

CBJ Docks & Harbors Board
REGULAR BOARD MEETING MINUTES
For Thursday, August 18th, 2016

I. Call to Order

Mr. Donek called the Regular Board Meeting to order at 5:02 p.m. in the CBJ Assembly Chambers.

II. Roll Call

The following members were present: John Bush, Weston Eiler, David Lowell, David Seng (via phone), David Summers, and Tom Donek

Absent: Bob Janes, Robert Mosher, and Budd Simpson

Also present were the following: Carl Uchtyl - Port Director, David Borg- Harbormaster, and Gary Gillette - Port Engineer

III. Approval of Agenda

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

Motion passed with no objection

IV. Approval of July 28th, 2016 Regular Board Meeting Minutes

MOTION By MR. EILER: TO APPROVE THE JULY 28th, 2016 REGULAR BOARD MEETING MINUTES AS PRESENTED AND ASK FOR UNANIMOUS CONSENT.

Motion passed with no objection

V. Public Participation on Non-Agenda Items

Lucas Drake of Juneau, AK

Mr. Drake said he is the owner of the vessel Lumberman. The last correspondence he received stated that if his vessel wasn't gone by September 6th, 2016 he would be trespassing. There was no mention of pressing charges. He'd like to resolve the issue with his vessel in a way that is reasonable for everyone, that doesn't go into unnecessary litigation or court fees. He asked what is the primary concern? What would Docks & Harbors like to accomplish with the ongoing correspondence about his boat?

Mr. Donek said he did not want to engage in a question and answer session at this meeting. He suggested that Mr. Drake work with the Port Director and bring it to the Operations Committee Meeting next month. If he can work out a solution with the Port Director ahead of time that would be great, if not they can have a more detailed discussion at that point.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

Mr. Drake said thank you, he will do that, and handed a letter to the Port Director and Harbormaster.

VI. Consent Agenda - None

VII. Unfinished Business

1. Auke Bay Marine Station

Mr. Uchytel said Mr. Gillette has developed a draft application for port conveyance of the Auke Bay Marine Station (old NOAA lab facility). Mr. Uchytel has been working with the City Manager's office to develop a resolution asking for Assembly support for the land acquisition. The Board Chair, Vice Chair, and Mr. Uchytel met with the Mayor and the City Manager to discuss the application. Docks & Harbors made a commitment to the Mayor that if we are successful in securing the uplands property, we will work to provide desirable office and land space for UAS so they can expand their research capabilities. We are working on a memorandum of agreement (MOA) with the University of Alaska President. The City Manager asked Chancellor Caulfield of UAS to consider not submitting a separate application with some assurance that we would provide them the uplands. Docks & Harbors' application is through MARAD, and UAS has a separate opportunity through the Department of Education. UAS believes the best path forward for them is to continue with dueling applications.

Mr. Gillette said the application is due to MARAD on August 29th, 2016. We are moving forward diligently but it is still in draft format. The conceptual plan we developed shows a 1,500 foot floating breakwater that forms an "L" to protect what is now the existing harbor. The existing breakwater would be replaced with additional moorage. There would be more space for larger vessels, fishing vessels, smaller recreational vessels, luxury yachts, and possibly small pocket cruisers. This plan is a 20-30 year master plan idea. If one were to walk from the Statter Harbor office building to the furthest slip, it would be close to a mile. Closer access would be one of the key benefits of having the Auke Bay Marine Station property. The site has a few buildings on it. Some of the buildings have not been maintained very well over the years and could be removed to open up space for future development. There are at least three or four buildings that could be reused. The University is primarily interested in the main building. There are other buildings that could be utilized for our current operations and/or leased to generate revenue. For the long term, depending on how the dock structures are developed and for what uses, there would be space for upland development to support that. This property is actually two parcels. One parcel is virtually vacant and could be developed for some sort of mixed use that is consistent with the Auke Bay plan that was passed last year. We have had discussions with GSA and MARAD about fully developing a plan in such a short time frame. They were not willing to extend the application date so we are still at the very conceptual level. The University is in the same situation. Right now we are the only two entities competing for this property. We feel that it would be better for the community if the property were transferred to CBJ under the MARAD application process because the development of the property and the uses are broader. The University is submitting under the Department of Education process and the only thing the property could be used for is education. It doesn't appear that Docks & Harbors would be able to

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

operate a port-type facility on the property if the Department of Education transfers it to UAS. We feel that we could easily justify marine biology labs under water-related uses that would fit the MARAD rules. The Department of Education and MARAD will make separate recommendations to GSA, and GSA will make the final decision based on what they feel is the best use of the property. Again we are in a draft stage on our application and we are developing it as fast as we can to continue on.

