

CBJ Docks and Harbors Committee
Operations Meeting Minutes
For Tuesday, May 21st, 2013

I. Call to Order

Mr. Busch called the Operations Committee Meeting to order at 5:00 p.m. at the Aurora Harbor Office.

II. Roll Call

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

Absent: Kevin Jardell

Also in attendance were the following: Dwight Tajon – Harbormaster

III. Approval of Agenda

MOTION By MR. SIMPSON: TO APPROVE THE AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

IV. Public Participation on Non-Agenda Items – None

V. Approval of the Operations Committee Meeting Minutes.

Hearing no objection, the April 16th, 2013 Operations Committee Meeting Minutes were approved as presented.

VI. Items for Action.

1. Statter Harbor Management Regulation – 05 CBJAC 25

Mr. Tajon said the harbor regulation 05 CBJAC 25 is in the packet. He said the staff recommended the marked parts of the regulation be moved to the Small Boat Harbor Management 05 CBJAC 40. This change is at the advice of the CBJ Law Department because regulations in this chapter contradict regulations in 05 CBJAC 40.

Attached to the minutes is the 05 CBJAC 25 with marked recommended changes.

Committee Questions

Mr. Busch asked if the Law Department wants to have all the management regulations under the management section.

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Mr. Tajon said that is correct.

Mr. Busch then confirmed that we do have two sets of management regulation for small boats.

Mr. Tajon said anything with DeHart's will be removed, and redundancies.

Mr. Busch asked Mr. Tajon if he had compared the 05 CBJAC 25 and 05 CBJAC 40 to other CBJ regulation that would have to be modified to correct references.

Mr. Tajon said he had not, but the sections being addressed were actually sent by the Law Department for review.

Mr. Donek asked for clarification that everything from regulation 05 CBJAC 25 would move to 05 CBJAC 40.

Mr. Tajon said that the entire section of 05 CBJAC 25 would be consolidated with 05 CBJAC 40 after small verbiage changes had been made to make the regulation more specific.

Mr. Busch asked if the proposed changes for 05 CBJAC 040 have been compared with the current regulation for redundancies/conflicts or would Statter Harbor have a separate sub-section.

Mr. Tajon said that a separate subsection would be created for Statter Harbor.

Mr. Busch asked if the regulations should be developed so that they are harbor specific or if the regulation should be developed to be all encompassing of the harbors.

Mr. Tajon said that the regulation should include all the Harbors for consistency.

Public Comment - None

Committee Discussion/Action

Mr. Logan asked that the regulation be reworked with the changes and a copy be brought to the committee for review.

Mr. Donek expressed concern that 05 CBJAC 40 is being revised while it is out for public comment. He asked if that should be pulled out of public comment.

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Mr. Simpson said what the staff is recommending is to revise 05 CBJAC 25 and 05 CBJAC 40 and so these will have to go through the whole process again.

Mr. Bush suggested to have the Harbormaster report to the Board only on out of the ordinary situations.

Mr. Tajon said he agrees with reporting to the board with the out of ordinary situations.

Mr. Busch recommended after 05 CBJAC 40 with the removal of the DeHart's language has been approved, see a draft of 05 CBJAC 40 with the revisions talked about tonight and address the concerns with the revisions at that time.

No Motion at this time

2. Harris Harbor Lift Station

Mr. Tajon said the Harris Harbor Lift Station that services the Harris Harbor restrooms has failed and waste is currently being stored and trucked offsite to the waste facility. Mr. Tajon said one option for repair was to install a Sani Sailor with a bypass hose which can transport waste up to 500 feet and up to 90 psi. Mr. Tajon pointed out that the hoses could become clogged if the users did not properly clear the line. Mr. Tajon advised against this type of repair. Mr. Tajon said he has received two estimates from Behrends Mechanical, the term contractor, for the repair of the pumps in this lift station. The first estimate for \$10,000.00 is for the replacement of just the pump. A second quote for a little over \$13,000 includes the replacement of the pump and an upgrade of the electrical system which was once submerged under water.

