

**CBJ DOCKS & HARBORS BOARD**  
**FINANCE MEETING MINUTES**  
**For Tuesday, December 9th, 2014**

**I. Call to Order** The Finance Committee meeting was called to order at 5:00pm in **Room 224, City Hall.**

**II. Roll Call** The following members were present: Greg Busch, Tom Donek, Scott Spickler, and via conference call David Logan and Mike Peterson.  
Also Present: Carl Uchytel –Port Director.

**III. Approval of Agenda.**

**MOTION: BY MR. DONEK TO APPROVE THE AGENDA AS PRESENTED AND ASKED UNANIMOUS CONSENT.**

Motion passed with no objection.

**IV. Public Participation on Non-Agenda Items - None**

**V. Approval of November 18th, 2014 Finance Committee Meeting Minutes.**

**MOTION: BY MR. BUSCH TO APPROVE THE NOVEMBER 18, 2014 FINANCE COMMITTEE MEETING MINUTES AND ASKED UNANIMOUS CONSENT.**

Motion passed with no objection.

**VI. Consent Agenda - None**

**A. Public Requests for Consent Agenda Changes**

**B. Committee Member Requests for Consent Agenda Changes**

**C. Items for Action**

**VII. Unfinished Business- None**

**VIII. New Business**

**1. Waterfront Vendor Booths – Fee Review & Regulation Changes**

Presentation by Port Director

Mr. Uchytel stated the fee review committee met November 18 and there were five different options discussed to improve the waterfront vender booth sales fee structure. Mr. Uchytel presented a memo with the fee structure & renewal process for each year moving forward. The direction from the committee was to work towards a three year fee cycle and with the belief the permits would be renewable each cycle. Last year there were nine booths. At this time only four companies have existing multiyear permits moving forward they would be grandfathered in for their previous rate. The proposal is to have a fixed fee structure and use the median value of the permits of \$42,000. This would be the new value that would be adjusted by the CPI unless the board elects not to. Total number of permits would be 10. There would be only one outcry booth available with a starting bid of \$30,000. By 2018 the nine permits would be on the same cycle for the same fee with the exception of the one outcry annual permit. If there are more than ten interested parties we would move to a lottery system and by 2020 we may have up to eleven permits.

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Mr. Uchytel also presented in the packet the current CBJ Ordinances for the Waterfront Vender Booth Permits. Mr. Uchytel presents the recommended changes for the ordinances to reflect the proposed fee structure and stated moving forward we will do our part in enforcing the regulations.

**Board Questions**

Mr. Peterson suggested if the outcry permit is consistently bid and sold for over the 42K set fee that we have the option added to the ordinances for any future Port Director to increase the fees for more than just the CPI.

**Public Comment - None**

**Board Discussion/Action**

Mr. Busch stated we need to get this to the Assembly so we can get implemented for the new season starting this spring. The regulation changes need to be simple and flexible so the Port Director can manage the number of permits. The vendors that met with us helped with suggestions and seemed to agree with our new plan so they can plan for their budget.

Mr. Peterson stated the wording for the regulations should read the fees can be increased, decreased or kept the same so the Port Director has the flexibility to manage the fees.

Mr. Donek stated it may not be necessary because if there is an issue then the board would re-address the fees for any changes since that is what the board is for.

Mr. Spickler stated he is comfortable with the recommendations presented.

**MOTION: BY MR. BUSCH TO FORWARD THE WATERFRONT VENDER BOOTH FEE REVIEW RECOMMENDED CHANGES TO THE REGULATIONS FOR APPROVAL BY THE FULL BOARD AND ASKED UNANIMOUS CONSENT.**

Motion passed with no objection.

**2. CBJ Marine Passenger Fee Project Proposal List**

**Presentation by Port Director**

Mr. Uchytel stated every year each department may request marine passenger fees to cover certain expenses. The City collects \$5.00 per person from the cruise line ships that visit Juneau each year. This equates to about \$5 million and of the amount \$3.5 million is divided by the City Manager from the requests that are received. There are more requests than money available so it is not a guarantee we will receive funds. Mr. Uchytel presented a packet that contained the breakdown of each fund requested. These requests included area-wide port operations; Port, Customers, and Visitor center maintenance support; Statter Harbor Passenger for Hire facility; downtown restrooms; future cruise terminal staging; downtown pay phones; visitor kiosk replacement; landscaping; lightering float canvas replacement; marine park parking lot brick repair; and flags & banners.

