

**CBJ DOCKS AND HARBORS BOARD**  
**REGULAR BOARD MEETING MINUTES**  
**For Thursday, February 23<sup>rd</sup>, 2017**

I. Call to Order

Mr. Donek called the Regular Board Meeting to order at 5:04pm in the CBJ Assembly Chambers.

II. Roll Call

The following members were present: John Bush, Weston Eiler, Bob Janes, David Lowell, Robert Mosher, David Seng, David Summers, Budd Simpson, and Tom Donek.

Also present were the following: Carl Uchtyl – Port Director, Gary Gillete – Port Engineer, David Borg – Harbormaster, Matthew Creswell – Senior Harbor Officer, Mary Becker – Assembly Liason, and Robert Palmer – Assistant Municipal Attorney for CBJ.

III. Approval of Agenda

**MOTION By MR. SIMPSON: TO APPROVE THE AGENDA AS PRESENTED AND ASKED FOR UNANIMOUS CONSENT.**

Motion passed with no objection.

IV. Approval of January 26<sup>th</sup>, 2017 Regular Board Meeting Minutes

**MOTION By MR. BUSH: TO APPROVE THE JANUARY 26<sup>th</sup>, 2017 REGULAR BOARD MEETING MINUTES AS PRESENTED AND ASKED FOR UNANIMOUS CONSENT.**

Motion passed with no objection.

V. Public Participation on Non-Agenda Items

Sandy Williams, Douglas, AK

Mr. Williams said he has not been able to find any landscaping plans through the Planning Commission for the Mike Pusich Douglas Harbor. Elaborate landscaping has been completed at other harbors, and he would hope Douglas would enjoy the same consideration. The Director of Parks and Rec said the park in Douglas is the highest used park in the City by far. It seems there should be some consideration for landscaping in that light.

Mr. Simpson said when the harbor was expanded 10-12 years ago there was a plan showing improvements to the parking lot, pavement, striping, islands, and some landscaping. There was just never any money for it, but he would like to do something about it.

Mr. Williams said a landscaping plan was required in the building permit, but he has never been able to find any landscaping plans.

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**VI. Consent Agenda**

- A. Public Requests for Consent Agenda Changes
- B. Board Members Requests for Consent Agenda Changes
- C. Items for Action

- 1. Winter Management (05 CBJAC 25.080, 05 CBJAC 25.090, 05 CBJAC 40.050)

RECOMMENDATION: TO DELETE SECTION 05 CBJAC 25.080 AND 05 CBJAC 25.090 AND SUB-SECTION (D) IN 05 CBJAC 40.050 AND DIRECT STAFF TO COMMENCE THE PUBLIC NOTIFICATION PROCESS.

**MOTION By MR. EILER: TO APPROVE THE CONSENT AGENDA AS PRESENTED AND ASKED FOR UNANIMOUS CONSENT.**

Motion passed with no objection.

**VII. Unfinished Business**

- 1. Temporary Request for Use of Docks & Harbors Property along People's Wharf

Bill Heumann, owner of People's Wharf, Juneau, AK

Mr. Heumann said he was asked at the Operations Committee Meeting to present some concrete proposals for what he and his business partners are requesting. Their first priority is a place for a propane tank, and their second priority is a cook shack which is essentially three 30 inch crab pots. He thinks they have found a solution for garbage. He does not understand the controversy about their proposal because it is provided for by City ordinance and this kind of consideration has been given to numerous other people in the community. They would like to accomplish their needs prior to tourist season, so they are requesting a use permit from the Board. He quoted City ordinance saying "Permits for less than one year for the use of City and Borough owned land may be granted by the Manager after review and an opportunity to comment by the Planning Commission." If they requested a lease for a long period of time, then that's got more burden associated with it and would need to go higher up the chain. Anybody can come before the Board and ask for a use permit. He suspects the reason they don't is it's rarely economical to do so. There are many configurations that could provide for their needs. The most preferable is to enlarge the small triangle that's presently part of their lease by approximately 45 square feet to make enough room for three pots instead of one pot. There are already obstructions along the seawalk in that area and there is plenty of room for people to walk. The root of his whole problem is there is no foot traffic there since the cruise ship offloading ramp was relocated down to the tram.

**Board Questions**

Mr. Summers asked if the 45 square feet laid out by two-by-fours in front of the building is the full extent of Mr. Heumann's request? (photo on page 52 of the packet)

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Mr. Heumann said yes, that is correct.

Mr. Simpson asked what the solution for garbage is?

Mr. Heumann said he found a trash compactor on the internet that is 30 inches by 30 inches and will compact two cubic yards of trash. It could go inside the existing space. The trash would still need to be picked up twice a day but it's a little cube of garbage.

Mr. Bush asked if the propane would still be required out across from the building?

Mr. Heumann said there are two ways the propane could be managed. They could have one large tank approx. three feet by ten feet which they would have to fill once a week or they could have as few as two vertical tanks with a 30 inch circular footprint each that have to be filled every other day or so before the boats come in. The tanks could go on improvements constructed inside the undeveloped portion of the enclosed water area, so they are not on any part of the existing dock structure. The propane tanks could also possibly be located right next to the building, but he would prefer not to do that.

Mr. Donek asked if the crab shack, the propane, and the trash compactor would all be in the area within the two-by-fours?

Mr. Heumann said no, the trash compactor would be inside the building. He would like to put the propane tanks over the water area, but if the Board is unwilling to allow it then the fallback location would be against the building.

Mr. Janes asked Mr. Heumann to confirm if he is currently leasing property from CBJ?