Committee Questions - None

Public Comment -None

Committee Discussion/Action

MOTION By MR.LOGAN: TO APPROVE PURCHASE OF PUMP SYSTEM AND HAVE PORT STAFF WRITE UP A CONTRACT FOR \$13,000 AND ASK UNANIMOUS CONSENT.

Motion passed without objection

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VII. Items for Information/Discussion.

1. Use of Stalls by Charter Operators at Statter Harbor

Mr. Tajon said during recent meetings regarding the Statter Harbor Loading Zones, a couple of charter boat captains asked if, at any time, they can pull into a stall near DeHarts that is vacant to load and unload passengers. Mr. Tajon said two concerns would be if the charter operator requested consent from the stall holder, or if the space was utilized without notification to the office or the stall holder. Mr. Tajon said that Title 85.25.040 states that if the charter captain did not notify the office they would be in violation of application for space. Mr. Tajon said if a stall holder fails to notify Docks and Harbors of a departure and return time, after four days Docks and Harbors has the right to assign someone temporarily to the reserved stall. Mr. Tajon said under Title 85.25.050 Commercial Operations, no space should be sublet or rented out to a firm or individual for the purpose of conducting commercial operations, business or enterprises. Failure to comply is subject to a \$25 fine.

Mr. Busch asked if Mr. Tajon was opposed to granting temporary use of unoccupied stalls after an agreement has been worked out with the stall holder.

Mr. Tajon said he was opposed.

Mr. Simpson said that the rule against subletting has been in effect for quite some time. He said that when a vessel is gone for an extended period of time they notify the office, and the stall can be used for transient vessels etc., but if tour operators were in and out of a stall without notification to the offices, the stall becomes unavailable for assignment and creates a management problem by having different rules for different parts of the system.

Mr. Logan said that he was in favor of the temporary allowance to the charter operators due to the congestion at Statter Harbor. By allowing the temporary use of a vacant stall, the horseshoe area traffic would be alleviated and it would free up dock space.

Mr. Busch asked how the horseshoe area for loading and unloading was working for the charter operators?

Mr. Tajon said that the barge was currently still in place and that passengers are being picked up on the end of the main float creating for a long walk.

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Mr. Tajon said one of his concerns with the Charter operators using a stall holder's slip is the neighboring boats.

Mr. Busch pointed out that the Charter operator's would not be conducted business in the stall without a prior agreement with the regular stall holder.

Mr. Donek said that he understands both sides of the topic but would like to avoid making exceptions that could grow out of control. He pointed out that this could turn into a fairness issue of someone is waiting for the use of a stall and can't because two friends have made an agreement. This is not fair to the general public and this activity should not be free.

Mr. Spickler asked if a fee structure for such an activity was in place.

Mr. Tajon said that a fee structure was not set in place for this kind of activity.

Mr. Simpson said in terms of a fee there is a passenger rate fee charged to the Charter Operators for every passenger.

Mr. Busch clarified that the stall use agreement would potentially be between the Shelter Island Lodge and maybe another lodge, since they only use their stalls when they are coming into town for supplies.

Mr. Bush said his concern is that if you allow it then the charter operators will begin to grab any first slip available.

2. Harbormaster Operations Report

Mr. Tajon read his monthly report –

- The damaged bull rail, from Statter Harbor, has been removed and will be repair.
- The lumber around the containers near the top of the launch ramp has been moved with the intention of improving traffic flow for the motor coaches and the launch ramp users.
- The Amalga Harbor Lot has been cleaned
- The floats have been pressure washed.
- A temporary water hook up has been completed at Statter Harbor. A temporary water needed to be hooked up before the new one was ready to be charged.
- Concrete repairs on Statter floats.
- Repaired broken water lines at Statter.