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Board Questions

Mr. Spickler asked about the \$133,500 figure for Port, Customs, & visitor centers maintenance support. It seems too high. He understands this helps compensate for Customers Office not paying rent but compared to his office costs this seems inflated.

Mr. Donek asked if there is tracking for what is spent.

Mr. Uchytel stated it is not that much and he compared the break down to the compiled fees the Port Directors Office has to pay. He stated the amount is also to cover future building maintenance that will be needed.

Mr. Donek asked where the funds go and are they earmarked for these offices only.

Mr. Uchytel answered it goes in to the Docks Operating funds and it is not dedicated to just these offices. It can go to fixing other maintenance issues that will arise. We can request whatever amount we want to and this number is justified.

Mr. Spickler stated he believes the \$150,000 for a 400 square foot visitor's kiosk is also too excessive.

Mr. Donek asked why doesn't the Visitors center request the funds.

Mr. Uchytel answered it is on our managed property.

Mr. Uchytel stated it depends on what we are going to build and if it will remain a walk-up or an enclosed structure with restrooms.

Mr. Busch stated it is a good amount to ask for because it may be possible to add a restroom.

Mr. Peterson asked if there are temporary restrooms downtown.

Mr. Uchytel answered no we do not put port-a-potties downtown. The public restrooms are located at the library, city hall, and the tram.

Mr. Peterson recommended putting in temporary restrooms at the Archipelago property in order to gather information on how many people use them in order to get funding to build a new restroom facility. Mr. Peterson also stated he believes we should replace the marine park parking lot with asphalt. The bricks are too expensive to maintain.

Dr. Logan stated he agrees with \$150,000 is too much for a kiosk only.

Mr. Uchytel answered we do not have enough room for temporary bathrooms. We do have tidelands we could use to deck over and construct restrooms and a memorial area.

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Mr. Donek stated he believed we had put additional plumbing in the visitor's center for a future restroom to be built.

Mr. Uchytel answered we have more room by the peoples wharf and we can connect to the visitors centers plumbing.

Mr. Donek stated that the Statter Harbor fund request is definitely connected to cruise ship funds but it may be too early to request the funds.

Mr. Uchytel answered it is for permitting and planning.

**Public Comment**

Mr. Greg Pilcher – Whale Tales, Juneau, AK

We definitely need more public restrooms to improve the tourism experience. The downtown restrooms are way overused and not clean enough. Also the kiosk is very old, his grandmother used to work there when she was young so it would be nice to get a new one.

**Board Discussion/Action**

Mr. Busch stated we should move this discussion to the full board then we can discuss any changes.

**MOTION: BY MR. GREG BUSCH TO FORWARD THE CBJ MARINE PASSENGER FEE PROJECT PROPOSAL LIST TO THE FULL BOARD FOR APPROVAL AND ASKED UNANIMOUS CONSENT.**

Motion passed with no objection.

**3. ADF&G Cooperative Agreement – Amalga Harbor Fish Cleaning Float**  
**Presentation by Port Director**

Mr. Uchytel stated Fish & Game Department approached him regarding Amalga Harbor not having an adequate sport fishing cleaning station. ADF&G is willing to fund the \$50,000 design for a solution for Amalga Harbor. The construction costs would be paid 75% by Harbors and 25% by ADF&G. The thought is to build a separate float for fish cleaning and possibly for net repair. If the board approves this we can go to the city assembly and accept a grant for funding this project.

**Board Questions**

Mr. Busch asked if ADF&G does their design and assessment and determine it is not financially feasible do we have any financial obligation. Also if they come up with a plan and we decline to move forward then do we pay them back for the design costs plus 5 percent.

Mr. Donek answered that is not correct. The repayment section is only for phase II. We would not be liable for the \$50,000 design fees. Mr. Uchytel should clarify the proposal agreement with ADF&G.

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Mr. Peterson asked if the charter boat operators will be using this as well.

Mr. Busch answered the charter boats are also considered sport fishing.

Mr. Uchytel asked if we would be able to allow net repair for commercial fishing fleet.

Mr. Donek said the requested funds would have to correctly allocate for usage between commercial and sport fishing.

Public Comment - None

Board Discussion/Action

**MOTION: BY MR. DONEK TO RECOMMEND THAT DOCKS & HARBORS REGULAR BOARD ADOPT THE ADF&G COOPERATIVE AGREEMENT AND REQUEST THE ASSEMBLY ACCEPTS AN APPROPRIATIONS ORDINANCE OF \$50,000 FOR THE FEASIBILITY DESIGN AND PERMITTING OF A FISH CLEANING FLOAT AT AMALGA HARBOR AND ASKED UNANIMOUS CONSENT.**

Motion passed with no objection.

