

CBJ DOCKS & HARBORS BOARD
OPERATIONS COMMITTEE MEETING MINUTES

For Tuesday, December 11, 2012

I. Call to Order.

Mr. Busch called the meeting to order at 5:00 p.m. at the Aurora Harbor office.

II. Roll.

The following members were present: Greg Busch, Tom Donek, John Bush and David Logan.

The following members were absent: Kevin Jardell, Budd Simpson, and Scott Spickler

Also in attendance were: Dwight Tajon – Harbormaster, Carl Uchytel – Port Director

III. Approval of Agenda.

MOTION by Mr. Logan: TO APPROVE THE AGENDA AS PRESENTED.

The motion passed without objection.

IV. Public Participation on Non-Agenda Items.

None

V. Approval of November 13th, 2012 Operations committee Meeting Minutes.

Hearing no objection, the minutes from the Operations Committee Meeting were approved as presented.

VI. Items for Action.

1. Launch Ramp Permit

Presentation by the Port Director

This action item has been talked about at a couple Operations meetings and most recently the full Board meeting. The Board sent it back for more discussion. A month ago the will of this committee was to look at a one-for-one launch permit for trailers. To take this back further the Harbor Master came to me and described a system that has been inconsistently followed over the years. My goal for everything DH does is to have a fair, consistent and enforceable policy where everyone understands what the regulations are. It started out with the web designer (online launch permit sales) Jeremy Hanson. While he heard what was being said he came forward and said that he has four trailers and has always bought four permits. I have talked to other neighbors that have also paid for multiple trailers. That is an inconsistency I would like to correct. How can DH fix the inconsistency and make it fair for not only the recreational users but also the Government users? I also know after reading the paper there is a perception that DH is trying to weed out people that are violators. Which may be true but I can tell you from my perspective I try and think the best of people and that is not really the reason why this is being discussed. Dwight has told me that in the last two years three-quarters of all tickets issued by DH are for launch ramp violations. I think there is something wrong and there are too many violations. It is worth asking why is it that way, is it too difficult for customers to get them, what is it? That is another reason DH has been trying to tackle the online launch permit sales. Also after reading the comments I feel that a lot of the public doesn't know that DH offers daily launch permits. That is something else I think DH needs to better job of getting the word out to harbor patrons. Johanna brought up a good point today with the possibility of selling daily launch permits out of the Apark machine at Statter Harbor. The one

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that is used for paid parking; DH has to get a new one. The goal again is DH wants to provide the best service to the patrons. Launch permits have now become looked at as a trailer registration which it is not. If you read the regulations it is for owners to launch and recover recreational vessels. That is something that needs to be overcome if DH is going to enforce the regulation as it is written. DH can always elect to rewrite the regulation, but as written I think it is clear it is not a trailer permit it is a launch ramp fee. How does DH manage that? What is the policy of the Board of how DH goes forward with this to make sure DH has fair, consistent and enforceable procedures?

Mr. Tajon – Doing research in the ordinance that DH has, which is regulations 05 and it is the same in Title 85.

Mr. Uchtyl – Another thing Dwight did is look at other launch ramp fees throughout the State. Sitka's annual launch ramp is \$75.00, Homer - \$130.00, Wrangell - \$50.00 w/o stall \$25.00 with stall, Seward - \$100.00, Ketchikan - \$46.75, Petersburg - \$30.00. Higher than some lower than others.

Committee Questions

Mr. Busch – Looking at the regulations Payment deadline (#3 a.) without opening up another can. With respect to the penalties schedule and how this payment deadline is written. How does DH apply this? You mentioned most of the violations are launch ramp violations and they don't have the permit in time or displayed properly. My understanding is that there is a flat \$75.00 penalty for launch ramp permit violators that don't have permits. When I am looking at this it almost reads that if someone doesn't have an annual permit then they can get one. After they were detected and if they don't have the daily launch permit then they would be assessed the daily launch ramp fee. I am curious of when the rate was changed to \$75.00 for a penalty?

Mr. Tajon – The \$75.00 is the bail amount. That regulation changed sometime around 2009. It was around \$25.00. Then the City went through the regulations and revamped them. I believe it was right around that time when the rate change took place.

Mr. Busch – This could be one of the things that didn't get modified.