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- Assisted contractors with installing boulders at echo cove to prohibit vehicles from accessing the beach and placed a parking barrier near a trail head along the access road.
- Cleaned dirt from launch ramps.
- Brush clearing at the Douglas Harbor.
- Replaced receptacles
- Replaced pins and non-skid on North Douglas boarding floats.
- AEL&P has repaired the overhead lighting at Aurora Harbor.
- Bollards at the top of the Harris Harbor Ramp have been painted.
- Harris grid water has been repaired
- Annual shut down of the heat trace of the harbor water systems.

The fendering system for the North Douglas launch ramp has been delivered and will be installed this week.

Inspections on launch ramps have been completed and Mr. Tajon will meet with the Deputy Engineer for review of these inspections.

Maritime Festival was success, and Dock's and Harbors staff won the trophy.

- VIII. Staff & Member Reports
Special Board Meeting – May 23, 2013 at the Assembly Chambers at 5:00 pm.
- IX. Committee Administrative Matters.
 - 1. Next Operations Committee Meeting June 18th at 5:00 p.m. at the Aurora Harbor.
- X. Adjournment
The Operations Committee adjourned at 5:45 p.m.

Chapter 25 - STATTER HARBOR MANAGEMENT REGULATIONS

05 CBJAC 25.010 - Designated moorage areas.

05 CBJAC 25.020 - Administration of designated moorage areas.

05 CBJAC 25.030 - Visiting vessel arrival zone.

05 CBJAC 25.040 - Reservations zone.

05 CBJAC 25.050 - Docks and harbors board approval.

05 CBJAC 25.060 - Summer management.

05 CBJAC 25.070 - Daily moorage zones.

05 CBJAC 25.080 - Winter management.

05 CBJAC 25.090 - Winter management waitlisted vessel moorage zone.

05 CBJAC 25.100 - Exclusion.

05 CBJAC 25.110 - Effective date.

05 CBJAC 25.120 - Daily fee review.

05 CBJAC 25.010 - Designated moorage areas. Move to title 40

At any time during the year, the harbormaster, in his discretion, may designate moorage areas within the harbor for specific uses, such as the loading and unloading of passengers, crew, or cargo, fish cleaning, boat repair, commercial, recreational, and other types of moorage.

(Amended 3-14-2005, eff. 5-27-2005)

05 CBJAC 25.020 - Administration of designated moorage areas. Move to title 40

When designating an area, the harbormaster shall establish written procedures for administering moorage in the designated area. There shall be no moorage fee for use of a loading zone designated under this regulation. No person may moor a vessel in a designated moorage area unless actively engaged in the use specified for the designated area, except in an emergency or in the interests of effective space management, the harbormaster may allow a vessel that is not actively engaged in the use specified for the designated area to temporarily moor in the designated area.

(Amended 3-14-2005, eff. 5-27-2005)

05 CBJAC 25.030 - Visiting vessel arrival zone. Move to title 40

The harbormaster may establish a zone for visiting vessels to moor upon their arrival from out-of-town and establish written procedures for administering this moorage. The purpose of the zone is to provide temporary moorage for visiting vessels while the harbormaster finds appropriate moorage within the facility. No person shall moor a vessel in this zone without the approval of the harbormaster. The harbormaster shall charge daily moorage fees for use of this zone. The time allotted under the daily fee is transferable to other moorage areas within the facility.

(Amended 3-14-2005, eff. 5-27-2005)

05 CBJAC 25.040 - Reservations zone. Move to title 40

The harbormaster may accept reservations for daily moorage on both sides of the breakwater and establish written procedures for administering this moorage. No person shall moor in an area marked for reservation without the approval of the harbormaster.

The harbormaster shall assess daily moorage fees under this section the same manner as the regulations set out in 05 CBJAC 15.030.
(Amended 3-14-2005, eff. 5-27-2005)

05 CBJAC 25.050 - Docks and harbors board approval. ✓ Should this be struck out or should the previous 4 codes be struck out?