Board Questions

Mr. Donek ask what is the current status of the MOA?

Mr. Gillette said it has been lead by the City Manager and sent to the University and Docks & Harbors for review. We haven't been directly involved in the writing but we have been responding to emails and providing comments.

Mr. Donek asked if the MOA has an integral part in the assembly resolution?

Mr. Gillette said the resolution states that the MOA is being negotiated. He is not sure the MOA will be completed by the application deadline. In the meetings we've had, the University seems to be open to shared use of the site, we're just not exactly sure how that will happen. The gentleman from GSA said it would be easier for him if CBJ and UAS jointly submitted, but it's not easy to do a join application because there are two different government entities that are controlling the process. We asked GSA about the potential to subdivide so UAS gets a piece and we get a piece. They said typically they don't do that on small properties, but they didn't say absolutely not.

Mr. Eiler asked if the MOA is with the University of Alaska or the University of Alaska Southeast?

Mr. Uchytel said it's with Dr. Johnson of the University of Alaska and the City Manager.

Mr. Lowell said he thinks it's admirable that the City is taking the effort to partner with the University. He is concerned that if the City doesn't get it, there won't be a reciprocal arrangement where the City could use it for ports if the University wins their bid.

Mr. Donek said if the City gets the property, we can let the University use part of it. If the University gets the property, they can't let us use part of it. MARAD and the Department of Education have two different sets of rules. We can't have an MOA on their side that says if they get it they'll let us have part of it, like we're doing.

Mr. Eiler asked if discussions of a joint application have gone beyond UAS to UA? If we are negotiating an MOA why aren't we talking about a joint application?

Mr. Uchytel said once the letters of intent went out, we discussed a joint application and it seemed very complicated, going through the Docks & Harbors Board and the Assembly, to have

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

a well thought out joint application for how exactly the property would be used. UAS has a bureaucratic chain that they have to go through as well so it was out of the question since we couldn't get an extension. The City Manager and Chancellor Caulfield sent letters to GSA requesting a one year extension but the response was that we had 90 days to submit our applications.

Mr. Eiler said it's premature to be discussing an MOA for buildings we may or may not get.

Public Comment- None

Board Discussion/Action

Mr. Donek said if we have the MOA in our application it strengthens our position because we are not excluding the University. Whoever looks at the applications is going to see that if the University get the property CBJ is out, but if CBJ gets the property we can invite the University in and satisfy their needs. That's the reasoning behind the MOA.

Mr. Lowell asked if there is a chance the University could get the property through MARAD?

Mr. Gillette said he doesn't believe the University is authorized to go through MARAD. MARAD says the property has to be developed for port facilities, but their definition of port facilities is rather broad- anything that's water related or water depended. At a minimum the marine biology research laboratories would be considered water related type uses. The Department of Education says that the property shall be used for educational purposes.

MOTION By MR. BUSH: TO APPROVE THE PORT CONVEYANCE APPLICATION SUBMISSION AND ASSEMBLY RESOLUTION FOR ACQUISITION OF THE AUKE BAY MARINE STATION AND REQUEST ASSEMBLY APPROVAL.

Motion passed with no objection.

2. Central Council of the Tlingit and Haida Indian Tribes of Alaska Lease

Mr. Uchytel said the lease is agreeable to both parties. It's taken a long time to reach concurrence. We had an RFP process that was completed a year ago with three applicants. Tlingit and Haida was selected as the preferred application to move forward with lease arrangements. It was required that they have all of their conditional use permits in place before we negotiated the lease. That occurred June 15th, and since then we have been trying to resolve some of the lease language issues. They are paying \$8,600 for the lease, which is 10% of the appraised value of the property, and in their proposal they offered to provide \$1 per participant that goes to use the immersion park. It has taken a long time to come to agreement on a CPI adjustment for that \$1. We are ready to move it forward to the Lands Committee, to the Assembly for introduction, the Assembly for adoption, then 30 days later it becomes effective. Tlingit and Haida is not happy about the long public process. It will not be signed until about October 26th.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 18th, 2016

Board Questions

Mr. Donek said tideland leases are normally just for a percentage of the fair market value of the property. This one includes \$1 per participant which is a little different. He asked if there are any other things in this lease that are unusual?

Mr. Uchytel said there is some language about sovereign immunity because Tlingit and Haida is a federally recognized tribe.

