Tour Companies were to bid a pond for the outcry auction. Every step of the way starting with the first e-mail to all the vendor booth operators that DH had e-mail addresses sent on December 2nd encouraging them to come to a briefing that was held on December 15th and then again on January 12th. DH wanted to ensure that the Vendor Booth holders knew the plan for this year and future years in terms of booth location. The accompanying drawing to the letter on December 2nd showed temporary and permanent locations. Part of the early discussion was that the numbers would go from three groups of eleven vendor booths down to two groups and that is what was proposed. After those two meetings there was a subcommittee that was set up by the DH board to take input from all interested parties. The over-whelming request that was heard was to please keep the vendor booths in front of the Port Customs office. The results were documented in the subcommittee report that was made public. Then at the regular DH board meeting on the 26th it was recorded out of the findings based on the subcommittee and again it was respecting the will of the Vendor Booth to keep the three booths as is. DH received three formal letters regarding the locations from Whales Tale, Liquid Alaska and MGT. I believe only Whale Tale brought up the desire to

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have the four remain by the Archie Van Winkle Memorial. They also stated in the letter that the most significant vender booth location would be the eleven over by the Port Customs building as most valuable location. There was a meeting on April 25th with the Vender Booth operators. The Harbormaster went through some guide lines for the up and coming season. At that time the subject came up about the vender booths by the Archie Van Winkle. I advised the vender booth interest to come to the DH board meeting last month and at that meeting it was directed back at the Operations Committee. I did contact the Mount Roberts Tram and asked if they had an opinion about placing the four booths back at the Archie Van Winkle area. I will read the e-mail.

Committee Questions
NONE

Public Comment

Mr. Mike Cummings – Juneau, AK.

The vendors are loosing money. I know for a fact that my sales are down, Whales Tale, and Liquid Alaska. This will also bring down sales taxes for the City. I know that someone is down there drawing lines through it. As for safety issues I have been here for seven years and have never seen any accident. If there has been any accident, shouldn't there be a record with someone?

Mr. Tajon

I know of a few of them but DH doesn't keep a record of them. The fire department is called and I believe they keep a log of them.

Mr. Cummings

I have seen cars drive over the lines that have been drawn, I don't know if they are supposed to be, but I have seen cars and trucks drive through. I am worried that there might be an accident. It is a possibility. We would love to get the booths moved over there. We understand that it is just for one year. However, if it is locked and there is no possibility of moving the booths could they be straightened for better visibility?

Mr. Busch

Do you track by booth location?

Mr. Cummings

Yes I do!

Committee Discussion/Action

Mr. Bush

If straightened, what would it do esthetically and for the flow of traffic?

Mr. Busch

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I got to watch the egress from one of the Holland American ships they were egressing between Mount Roberts Tram and Visitor Building. When the people came straight out they would be looking at the vendor booths immediately to the left. It was nice to see a steady stream of foot traffic on the sea walk, too.

Discussion Followed:

Mr. Busch

There are four directions this can go:

- 1) Do nothing; maintain the way it is set up.
- 2) Straighten the booths.
- 3) Move four booths towards the Archie Van Winkle Memorial and leave the arch
- 4) Move four booths towards the Archie Van Winkle Memorial and straighten the remaining booths.

With the traffic that was there I didn't having any problem seeing the other booths. Looking to the right there were some and looking to the left there were more. My concern for putting more booths in the Memorial area would be the interruption of the flow and the possibility of having an accident.

Mr. Jardell

DH has a process and set place as to where DH plans to go and that entails leaving them where they are. That is the new reality of the situation. DH made sure everyone knew what they were bidding on, gave everyone a chance to weight in and nobody really raised this issue. I am sympathetic but haven't heard anything that will change my mind.

Mr. Busch

I do think DH did go through a detailed process and I am hesitant to move some of the booths back out to the Memorial, but I would be willing to straighten the booths from an equal visibility standpoint and it would be easily done.

Mr. Bush makes a motion to straighten the booths and explore how it looks and revisit the topic at the next full board meeting.