4. AAHPA Resolutions to Assembly  
Presentation by the Port Director

Mr. Uchytel presented two resolutions in the attached packet to the agenda that were drafted by the CBJ Assembly and received unanimous support by the Alaska Association of Harbormaster and Port Administrators (AAHPA). The first resolution is to support the full state funding of harbors. The second is the additional protection for harbor officers under the same statutes as peace officers and first responders.

Board Questions - None

Public Comment - None

Board Discussion/Action

**(A) MOTION: BY MR. GREG BUSCH TO RECOMMEND TO THE REGULAR BOARD TO FORWARD TO THE CBJ ASSEMBLY FOR APPROVAL OF THE ATTACHED RESOLUTION SUPPORTING FULL FUNDING OF THE STATE OF ALASKA HARBOR FACILITY GRANT PROGRAM IN THE FY 2016 STATE CAPITAL BUDGET.**

Motion passed with no objection.

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**(B) MOTION: BY MR. TOM DONEK TO RECOMMEND TO THE REGULAR BOARD TO FORWARD TO THE CBJ ASSEMBLY FOR APPROVAL OF THE ATTACHED RESOLUTION SUPPORTING THE ADDITION OF DOCKS AND HARBOR EMPLOYEES TO THE LIST OF EMPLOYEES COVERED BY AS 12.55.135.**

Motion passed with no objection.

#### **IX. Items for Information/Discussion.**

##### **1. Proposed Harbor Patron Code of Conduct**

Presentation by Port Director

Mr. Uchytel presented an updated draft of a new Harbor Code of Conduct for Harbor Patrons and Visitors. We want to keep this as an information item so we can get as much feedback as possible from the board. We can then work towards regulation changes.

Mr. Spickler stated this is a good work in progress to ensure our staff and patrons have a safe environment.

Mr. Peterson said it may be too early to introduce any language regarding use of recreational marijuana since the new law just passed.

Mr. Donek stated it should all be in one category for alcohol and drugs regarding patrons prohibited from being under the influence and risking the safety of themselves and others.

Dr. Logan said recreational marijuana will be legal as soon as February 1, 2015. We need to have it listed as prohibited out of view of public and we can have the code of conduct as a work in progress if we need to change anything in the future as the new law develops.

Mr. Uchytel said we need to have a set of rules for the Harbormaster to use in order to manage and if necessary evict patrons for bad behavior to ensure the overall safety and well-being of the harbor.

##### **2. Statter Harbor Parking – Horton Lot Mitigation**

Presentation by Port Director

Mr. Uchytel stated he got direction from the board to see if we can find an alternate solution for parking since the Horton Lot will be closed during the Auke Bay construction. Mr. Uchytel said he sent out several letters and only received a response from the First Student Bus parking lot. He said they may be able to assist us with 17-20 parking spots but there may be costs. Mr. Uchytel said he will need approval from the City Manager. We need to decide if we are going to charge fees.

Mr. Donek asked if this for cars and trucks and trailers.

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Mr. Uchytel answered trucks and trailers since it is the biggest loss of parking space for these users.

Mr. Spickler asked when the letters went out.

Mr. Uchytel answered October to private companies and November to the School district and UAS.

Mr. Busch stated we need to compare the prices we charge for our parking spots that we rent out to ADF&G at Douglas Harbor and how much to do we charge trailers at Auke Bay to determine what we may want to pay and charge.

Mr. Uchytel stated we need to decide what our obligation really is.

Mr. Peterson stated maybe we could add a one-time additional fee to launch ramp fees to cover the expense of paying for extra parking at Auke Bay.

Mr. Donek stated we do not have enough parking and even the new Statter plan will not be adequate. Between Statter and Amalga we just do not have enough space and we may need to look at Tee Harbor for alternate launch space.

Mr. Uchytel stated we need to address the long term free parking that is utilized by the truck and trailer users that have property at Horse, Colt, and Shelter Island and they are used to parking for free at North Douglas and Horton lot. The Harbormaster has stated people are not able to park for free at the Airport when they go on trips so it should not be expected to do so via boat trips in our lots.

Mr. Donek stated we cannot have long term vehicles taking up our new spaces for weeks at a time and we may need to establish a time limit.

**X. Staff & Member Reports -None**

**XI. Committee Administrative Matters.**

1. Next Finance Committee Meeting- Tuesday, January 27, 2015

**XII. Adjournment.**

The Finance Committee Meeting adjourned at 6:48pm