Mr. Summer asked if this lease has been through the Law Department?

Mr. Uchytel said this is the 9th version that has been through the Law Department.

Mr. Summers asked if the CBJ Law Department had read and approved Exhibit C #13 Limited Waiver of Sovereign Immunity?

Mr. Uchytel said yes.

Mr. Eiler asked if there are currently any other \$1 per participant tideland leases and if this 35 year lease is congruent with the current long-term planning and previous work that the Board, the Assembly, and the Department have done?

Mr. Uchytel said when the RFP went out, we thought we were fairly innovative by allowing proposers to offer anything they wanted for the lease rate. The minimum bid was 10% of the appraised value. Tlingit and Haida said they'd give us the minimum \$8,600 plus \$1 per participant. Tlingit and Haida has indicated their desire to reinvest in the Thane Ore House building. Typically we give longer leases if they intend to invest heavily so it's worth their investment and they have reasonable assurity that they have 35 years. We don't have a developmental proposal other than some sketches, pictures, and a promise that they're going to do great things there. 35 years is the maximum that we can issue per City code.

Mr. Donek said during his time on the Board only one lease has come back. They had about 10 years left, and they wanted to recapitalize their building so they came back and asked for an early renewal because they needed 35 years to get their funding. 35 years is pretty standard.

Mr. Lowell asked what the appraised value of the property was?

Mr. Uchytel said \$86,000.

Mr. Lowell said the lease includes 5 parking spaces for roadside fishermen. He asked if there could be some resistance to that from the fishing community? There are many more than 5 vehicles parked down there on occasion.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

Mr. Uchtyl said the 5 spaces were included based on input from the Fisheries Development Committee. He set up a meeting between Dan Teske with Fish and Game and Tlingit and Haida to talk about that 5 parking spaces. The dates were changed to May-October and Mr. Teske, representing roadside fisheries, was fine with this language. There is other access to the DNR land that isn't on this particular parcel.

Public Comment- None

Board Discussion/Action

Mr. Summers said this has been a long process. There is a committee of people that have spent a lot of time and effort going through the applicants for this and we should thank them for all their time and effort on that.

MOTION By MR. SUMMERS: TO APPROVE THE LEASE LANGUAGE WITH CENTRAL COUNCIL OF THE TLINGIT AND HAIDA INDIAN TRIBES OF ALASKA FOR A TLINGIT & HAIDA IMMERSION PARK AT 4400 THANE ROAD AS PRESENTED AND ASK FOR UNANIMOUS CONSENT.

Motion passed with no objection.

3. Draft Juneau Community Energy Plan

Mr. Uchtyl said this was discussed last month. They have extended the comment period for the Juneau Community Energy Plan. Some of us were taken a little bit aback by some of the priorities in the draft energy plan that was organized through the Juneau Commission on Sustainability (JCOS) and CDD. He has drafted some proposed language to provide input back to the JCOS. He is not thrilled that the committee is prioritizing Docks & Harbors efforts and their #2 priority is to increase the use of electricity by cruise ships in a year. It's not going to happen. He is willing to change this letter however the Board sees fit. He questions the realism and how this rose to the top of the priority list so he tried to politely summarize that.

Board Questions

Mr. Donek said he looked at the Juneau Community Energy Plan and thought it was a lot of wishful thinking. He said there is discontent with Mr. Uchtyl, Mr. Donek, and Mr. Simpson that this what not brought to them before it was published.

Mr. Eiler asked where this goes in the arch of community planning?

Mr. Uchtyl said JCOS can propose ideas but they have no resources. They're not an empowered board, but they are appointed by the Assembly so they drive a lot of policy decisions without having any resources to implement them. It does have ramifications to boards like this. Someone is going to ask why we aren't doing what was adopted by the Assembly. We will get criticized that we are not moving swiftly enough for this action. The public is going to see that the #2

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

priority of the JCOS was to invest \$25 million in bringing power to the two new berths, and we have not made that a priority within Docks & Harbors. It should be the Docks & Harbors decision to invest our next dollars, efforts, and resources.

Mr. Eiler said he concurs with Mr. Uchytel's concerns and asked if the local electric utility or industry has weighed in or commented thus far?

Mr. Uchytel said he doesn't know. AELP is in the process of commissioning a new backup generator at Commercial Blvd. that has ruffled some feathers. The City Manager held a public meeting to explain what that project was and what permitting went on. That is going to be part of the Juneau Community Energy Plan. People have a lot of opinions on where our power should come from and the need for backup diesel generators and why Docks & Harbors isn't moving faster to get shorepower to the new cruise ship berths. Our position has always been when the utility tells us there is sufficient power to meet the demand, we will work towards that goal.