MOTION: PASSED – Approved Unanimously

2. Rescue Ladders

Presentation by the Port Director

Mr. Uchytel

DH has been asked to install rescue ladders in the harbors. I have conducted some peer evaluations of what other harbors are doing in Alaska. It isn't consistent, there is no building code requiring them to be installed. Every chance I have to speak to a Risk Manager from different municipalities that are insured / self-insured harbors, I get different answers of whether you should or shouldn't. The most recent one was at the Pacific Coast Congress of Harbormasters and Port Administrators. I asked a Risk Manager that runs a company that insures a lot of

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municipalities in Washington State. She said they are not required, but the fact that more and more harbor facilities are installing them does add a certain amount of risk to the harbors that don't have them.

Committee Questions

Mr. Wilson

I am still against it. It is very expensive.

Public Comment

Ms. Schrader – (Juneau, Alaska)

I brought this up this winter. I don't have a lot more to add to the comments I have made previously. I very respectfully disagree with Mr. Wilson. I think the fact that they are appearing in many of these harbors and indeed the harbors here in Southeast Alaska speaks to the fact that it's a priority. The big issue always will be funding. As it has been seen in other communities, you'll just have to get creative. I have expressed my interest in helping and pursuing the issue if the committee and the board so desires. I would be willing to work as a public member looking for funding. While the harbors are being rebuilt and renovated that would be a good time to consider putting the ladders in. My one observation of this committee is that there isn't really a good idea on the cost. There are ball park figures of what the individual ladders cost. There is no idea of how many are needed or installations costs. Looking at these ladders I don't see where maintenance would be a big cost. I would hope before the committee dismisses this issue you would look a little more specifically at the extent of the cost. I tried last time to bring some information from the Alaska Marine Safety Education Association that has consulted with Sitka on where to place the ladders. Once there is a number of ladders needed, then there will be a better understanding of the cost. It is hard to take a position on an issue that has not been nailed down yet. I hope the committee continues to work on it.

Committee Discussion/Action

Mr. Wilson

Just to let you know DH has purchased a couple and installed them at the ABLF and they were destroyed in about a week. Not only did it most likely do some damage to whatever vessel hit it, but there is an immediate replacement cost. Until there is an outside funding source I don't see where the money is available.

Mr. Jardell

It is a safety concern but what it comes down to is personal responsibility. If DH wants to put more throw able on the dock then that should be done and a sign that says "Please be aware, wear a life Jacket", whether a child or an adult. You have a personal responsibility to look out for yourself whether you are on a boat or dock. I can not support spending the funds when there are so many other things that need attention. If indeed DH wanted to go forward, I would want to do an assessment on all the boaters and a special assessment of fees that would pay for each individual for a year. Whatever the fee would be, DH would need to go out to the public, hear

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from them on it and get their feedback. At this time I can not in good conscience pass this onto the board.

Mr. Bush

Ladders and safety is always a concern. Personal responsibility is always important. I would recommend that this keeps coming up. Not to burden staff, but as more information becomes available the committee should get reports.

Mr. Busch

I am hearing that more and more ports are putting in some type of egress. I think DH has a responsibility in some manner for allowing the patrons some way of getting out of the water if they fall in. I am not necessarily in favor of a ladder install at each slip but I do think there should be some form of an exit assist ladder that is available for someone on the dock to quickly take off a rack on a piling and stick it alongside the pier where someone is needed. If there is no method, not even ladders available for assistance, then someone would be required to swim over to the back of a boat and get out on someone's swim step. My personal preference would be as new construction begins, DH would start to design some sort of egress system, whether it be self or assisted.

Mr. Jardell

I am personally opposed to anything for one area and not throughout the entire system including Taku Harbor. There will be people thinking that DH cares more about the patrons in one harbor more than the other harbor patrons.

Mr. Busch

It seems like this committee is agreeing. If I am hearing right, some want to table this?

Mr. Jardell

I think keeping it on the thought process is fine; I think it has to be an area wide. I think maybe charging patrons and see if they want to pay for.

Mr. Busch

I think an implementation would be they way to phase them in, as the harbors get rebuilt and upgraded. The ideal way would be to do it all at once if the money was there.