Public Comment

David Warner, Juneau, AK – My truck is registered with the DMV and my trailer is registered with DMV that is all the Harbor requires. Having to pay for multiple vehicles to launch a boat and to pay for is ridiculous. I launch one boat at a time and I use one boat at a time. I may want to bring two down on occasion. I may be testing one out to buy or sell one. Because people are breaking the rules and regulations why should I be penalized and held accountable for their actions with a rate increase? Another thing a larger boat tears up launch ramps more than a small one. If you want to do something make the larger boat pay more. Leave us little boats along that don't cause any damage. We are quick, easy, in and out, out of the way; don't take up as much parking space. Put the blame on the bigger boats. Their boat goes down there, launches and now he is using two parking spaces. They use up more space than just a person of the fly. I am paying \$90.00 that is a lot of money. I don't launch that often; more in the winter time when no one is down there. The way they do it up in Anchorage and Kenai Penn. and stuff like that for daily use is there is a slot up there that you put your money in. Then you park your vehicle and you're gone. If you want to park

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more than one trailer then hammer on them with daily fees. But leave us small guys alone.

Wayne Wilson, Juneau, AK – I think the fee structure is excessive for people that have multiple trailers. I don't feel that if you are trying to get money into the enterprise fund which is an admirable thing to do, that is not the way. I have had multiple trailers for many years. I have never heard of someone paying for multiple permits for multiple trailers. That is something new that I have never heard of before. The way to fix it is to pay your one fee no matter how many trailers you have. You are allowed to use that facility for your permits fee. You are already charging extra money to park in Statter Harbor. Shouldn't that \$5.00 be your permit launch fee for the day? The fee structure is starting to be a pyramid and it is starting to add up more and more.

Larry Hooton, Juneau, AK – I buy an annual launch permit, I could probably work with a daily one but to drive 40 miles to get it and go back to Echo Cove isn't feasible. If the daily were at the ramps like other communities that would be fine but charging multiple trailer fees when this is a user fee is not in line with what the Harbor should be doing. If you want to charge multiple then you should go back to \$30.00 per trailer. Charging \$94.50 per trailer is ridiculous.

Paul Swanson, Juneau, AK – How do other areas approach this problem? Is it a launch ramp fee or a trailer fee?

Mr. Tajon – I have some information from Homer, Seward and Sitka. For Homer and Seward they have a lot of users coming in from Anchorage so there isn't a large amount of annual ones purchased. They do the daily rate at about \$14.00 per launch, one in one out. Wrangell has a \$10.00 daily fee. Ketchikan has a \$6.00 daily fee. Petersburg has a \$7.00 every in and for every out.

Mr. Busch – But in terms of the annual do you know if they apply the flat rate of the annual to the user or per trailer?

Mr. Tajon – When I was in Seward and Homer I didn't ask them if it was per trailer or a user.

Tom Hanley, Juneau, AK – I just read the ordinance and would like to point out the definition. It is a fee assessed to an owner for using one or more launch ramps to launch and recover recreational vessels. It doesn't say one vessel. If you guys want to change the policy and start charging multiple fees the ordinance needs to be rewritten.

Mr. Uchtyl – In Mr. Hooton's letter he talks about in the past DH used to issue a hanging permit that hung in the vehicles. DH has morphed into registering trailers.

Mike Petersen, Juneau, AK – The way it is presently worded is that the one launch permit regardless what trailer it is on is good for going on the ramp. If there is any issue going on I think that you should keep it the way it is this year. Then go back and change the words that define what a launch permit is and have that take effect on the 2014 launch permits. Don't change things right now. In two weeks the new ones come out.

Committee Discussion/Action

Mr. Logan – I would like to hear what the staff has to say now that this has made its rounds.

Mr. Uchtyl – I think I had an epiphany. I call it a trailer permit but its not. So I don't see how you

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can expand it, even if it was the will of the body. With the regulations before us I don't see how we could do it. Now how to make it consistent, fair and enforceable; my position is that DH stops looking at trailers and issuing permits to trailers altogether and issue permits to owners of vehicles with the presumption of if you have a trailer at any of the ramps that you are using it and you are the owner of the vessel that is being launched. Putting the decal on the rear window of the vehicle or on the pumper would be an easy way to make it enforceable. I had Dwight run a test today and I know that people don't like to put decals on their vehicles. The decals DH issues now are easily removed with hot water. My neanderthal answer would be to stop trying to chase two thousand trailers and look at compliance through a vehicle and make it easy for people that are going out to Echo Cove to buy these permits online for the day if that is what they want.