Mr. Donek asked Mr. Nankervis to weigh in on where this would go from here?

Mr. Nankervis said the Assembly has been presented with the draft plan from the Juneau Committee on Sustainability but they have not adopted it yet. As it has been presented in draft form, everyone will look at it and make comments. They are a group that is seated by the Assembly and they aren't funded, they volunteer their time to look at sustainability solution and ideas for Juneau and make recommendations to the Assembly.

Public Comment- None

Board Discussion/Action

Mr. Bush said there is conduit in the ground ready to go in the event that there is power and funding someday to energize cruise ships that use the 16B docking facility. Emphasize that we are ready, we're working, we're doing everything we can with what we've got. One paragraph and we're done.

Mr. Summers said he likes the memo as it is. He thinks the Port Director has done a more than thorough job addressing the concerns and interests of the organization. He thinks it's incredibly important that they've gotten the broad-based opinions of the community. He thinks it's important that we look for sustainable ways to move forward in the future. He is 100% on board with all of that. He thinks at best these ideas are strong potential for the future, but at worst some of these ideas are just half-baked.

MOTION By MR. EILER: TO AUTHORIZE THE PORT DIRECTOR TO SUBMIT COMMENTS ON BEHALF OF THE BOARD TO THE JUNEAU COMMISSION ON SUSTAINABILITY FOR THEIR DRAFT COMMUNITY ENERGY PLAN AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 18th, 2016

VIII. New Business - None

IX. Items for Information/Discussion

3. Boy Scout Eagle Project

Mr. Borg said Life Scout Zander Kotlarov has been working the last couple of years on his Eagle Scout project, and is reaching out to Docks & Harbors for an opportunity for a memorial bench.

Zander Kotlarov- Juneau, AK

Mr. Kotlarov said he is a Boy Scout and he holds the life rank. He is currently working towards his Eagle Scout project. His goal is to build a memorial bench for Daniel Hines, a friend of his dad's who passed away too soon. He feels the bench should be at Auke Bay since Dan loved to fish and that's where he took his boat. He has talked to the architect and the harbor master and they suggested a forms and surfaces trio bench. The exact location will be at the new Auke Bay parking lot, where benches just like these are being built. He would like to add hardwood slabs along the bottom and back for a very special bench. He would like to have metal engravings on both sides of the bench, on the left it will say Daniel "Danny" Hines, December 22nd, 1966 to October 11th, 2014. On the right it will have this quote - "The only thing that matters at the end of a stay on earth is how well did we love and what was the quality of our love." Mr. Kotlarov thanked the Board for their time.

Board Discussion/Public Comment

Mr. Donek asked Mr. Kotlarov to tell the Board a little bit about Mr. Hines.

Mr. Kotlarov said he died at age 47 from brain cancer, and he had a family.

Mr. Bush asked if there was funding for this project?

Mr. Kotlarov said he is looking into funding. He is not sure what the price of the bench will be yet. Danny has a lot of friends that are very sad he passed away so Mr. Kotlarov was thinking of starting a Go Fund Me account. If there is still money needed, another idea is to organize a dance party for a younger audience like himself. He would DJ the event and plan it with his fellow scouts.

Mr. Eiler thanked Mr. Kotlarov for presenting. He knows the Hines family and appreciates this very much. He would encourage both of those funding options and said if there is anything the Board can help with please feel free to let us know.

Mr. Kotlarov's father asked if it would be possible to get a signature of approval in support of the bench idea. This would not be a commitment, he just needs one person to sign saying they like the idea so he can take it back to the Eagle Scout Committee and get their approval.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

Mr. Uchytel said he appreciates Mr. Kotlarov coming and speaking. He is concerned because we have never done a memorial bench before on Docks and Harbors property. We are breaking ground and without some policy in place there is the potential for lots of benches to show up.

Mr. Summers said there is a memorial bench for a Mr. Peter Barrett at the North Douglas boat launch.

Mr. Borg said it is on our property but he doesn't believe permission was ever granted.

Mr. Summers said he would like staff to review Mr. Kotlarov's paper before signing it.

Mr. Donek said he does not share Mr. Uchytel's concern. There are benches all over the place.

Mr. Summers said he does understand the concern but no one else has asked.