Mr. Wilson

I would have no problem supporting the idea of revisiting this every other month like the committee has been doing.

Mr. Uchytel

Dwight and I have established a Safety Board for DH. The first full meeting was held last week. The two OMS, Dennis (Harbor Officer from Aurora), Doug Unruh and Mark Westfall (Safety Officer for CBJ). By creating this safety board, DH would like to elevate the safety within DH. It is a two-prong approach, safety for the patrons and employees.

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Mr. Jardell

I think the committee should table this until there is an outside funding source to pay for this throughout the system.

Mr. Wilson

I second it.

Mr. Busch

Two-For Two-Opposed, the motion failed to table it completely until funding is available. The other option is to continue looking at it every other month. It will continue to be brought up every other month or sooner if funds become available.

3. DeHarts Patrons Transition Plan to Statter Harbor

Presentation by the Harbormaster

Mr. Tajon

The plan for reassigning the stalls in the new section of A & B floats for the DeHarts Customers was to take the existing customers and place their boats in stalls for stalls float by float. This will give the stall holder that is on an end stall the same end stall in the new A & B float and even the same finger float tie-up as they previously had. This was the similar practice that was done for Harris Harbor after the construction was completed. The proposed steps DH are currently looking at for this reassignment of stalls are as follows as long as stall holder accounts are in good standing.

1. Pre-purchase of DeHarts
2. Post purchase of Deharts
3. Swap list stall holders
4. Wait list stall holders

Currently the practices for assigning stall is by stall swap list first, and then wait list holders next, the remainder of the stalls available are then occupied with hot berth users that may only need a stall for a short period of time.

I have been working really closely with Doug Unruh and he has a little more knowledge.

Mr. Unruh

What I have basically done is what Dwight has said. Pre, Post, Swap, and Wait; the 42' was easy because there are not that many. The 32' was filled before I got to the wait list. I get a lot of questions about the size limit on a 32' list. The current rules read 3' under and 6' over. I am not sure how to answer these questions with a solid answer. Are they going to get a stall, are they going to pay for the stall or boat length, and what about the seasonal stall holders? I have not contacted anyone and I have only talked to the ones that have talked to me.

Mr. Tajon

I recommend that letters be sent out to all existing stall holders for them to contact the Auke Bay Office for stall reassignments. This will give the stall holder an opportunity to get on a swap list if the stall they will be assigned to is not what they want. Send the letters out to category one

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and two and they should go out around the end of the season August 1st.

Mr. Busch

Being a Dehart stall holder, I don't know if I can vote on this particular issue when it comes to the way boats are assigned. Mr. Jardell what do you think about me voting on this?

Mr. Jardell

I don't see it being a problem. I support the plan.

Committee Questions

Mr. Unruh

I have just read the rules as they have been placed by the board. When I don't have a definite answer I tell people to go to the board meetings and get an answer from them.

Mr. Bush

Are some of the promises that were made with the purchase in conflict with harbor regulations?

Mr. Busch

Yes, every stall holder at the time of purchase should have a chance to get a stall. I thought the committee had already address the seasonal stall holders in that they were going to get one year provision then they have to choose annual. Also, a single owner can only have two stalls. The one issue that has not been addressed is the vessels that are less than 29' over all. DH needs to address whether or not after a year they are open to potentially being ejected from the stall because they are not meeting the current regulations.

Mr. Jardell

I would support grandfathering them all in as long as they maintain the boat length.

Mr. Busch

That would require regulatory change in terms of a process to follow. The lengths of the vessel and the changes to the regulations might need to be addressed at a later time. Right now the question is how the transition is going to take place. I think it has been discussed that they will have to pay for 32' even if they are under that size. In the new regulations it has to specify that they cannot go to a smaller boat size.

Mr. Unruh

When you talk about grandfathering in are you talking about just pre-city owned or everyone that has been given a stall since?

Mr. Busch

Category one and two have been being treated the same.

Mr. Jardell

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If they are in a group that is being transferred over from the current DeHarts I would like them to be treated as the same and hope the Board would agree. I would like the staff to come up with the exact language that will be presented to the Board so everyone has a chance to read over it and discuss it at the full board meeting.