Mr. Logan – If DH goes to a system that an individual gets a permit what would it take to be revenue neutral? Could it stay at \$90.00 or go high or lower.

Mr. Tajon – That is pretty much up to you guys if it stays at \$90.00.

Mr. Logan – What is your estimation if it stays at \$90.00.

Mr. Tajon – I don't think it is going to make too much of a difference. There maybe an excess of permits. I beat my head over this issue a lot. Trying to teach old dogs new tricks and getting away from it's a boat trailer permit vs. permitting a vehicle. I finally stopped and listened more and accepted that yeah this could work.

Mr. Busch – I know I have personally gone through that up and down to where my first thought was that it goes the individual and should easily be something that you put in your car from the stand point of you could either launch a boat or a kayak. Then I went to the point of keep it simple and do it one trailer and make it a trailer fee. But after discussion and looking at the regulation in more detail it is not a trailer fee. It is a launch fee to an owner for their use. That is the challenge I come up with. It does need to be fair, consistent and enforceable. When I look at the consistency there are a couple of things here. One is the consistency that was brought up at the first meeting. The application of what was the policy of single owners with multiple trailers. Where some owners of multiple trailer owners were not getting their second, third or fourth permit for free after buying the first one at \$90.00. Then the enforceability where it may not be a violation but there is possible abuse of a person getting multiple permits for use on their friend's trailer. That is something that will have to be watched. More important is how does DH apply this more consistently with what the intent is? Dwight when you look at the enforceability right now it is clearly visible when someone has a launch permit it's on the trailer. How enforceable would hanging permits in the window be?

Mr. Tajon – From when I used to do the enforcement, getting out of the truck and thoroughly looking over the vehicle and trailer some would be on the tug of the trailer. Years ago some would be using two trailers with the permit being on a piece of wood on the dash, some would hang it from the rearview mirror with a piece of string. Those ones were the tough ones to distinguish if they were a permit DH issued or something they got from a rock concert many years ago. The sticker would curl up in the heat and you wouldn't be able to tell if it was something from CBJ or not. Having something on the rear window could easily could be seen. It would just actually take the officer a smidge more time to get out.

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Mr. Busch – For 2013 DH is currently set have the permits to be placed on the trailer(s). So if DH looks to do something different it would be for 2014. Is that your preference?

Mr. Tajon – As of now there hasn't been many permits sold so I don't think it is to late to tell patrons this is where the permits need to be affixed to the trailer or vehicle.

Mr. Busch – In terms of the actual sticker you are still looking right now at sticker whether it is on the vehicle or trailer versus something else like a plastic thing hanging from the window.

Mr. Tajon – Yes.

Mr. Logan – So essentially it is a house hold but they may have multiple vehicles so how will that work. They would have to affix it something that would hang or make it where it could be moved.

Mr. Busch – Patrons will still have to be able to get multiple ones if they are affixed for this year other wise it will have to be something like the DeHarts parking permits. I have one pass that I clip on my rearview mirror but I have multiple cars and I can transfer it to what ever car I am driving that day.

Mr. Donek – I think we are all in agreement this is not going to go to a trailer fee. That is one option is that the ordinance could be changed and go to a per trailer fee later. My opinion is send this back to Dwight to work with the staff to come up with how this is going to work. This can be discussed for the rest of the night but a committee isn't the place to do that. I don't want something that is going to cost more to enforce than what is being taken in by the permit sales. You have to be very carful of how you do this because all of a sudden the money you are collecting to maintain and build ramps is going into enforcement. Sit down with the officers and then come back to us with the plan.

Mr. Busch – I could agree with that with the prevision that if DH is going to go to online purchasing that same plan is applied to the online purchases too.

Mr. Bush – Almost everyone I have spoken or read submitted comments have said I only use one trailer at a time. It seams like the tide is flowing away from a trailer sticker although as it was elegantly put, get it back to where it works, it's easy and enforceable. If the sticker stays on the trailer you can drive down the line and see them. If there isn't one then you will have to go looking for a daily or something. A lot of the comments are one trailer per day, if someone has three they usually don't use more than one per day. One of the changes that could be made is if they launch two boats the same day is charge for a daily use for the second that day. I don't know how you would enforce that part.