Mr. Donek said Docks & Harbors has two benches behind the Yacht Club. They're not dedicated to anyone but we got the request from someone who wanted to put a bench in. It just happened that Mr. Borg had a couple of benches laying around that weren't being used and they were put in as Docks & Harbors benches. We can run it through the Ops Committee if Mr. Uchytel would like to.

Mr. Eiler said he would like to make the motion to give Mr. Kotlarov what he needs this evening but to speak to staff's concern over a policy, this can go through the committee.

Mr. Uchytel agreed to sign the paper at the meeting.

1. Aurora Harbor Phase II - Update

Mr. Gillette said the next phase of Aurora Harbor is to do three main floats with fingers on one side and boat shelters on the other. The biggest hurdle we have is how to handle the boat shelters. They have to be removed from the mounts that are there now, we have to place them in another location. Then let the contractor come in, do the demolition, do their work, and then bring them back. PND Engineers have been going through various scenarios and have come up with a scheme that we think will work. We will take off the fingers from the south side of H float and move the shelters across, we'll pull out that structure and basically shuffle them down so we have room to remove the E float, get them in there, they can put in the main float pieces, then we can move the first group back. Then we move onto the next one and just keep going down. The idea would be to get the shelters back in place and then they can come back in and put in the fingers that are on the opposite side of the shelters. They don't need a big barge for that but they need the space for the barge for the pile driving for the main floats. The rest of the construction is pretty basic. We'll take a little extra time and care by the contractor to move them and set them up. Another major element is getting the people that own the shelters to clean them out and get their boats out. Dave's working on spots for boats, and when they come back we'll have a new mounting system on the floats. We're going to do a connection where a chain can wrap around and we're trying to place them such that you put a chain on either end, close to the ends so that

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

the shelter can't move laterally along the float. We're also developing a criteria, essentially that shelter owners will have to upgrade in order to come back and hook into power. One of the issues we have is some folks have metal siding on their structures and they've drilled a hole through it and stuck a rubber cord in there and over time its grated away. We've come up with a detail that will be a protective hole that a cord can go through. We're planning to put standard pedestals so people will still hook up with a twist lock type cable that's marine approved. We had an incident where one shelter had some sort of problem with it's grounding and a worker got shocked at the pedestal. It was tested and there was a problem with their ground fault. All the new pedestals by new NEC codes have to be ground fault protected. We'll go through the same exercise we did on the first Aurora Harbor side where our staff will go out and help people determine if they've got problems with the grounds on their boats and then they'll have to upgrade before they can plug in. That took some time and effort to get through for Phase I but it worked and it's in good shape now. People have to comply otherwise it knocks out the power.

Mr. Uchytel said we will lose the fingers on the south side of H float and that will allow us to increase the distances between the three main floats to 62' between shelters and fingers. We are going to put most of the shelters back where they are. There are 21 boat shelters. One main float has 6, one has 7, one has 8, and we'll move a few so they all have 7 boat shelters. We anticipate making this happen after Labor Day 2017. We would like to have a community meeting for the boat shelters at the Yacht Club. We will invite the boat shelter owners to show up and we will facilitate bringing contractors, divers, electricians, etc. for an expo type of thing to encourage owners to make improvements to their shelters. We want to move the shelters the least number of times the least distance we have to and we want to encourage the boat shelter owners to remove all the loads and hazardous materials before we do this. Unless the Board or Law Department tells us otherwise we are thinking it will be the contractors responsibility to move the shelters. If owners don't want the contractor to move their shelters we can make some arrangement in the contract but they're going to have to do it when we tell them they have to move otherwise we're going to delay the contractor.

Mr. Gillette said we haven't figured out exactly how to handle this. The shelters are private property and we feel it's best for the project to have the construction contractor move them, but we also feel we need some sort of limit of liability for the contractors or the price will skyrocket because they won't know what they're getting into. That's part of the idea of having the expo is maybe we encourage people to hire someone to go inspect it and fix it up before we move it and maybe sign some agreement or understanding that unless the contractor does something that's egregious that if something happens to the structure while he's moving it, that it's the owners liability. It is a concern and somebody will have to take the risk, either the private owner, the City and Borough, or the contractor. We feel that since it's private property it should probably be on the owners.

Board Discussion/Public Comment

Mr. Eiler said when the boat shelters change ownership that might be a catalyst for CBJ Staff to have them inspected. If there is a way we can negotiate that sharing of information it might help us in the long run.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)
For Thursday, August 18th, 2016

Mr. Lowell asked if preconstruction surveys would be done to document the condition and verify that a shelter is capable of being mobilized by the contractor?