Public Comment

Mr. Watson

Rather than having 60 people calling the Auke Bay office and ask where they will be, why not send a copy of what Doug has done? This will help everyone communicate and have a visual aid to communicate. With a staff reduction taking place in the fall, I feel more comfortable having something in front of me. It would be much better to see it in writing. That way there is no waiting for one person to get back to you or having the he-said-she-said game going on. Please put it in writing so the staff can report it easily to the public.

Committee Discussion/Action

Mr. Busch

It is agreed on that there will need to be some regulated changes regarding the vessels that are three feet under.

Mr. Bush

I would be in support of what the staff is suggesting.

Mr. Busch

I think sending an all-encompassing letter out with the closure of DeHarts and all the action taken today along with the way the stalls are going to be assigned, as well as the payment cost would be a good idea. I think sending a cleaned up version of what Doug has done would be great to include. This will have to be moved to the full board in two action items, one for the regulatory changes and then one for the process of assigning the slips in the new facilities.

Mr. Wilson

I would like to make a motion to move this to the full board for approval.

MOTION: PASSED – Approved Unanimously

VII. Items for Information/Discussion.

1. Live-aboard Regulations

Presentation by Harbormaster

Mr. Tajon

The Port of Bremerton has a very unique set of live-aboard rules and regulations. My recommendation would be to go through it, mark down what would be appropriate with DH ordinances and adopt those that are applicable. I do believe Amy Mead at one time was

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considering taking one entire section of the O5 CBJ regulations that DH has for live-aboards and just creating its own live-aboard regulations. That way there wouldn't be any conflict with Title 85 that is on hand.

Mr. Busch

With respect to the live-aboards, are there going to be any potential significant changes of what the current process or policies are? Is part of this going to include sewage/waste disposal requirements as well as meeting the current standards of notification and ownership issues?

Mr. Tajon

This document from the Port of Bremerton would acutely make substantial changes to all of the current live-aboard regulations. The only regulation currently on the books is in regards to people under the age of sixteen going to and from their vessels. They can be unaccompanied as long as they are going to the boat, which would even include if they were live-aboards. I don't remember seeing anything on the books mandating sewage pump out. This would make the change where everyone would have to comply with the Alaska Clean Water Act. They would essentially plug up their through hole fittings. DH would have to look at providing some type of service through the winter. DH would also have to get an upgraded sewage system.

Mr. Uchytel

How many live-aboards are there?

Mr. Tajon

The estimate that was given to The Censes was about 200 people. That includes all the harbors.

Mr. Busch

Is there any action you need from the board at this time? Are you going to be working with the City Legal in terms of the Bremerton contract?

Mr. Tajon

DH would actually build it around the Alaska Clean Water Act. No board action needed.

Mr. Uchytel

Another thing I wanted Amy Mead to work with me on is the impound procedures. I have a very nicely crafted book from the City of Homer on how they impound vessels; a cookbook methodology. I have shown it to Amy and asked if she could do this for DH and she agreed to do that.

Mr. Bush

Is that an estimated number of people?

Mr. Tajon

This is from the people that come and register. The staff catches the unregistered during the winter time. The ones you see down there today are registered.

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2. Damaged Juneau Fisheries Terminal Dock

Presentation by Port Director

Mr. Uchytel

There was an accident at the Juneau Fisheries Dock on the Sunday before last. The fishing vessel Kelsey J was conducting some maintenance with their engine and some how the vessel was fully engaged and pulled away from its mooring. It damaged the pier. DH got a construction company there to raise the pier off the vessel. Sometime during the night the entire pier collapsed. The transformer was a total loss. The electrical system was a complete loss too. This pier is owned by the University of Alaska which is leased to DH. The repairs estimate is about \$160,000 for a timber replacement or \$200,000 for a steel pile replacement. I am in the process of getting a hold of CBJ Law, and City Risk Assessor, which is also the insurance person for CBJ. There is a telephone conference scheduled for next Wednesday. The next step is that DH would like to rebuild the dock? I don't know to what extent. DH will seek insurance consideration from the Kelsey J insurance. Because the pier was badly worn, DH will not get full replacement value. Hopefully the CBJ self-insurance will make up the difference and DH can go forward with a steel pier replacement. The scheduling for that will probably have to wait until after August 15th.