Mr. Logan – If this is kicked back to staff there is a very narrow time frame to get this done. The meeting is in like nine days. Is this board going to give them direction?

Mr. Busch – The one thing that needs to come to the board is this is a user fee and not a trailer fee. If you own multiple trailers you can get multiple stickers with one fee. How the implementation goes will be the challenge. Whatever works best for everyone is best.

Mr. Donek – I think that leaving it on the boat trailer would be best.

Mr. Tajon – I agree with putting the permit on the trailer. When someone purchases a trailer permit

online and want multiple they need to bring in proof of ownership and get their other ones.

MOTION by Mr. Donek – This committee would like to recommend to the full board that the sale of launch permits be done the way the ordinance is written, with the understanding that this is a user fee not a trailer fee. The staff will come back with a recommendation on the specifics of how to handle the issuance of permits.

MOTION PASSED

Mr. Busch – Now let's look at Government Launch Permits.

Mr. Uchtyl – I think it was 32 permits that were issued to Government agencies last year. Forest Service, Fish & Wildlife, DIPAC, Fish & Game, NOAA and maybe others. These don't fit with the Commercial or Recreational launch permits. So it needs to be decided where these fit in. There are some that have a cooperative agreement with DH.

Mr. Tajon – The only one that has one is Alaska Department of Fish & Game (ADF&G). That was extended to the law enforcement too.

Mr. Donek – That applies to Douglas and Amalga and also Statter if DH signs that agreement.

Mr. Uchtyl – There are exceptions. How does DH treat the other ones? Should they be given a pass?

Mr. Donek – Fish & Game help fund the ramps. It was also extended to the Troopers too. DIPAC is the third one they are non profit, they are not state or federal. I see giving them a permit. With the federal folks have a lot equipment and use the ramps quite a bite. The Coast Guard has large heavy boats and uses the facilities a lot. Maybe DH should consider them commercial folks.

Mr. Bush – The Coast Guard also goes out and rescues. Is DH going to charge them for going to rescue someone?

Mr. Busch – In the regulations, recreational and commercial is covered but not Government or non profit. I think a regulation change needs to be added, changed or modified before a fee structure is implemented. I wouldn't be opposed to charging agencies that don't have preexisting agreements a fee.

Mr. Tajon – After totaling up the number of trailers used by Government agencies I would say they are one of the heaviest users of the launch ramps. It's not like they have one trailer towing the trailers they have many vehicles towing many different trailers. Multiple boats could be launched at one time.

Mr. Uchtyl – There should be a new regulations that cover this issue.

Mr. Busch – Unless there is a special agreement in place they should have to pay the set rate. I think this should be brought up at the next meeting and the process should be started. It would be good to model it after the commercial user. No fees in place until a regulation are in place for these ones.

VII. Items for Information/Discussion.

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1. Harbormaster Operations Report Presentation by the Harbormaster

Mr. Tajon – The material barges are out at Auke Bay with all of the supplies. The contractor has run into a hiccup with their larger barge that is supposed to be lifting all of the materials into place. It is still in Skagway and a new engine should be installed here soon. Not sure when they plan to have the crane here.

Mr. Busch – Is this going to impact the completion date?

Mr. Tajon – The foreman said it shouldn't have any impact in the completion date. The flat bed truck out at Auke Bay ran into some mechanical problems with the fuel system. The fuel pump disintegrated and sent small metal shards through the fuel system. The work is being done at Evergreen Motor Works. The new dealership is covering the warranty as of right now.

VIII. Staff & Member Reports.

Mr. Uchytel – The FONSI is signed for Statter Harbor. This can now be moved forward towards getting the conditional use permit for phase II of The Statter Harbor launch ramp. Also got the draft appeal results for the 16-B project essentially it looks like DH won. Personal changes: Heidi Allison is leaving 12/21/12, Ronda Davis has also moved on, Leah Gregg is filling in and Ben Merritt left the end of October. Dwight and the OMS are working on the process to fill that position.

IX. Committee Administrative Matters.

1. The next Operations Committee meeting – January 22nd, 2013.

X. Adjournment.

MOTION by Mr. Logan: TO ADJOURN THE OPERATIONS COMMITTEE MEETING AND ASK UNANIMOUS CONSENT.

The Operations Committee Meeting adjourned at 6:12 p.m.