Mr. Gillette said that's part of the expo idea to encourage owners to have inspections and do upgrades before the shelters are moved. There are a number of different options and things that could potentially go wrong, but the bottom line is they are private property and they are not a responsibility of Docks & Harbors.

Mr. Summers said there are some standards required for vessels in the harbor. Where do these boat houses fall? They are not vessels that are going to be underway. Are there some standing regulations for upkeep already for the boat houses as there would be for other vessels that are moored in the harbor?

Mr. Uchtyl said he doesn't think so, they are considered real property. Who is responsible has been a big debate. After long discussions we think the contractor needs to do this otherwise we're going to face all kinds of delays if we require individual boat shelter owners to do something and they don't do it.

Mr. Borg said another thing that's unique is a lot of the boat shelters have two owners. There might be one owner who's doing repairs and one owner who's not even in town.

Mr. Eiler asked if most of the boat shelter owners are here year round?

Mr. Borg said not all of them live here in town.

Mr. Bush said boat shelters are private property that are taxable, appraised, and insurable. If an insurance broken and/or marine surveyor came and looked at a couple of them, the best and the worst, a contractor could probably insure them for movement.

Mr. Uchtyl said we had a good turn out of boat shelter owners at our public meeting in June. Moving forward we would like conditions of coming back to the new facility be that you meet NEC electrical code and you're also insured for liability. One woman said she can't get insurance because she leases her side and she's not the owner. We need to take a look at our insurance policy for the harbors because right now all we require is insurance, it doesn't say how much or what type. We'll draft some regulation changes that we'd like to see for boat shelter owners in the coming months.

Mr. Donek said one of the biggest hassels with boat shelters is snow load. Typically Halloween is when snow starts flying around here and they need to be back in place so the owners can take care of them. The insurance part of it is tough because a lot of insurance companies won't touch them. There was one company that would handle our shelter. Then we found out that our insurance company for our house would cover it as an auxiliary structure so that's where we went with ours. But a lot of the insurance companies won't touch them.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

2. Harbor Vessels Enforcement Update

Mr. Borg said there has been some discussion about non-moving vessels and some of the vessels that are in a little rougher shape in the harbor system. The Harbor Officers took pictures, did a little background investigation, and identified 39 vessels that haven't moved as required by our regulation, some of them as far back as January 1st, 2010 which is when we started keeping track in our computer system. There are 39 vessels on his list to see run. He issued certified letters to 5 vessel owners. They are vessels that haven't moved but probably have a pretty good opportunity to. Two of them are vessels that have changed hands in recent months and were required to do a power trial but never did. They are to provide him with the proper proof of mobility within 30 days of notice. He contemplated giving them longer but then we're into October and they've got to winterize and we're going to get a lot more excuses. He thinks 30 days is reasonable for the vessels that he sent letters to. He has a waitlist for vessels in Aurora and that area. There are people with nice boats wanting a place to put them so they can use their boats. When we have these vessels that are sitting in one spot for 5 years, it's just not fair for them. We speak about a maritime hub of transportation, so it's time to start making people show him.

Board Discussion/Public Comment- None

X. Committee and Member Reports

1. ~~Operations/Planning Committee Meeting - Wednesday, August 17th, 2016 - CANCELLED~~
2. ~~Finance Committee Meeting - Thursday, August 18th, 2016 - CANCELLED~~
3. Member Reports

Mr. Summers said on his own volition with no direction or authority he visited Auke Bay Harbor and talked to Mr. Anthony Kanouse, who is one of the owners of Devil's Hideaway, regarding the issue with the trees in Auke Bay. He also briefly spoke to one of the people doing the landscaping. He has a soft place in his heart for small business owners being one himself. If there is an opportunity to appease some of the businesses in that area with something as small as moving a tree or two, if it's feasible and if it makes sense we should look at that, and if it doesn't then we don't.

Mr. Eiler said his understanding was some of the foliage or green space additions out there were required by the Planning Commission. He asked what the agreement or stipulation was in terms of how much green space was needed?