Prior to administering moorage as set out in sections 010 through 040 of this regulation, the harbormaster shall obtain the approval of the docks and harbors board.
(Amended 3-14-2005, eff. 5-27-2005)

05 CBJAC 25.060 - ~~Summer management~~. ✓ Should say, "Statler Summer Transient Management"

Except for a loading zone, from May 1 through September 30 each year, a vessel may moor at the facility, including the breakwater, for up to ten consecutive calendar days, after which the vessel must clear the facility for at least six consecutive hours. Unless directed otherwise by the harbormaster in accordance with procedures established under this regulation, all moorage during this period shall be on a first-come, first-serve basis.
(Amended 3-14-2005, eff. 5-27-2005; Amended 12-11-2006, eff. 5-1-2007)

05 CBJAC 25.070 - Daily moorage zones. ✓ Move to title 40, does this contradict 25.050 of this same code?

The harbormaster shall have the discretion to establish a daily moorage zone within any harbor facility at any time of year. The harbormaster shall assess the daily moorage fee as set out in 05 CBJAC 20.030 to each owner mooring a vessel in the daily zone. The daily moorage zone is intended for active vessels and, unless directed by the harbormaster in accordance with written procedures established under this regulation, is available on a first-come, first-serve basis.
(Amended 3-14-2005, eff. 5-27-2005; Amended 12-11-2006, eff. 5-1-2007)

05 CBJAC 25.080 - Winter management. ✓ Move to title 40

(a)

From October 1 through April 30 each year, the harbormaster may assign moorage to vessels for all or part of this period. Moorage will be assigned as follows:

(1)

During the month of August each year, a person wishing to obtain a moorage assignment may apply on an application form provided by the harbormaster. The person shall submit a \$100.00 application fee, refundable if the person does not receive a moorage assignment and creditable towards docks and harbor department charges;

(2)

During the month of September each year, the harbormaster shall assign moorage by lottery until all of the designated space is assigned or all of the applications are processed.

(3)

After assigning moorage by lottery, the harbormaster may assign moorage if space is available at the facility.

(b)

No person, other than the moorage assignee, shall moor in an assigned space without harbormaster approval. Moorage assignments under this section will terminate if the assignee does not pay all applicable fees on a timely basis. Moorage assignees shall

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notify the harbormaster of departure and arrival times as required by 05 CBJAC 40.020(d).

(Amended 3-14-2005, eff. 5-27-2005; Amended 12-11-2006, eff. 5-1-2007)

05 CBJAC 25.090 - Winter management waitlisted vessel moorage zone.

~~From the day after Labor Day through the Thursday before Memorial Day. Should be changed to say, "From October 1 to April 30" in line with 25.080~~ each year, the harbormaster may assign space to vessels that are on the reserved moorage waitlist when space cannot be assigned in the downtown harbor system and there is excess space at the facility after the daily and monthly moorage zones have been established. The harbormaster shall assess moorage fees to the owner of each vessel as follows:

(a)

No additional fee for vessels who pay the full annual fee on or before July 1 in accordance with the applicable small boat harbors fees and charges schedule; and

(b)

75 per cent of the full annual fee for all other waitlisted vessels.

(Amended 3-14-2005, eff. 5-27-2005)

05 CBJAC 25.100 - Exclusion.

This regulation does not limit or restrict the harbormaster's authority to prioritize and manage moorage in a manner to accommodate vessels that are temporarily displaced from reserved moorage due to harbor reconstruction activities, displaced during the winter due to safety concerns, or as provided by CBJ Ordinance Title 85.10.050.

(Amended 3-14-2005, eff. 5-27-2005)

05 CBJAC 25.110 - Effective date.

This regulation takes effect on May 27, 2005.

(Amended 3-14-2005, eff. 5-27-2005)

05 CBJAC 25.120 - Daily fee review.

The docks and harbors board will review the requirement to pay daily fees under Section 6 of this regulation prior to July 1, 2007.

(Amended 3-14-2005, eff. 5-27-2005)