Mr. Busch

Have you heard anything from JMS regarding use of the pier? Are they going to continue to use it temporarily or are they going to make other arrangements?

Mr. Uchytel

I asked the harbormaster to look at mitigation for JMS.

Mr. Tajon

I spoke with Dean, the manager of the downtown operations, and asked him if he was okay with continuing use of the work float in the area that is being leased out. He didn't have a problem with it. I let him know I was here to give him options. If it wasn't working out the only place DH could give him was out at Norway Point. He said he was quite happy where they are now.

Mr. Busch

When DH looks at steel piers, is that price for the entire structure? Is DH considering the previously damaged piers as part of this?

Mr. Uchytel

DH will probably roll all of this work into one contract come this fall. If there are any improvements DH would like to do, now is the time to be looking at that. In the current lease, DH is only responsible for maintenance and repairs of the facility. The new construction is something that needs to be negotiated.

3. Update on Downtown Parking Plan

Presentation by the Harbormaster

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Mr. Tajon

This is for the Peoples Warf Parking Lot. DH was trying to acquire the automated paid parking machine from Parks and Rec. and trying to go through the hoops to get the parts missing for the machine. It was going to take awhile. Trying to use the old Statter Harbor system of folding the dollar bills up, that was not going to be acceptable. It was decided to turn the responsibility of enforcement back over to JPD Community Service Officers, but allowing six spaces for the contractors and two for the Visitors Center that will be assigned to them.

4. Harbormaster Operations Report

Presentation by Harbormaster

1. Replaced sewer pump-out with unit that has low hours-Statter. **With the pump from Douglas launch ramp, until DH can get a new one.**
2. Replaced sewer pump-out transition plate-Statter.
3. Repaired main access ramp handrail and trip hazards-Statter.
4. Replaced non-skid.
5. Pressure washed floats-Statter.
6. Electrical outlet repairs-Statter.
7. Removed garbage from Echo Cove lot.
8. Stabilized DeHarts D-floats and patched holes. **Dewatered some of the floats. The section tube can only reach so far down.**
9. Water line repairs for Statter and DeHarts.
10. Built temp scaffolding for plumbers to fix leaks on six inch water line at Cruise Dock. **All leaks have been repaired and ships can take on water.**
11. Reset bent nails on water front dock.
12. Pressure washed yellow buffer zone barriers and deployed for season.
13. Pressure washed Fisherman's Memorial decking.
14. Cleaned Columbia lot and repainted lines.
15. Pressure washed IVF.
16. Clean up of Marine Park the new cement area.
17. Washed down Tram booth area after booths have been moved over to new spot.
18. Repaired bench in front of Brickyard, bench was damaged of the winter.
19. Prepped all vendor booths for the season. On a nice non ship day for refinishing.
20. Tightened Marine Park Float cleats.
21. Rebuilt handrail next to transfer bridge to meet height of new railing.
22. Hoists & boom truck annual yearly inspection – all have passed and are certified.

VIII. Staff & Member Reports.

Mr. Uchtyl

There was an accident at the Docks on Sunday. Within five minutes of a lady walking off a ship she tripped over some timbers placed there by North Pacific Erectors at the construction site of the new Visitor Center. She cut her lip with her teeth then walked back on the ship and was looked at by the ship doctor. She was treated within 30 minutes and then on her way.

The Visitor Center is on track to be finished May 31, 2012. DH is working with the workers at the Juneau Convention Visitor Borough to try and set up some type in early June.

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The Douglas Harbor dredging project, I have a meeting scheduled June 5, 6 & 7 with the core of engineers and regulators out at Lena Point sequestered for three days until a resolution is set for Tier VI.

All of the hires are done.

IX. Committee Administrative Matters.

1. The next Operations Committee meeting – June 19th, 2012 at 5:00 pm at the Aurora Harbor Office.

X. Adjournment.

The meeting Adjourned at 7:07PM.