Mr. Gillette said when we provide plans to the Planning Commission for the conditional use permit, they're very conceptual. The specific areas that we were asked by the Commission to increase the vegetation were along Bay Creek where the condos look onto the property and also along the highway. They wanted landscaping between the sidewalk and the parking lot so there was a defined sidewalk and people weren't walking out into the parking lot. We created all that green space but at the conceptual level, on the drawing it's just painted green. As you get further

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

into the design we had a professional landscape architect take a look at it and we put in different varieties of plants. Originally he was planning to put in some red maple trees there and there were people that voiced opinions to not build a wall of vegetation along the highway so we pulled those out and changed them for little leaf lindens, which don't get quite as big. We have the same tree down by the cruise ship dock area. They don't get huge. They typically are in the 25-30' range but our landscape architect said that out at Statter Harbor which is rather exposed he doubted they would ever get that tall. They are 25' on center so they are not creating a wall effect, but it was all done to try and have some variety of plant material in the planter areas for visual interest and specifically on the other side for a visual buffer.

Mr. Eiler asked if the planning Commissions decision was in writing?

Mr. Gillette said we went to the Planning Commission twice. The first time we had minimal vegetation. We did have some along Bay Creek and we had some shown along the street. We had none shown between the sidewalk and the parking lot. There was a lot of discussion, we heard a lot of public input about more vegetation primarily from the Auke Bay Condo Association. We created a new plan that addressed all the issues they had identified and they approved the plan. The notice of decision isn't specific to say you shall have x number of trees. They said we approve this plan and that plan shows 11-12% of the site in vegetation.

Mr. Summers asked if anyone was lobbying to keep the trees there?

Mr. Gillette said there are opinions out there for and against the trees.

XI. Port Engineer's Report

Mr. Gillette said the new Statter Harbor launch ramp was successfully opened for the Salmon Derby. As of Monday at noon the site is back under the contractor's control and we have directed them to close it to the public until it is considered substantially complete. People were able to launch their boats and park but there still are a number of things that are not done. We felt that to leave it open and have the contractor moving around on the site at the same time was an unsafe situation for the general public so we directed them to close it and get the work done so we can open it up when it's safe.

Mr. Bush asked how the paving is going?

Mr. Gillette said the paving is 99% done. There is still a little paving which is part of the reason we don't feel it is substantially complete. Some of the paving is up on the road and is part of the sidewalk that goes in front. There is supposed to be a refuge area so that when people cross one driveway they have a place to stand if there is a car going out or coming in the other side. That isn't complete and that's partly why we determined it isn't safe for the general public yet. There is significant planting left to do, so there is plant material sitting around on the site. They still are doing some rock placement so they've got excavators and things out there. There is a shelter that isn't complete. The guardrail along the seawalk isn't done. The days that we were open, it went very well. When we were at the planning level talking about the size of these parking spaces

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

needing to be 12'x50' some people thought that was huge. Then you go out there and there are a lot of triple tandem trailers in this town with big rigs and they were all full right to the edges so he's glad we made them that big. It seemed like the aisle widths are wide enough, people are able to pull in and back out safely. The tie down area wasn't open yet but that's another thing that will get people out of the congestion at the top of the ramp. The paving looks really nice. It just needs the finishing touches.

Mr. Eiler said he would like to thank staff for all their work on the Auke Bay acquisition. He thinks it's a once in a generation opportunity. He asked when we will know if we get it or not?

Mr. Gillette said they haven't given us a timeline. MARAD will take the application, review it, send it to the Department of Commerce, wait for their comments, do their own comments, and send it to GSA so he doesn't expect it to be fast.

Mr. Uchytel said it would be before May 2017 because that is when the Coast Guard is relinquishing control and they want it to go from one agency to another.

XII. Harbormaster's Report

Mr. Borg said we are working on the Clean Harbors initiative and we are moving along swiftly. We've finalized the brochures that show all the services throughout our different harbors. We've done some water testing for fecal coliform in all of our harbors just to get some insight and we're waiting for the numbers. That's going to be important when it comes to live-a-boards and how they're dealing with solid waste. We are rapidly catching up with Jim Penor in his recycling program. We are coming up with a couple of different ideas on where we might be putting recycling centers in our harbor system. We've had our net recycling bin in the parking lot at Aurora Harbor and there are a total of 12 in there which is pretty exciting because it's 12 less we've got in the landfill. We've already identified an outfit down south that will take those off our hands. Our new Senior Harbor Officer Matt Creswell has been doing a fantastic job. We are quickly coming up on winter. We've been doing a lot of clean up.

XIII. Port Director's Report

Mr. Uchytel said we applied for a Tiger Grant for the downtown Juneau Fisheries area. We were not successful with that Grant. It's interesting looking at some of the successful grants that the Tiger program funded, they seem to have a bicycle nexus. We might have an opportunity for the seawalk or the baywalk for Statter Harbor if we design it right. We made some incentives for people to pay 12 months in advance for year round moorage. Last year we had 335 vessels that paid 12 months in advance. Going from the 5% to 10% discount we increased it from 335 to 351. That's about 16 more boats or a 5% increase. We had 14 boats that took advantage of the 5% discount for the 6 month advance payment. We also had the skiff rate that we changed from \$600 to \$300 and we went from 2 last year to 15 this year. Mr. Uchytel read part of a letter given to him by Mr. Drake at the meeting and said that he will continue to encourage him to exhaust all DNR land options. He said Mr. Drake seems to be pretty intent on staying where he's at.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

Mr. Eiler asked for clarification on Mr. Drake's position if he doesn't dispute any of the surveying or locational work that's been done.

Mr. Uchtyl said Mr. Drake claims he is not hurting anybody, he believes he has a right to be there, and he has no place else to go. Mr. Uchtyl has tried to explain that you can't pitch a tent and live in Marine Park. Owners have rights too. Mr. Drake has spent a lot of time researching Alaska Statute, so Mr. Uchtyl will work on it.

XIV. Assembly Liaison Report

Mr. Nankervis said the Port Director or Port Engineer would probably have the dates that the green space issue was in front of the Planning Commission so if you go to the City's website their agendas and minutes are posted along with notices of decision. There was quite a bit of discussion at both of those meetings about the green space. The City has green space requirements on everything that is developed around town, and it did get talked about a lot. The Assembly has been pretty low key in the summer. They had a Finance Committee meeting last week to discuss the \$4.8 million shortfall due to the legislative action. There were no final decisions made at that meeting. There will be another meeting in September to address how we are going to do that, whether we want to pull the money out of two different places: the fund balance, which is your general fund money that doesn't get used every year, or what's called the rainy day fund or budget reserve. \$3.1 million was the school debt reimbursement that the legislature had promised to do and they didn't so we didn't get that. We got about \$300,000 less in revenue sharing and the school district was asked to make up a little over \$400,000 in pupil transportation and one other area so that's what totaled up to \$4.8 million for the City. We are still discussing how we are going to do that. We will make those decisions hopefully in September, and that's just for FY17 but it's going to prompt some changes in how we look at FY18 and FY19. We forwarded a public hearing which means it was on the consent agenda last meeting, it will be on the public hearing this coming Monday, the \$2 million partial funding for the construction of Phase II Aurora rebuild. We issued our first marijuana cultivation facility permit in Juneau to the Fireweed Factory. We opened up Jackie Street for development. There are a couple of people who have already agreed to be in there and have bid on properties. The Housing Trust which is the university/highschool built project is going to get one of the lots and the Alaska Housing Authority is going to get two of the lots right behind Geneva Woods. I would imagine they're going to expand their campus and that still leaves us several lots that aren't spoken for yet. Some of them are already and that's good. Our next meeting is set for this Monday at 7pm. Regarding the seawalk that's going in down here and the whale statue under the bridge, has there been a decision yet on who is going to be responsible for what when that is completed?

Mr. Uchtyl said he and Mr. Gillette have been trying to get an answer for who owns the seawalk when it's complete. CBJ Engineering is designing it and the resolution reads that the City Manager builds and maintains the seawalk, so we've tried for several years to tease out what that means. We have a meeting with the City Manager, Parks and Rec, CDD, and Engineering on September 15th to try to figure out who is responsible for what and who is doing maintenance.

CBJ DOCKS AND HARBORS BOARD
REGULAR MEETING MINUTES (CONTINUED)

For Thursday, August 18th, 2016

Mr. Donek said seeing as we've had very little input into it, quite frankly he is not interested in taking care of it.

Mr. Nankervis said the reason he asked is he thinks this is the second time where it seems like there could be better communication on things and what he's talking about it the snow dump property. It would appear to him from the outside looking in that there wasn't as good of communication before hand as there could have been. On a different personal note, he would like to thank harbor staff. This summer he encountered someone who was having some pretty severe mental health issues on the dock at Statter Harbor and before things escalated to trouble for more individuals he contacted harbor staff. They were very fast in their response and had JPD down there and had the problem handled in under 15 minutes and that was very nice.

XV. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Wednesday, September 21st, 2016 at 5:00pm
- b. Finance Committee Meeting – Thursday, September 22nd, 2016 at 5:00pm
- c. Board Meeting – Thursday, September 29th, 2016 at 5:00pm

XVI. Adjournment – The Regular Board Meeting adjourned at 7:09pm.