Mr. Heumann said yes he has a tideland lease because part of his building rests upon a tideland. He initially thought to amend the existing lease to add the square footage, but he thinks a use permit would be more expeditious.

Mr. Lowell asked if Mr. Heumann was successful in getting the encroachment permit for the City right-of-way adjacent to his building?

Mr. Heumann said he is waiting for Assembly approval.

Mr. Lowell asked if all these operations could be put on that space instead?

Mr. Heumann said no because that permit is for outside seating.

Mr. Summers asked where the propane tank would go if it was up against the building?

Mr. Heumann said the long edge of the building facing the tram. He would not put it along the seawalk end of the building.

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Mr. Janes said that would still be CBJ seawalk under Docks & Harbors jurisdiction so he would need approval to put it there as well even if it was up against the building.

Mr. Donek asked Mr. Palmer to explain what the process is moving forward for a permit vs. a lease if the Board approves the plan.

Mr. Palmer said temporary use permits and leases are both provided for in code and anybody can ask for one or the other. They have slightly different processes but they take the same amount of time. The absolute fastest that a lease or a temporary use permit could occur is probably six to eight weeks. Realistically, both take a little longer because of the process. A temporary use permit is for non-consumptive temporary uses and there are two options. One, if it can be completed within a year, or two, if it is in anticipation of a lease, easement, or sale being arranged. Mr. Heumann said he is asking for a temporary use permit for less than a year not associated with a lease. He would have to file a complete application. There would be an initial review by Docks & Harbors staff and if it looked like the application was complete it would be referred to other departments. It appears that it would have to go to Engineering, Public Works, the Community Development Department, and likely the Fire Department. There would have to be at least two weeks for public notice, then it would go to the Planning Commission for their review and back to this Board. The code allows the City Manager to grant temporary use permits. Because the Docks & Harbors code inserts the Port Director for the City Manager, the Port Director has authority to grant temporary use permits. However, if this Board wants to review it, you could ask that the Port Director not have that entire power delegated and you retain some power to make any recommendations or decisions, then instruct the Port Director as you see fit. Realistically this is an eight to twelve week process and there are only slight differences between this process and a lease. Both need appraisals, both need complete applications, and they may need a survey depending on what this Board requires.

Mr. Summers asked if the Board said it is our intent to issue a temporary use permit for 45 square feet and a propane tank up against the building, would the six to eight week clock start right there?

Mr. Palmer said no, that would just give Mr. Heumann an indication that the Board is willing to process the application. The Board would still retain authority to make the final decision after the Planning Commission reviews it.

Mr. Eiler said that information is very helpful. He would like to get a diagram of the process from Law or staff. He gets asked that question on the street and it would be nice to have a cheat sheet.

Mr. Lowell said that under a use permit, no improvements or changes to improvements may be made in a permit area unless first approved by the Manager. Is that an issue if they intend to build some sort of platform off the edge of an existing structure?

Mr. Palmer said no, not up front. However, if they do intend to build some type of platform, they are required to get it surveyed and have an as-built survey provided to Docks & Harbors after they complete the platform.

Public Comment

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Reecia Wilson, Juneau, AK

Ms. Wilson said she is here tonight on behalf of Merchants Wharf LLC, who owns the Wharf building and private tidelands downtown. She has no intent to prohibit Mr. Heumann to facilitate his new tenant. She is here specifically as a property owner. She read the following letter from the Merchants Wharf partnership addressing this issue as it relates to what she thought was a moratorium on leases on the seawalk:

*Dear Members of the Docks and Harbor Board,*

*Considering recent developments, we are concerned that policy changes and/or exceptions regarding the moratorium on seawalk leases may have unintended consequences and influence the use and value of private property for those of us invested in the downtown waterfront.*

*Merchants Wharf, LLC would appreciate an explanation on the intent and the will of this board to manage public tidelands developed and paid for by taxpayer dollars.*

*We also ask that a rational and consistent process be followed for a master plan, so both property owners and operators can make educated assumptions prior to engaging in new ventures, including potential transactions with the CBJ, which may be impacted by the leasing of property managed by Docks and Harbors.*

*Thank you all for your time and public service.*

Ms. Wilson said Merchants Wharf and her partners felt it necessary to go on record at this juncture. Although she has made 20 years of investment in waterfront property here in Juneau, most people likely recognize her as a restaurant operator. This is a small community and she operates in an even smaller industry. Everyone in this industry shares customers and employees. Her whole career she has been very passionate about downtown businesses engaging entrepreneurs and she likes to see young people having opportunities for small businesses. She doesn't want to see any harm done to any local business and she can absolutely support some of Mr. Heumann's ideas. Her concern is the potential for long term ramifications for local businesses and sticking to the existing waterfront plan. She appreciates the Board's consideration of this complex scenario as it relates to the moratorium on potential leases on real estate that's been created by taxpayer dollars.

Mr. Eiler asked if the LLC owns or leases property between the Library and Taku Smokeries?

Ms. Wilson said Merchants Wharf LLC owns the uplands, the historic blue building, the tidelands it sits on, and about 50,000 square feet beyond Merchants Wharf.

Mr. Heumann said there are a lot of tideland leases and other leases that CBJ has given to people because they have a need for them. He is aware that there is a planning process for the area from the tram down to the Library that may be completed in the fall. The use permit they are requesting is for less than a year. They will probably be back asking for something again next year, but then it will be in the context of the plan. At that time, the plan could make no accommodations for them. That is the risk they take. He does not think a use permit for a period of less than a year is out of concert with the idea of developing a plan.

Board Discussion/Action

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Mr. Summers said if the ask is for a short term permit to put a propane tank on the cement up against the south side of the building and 45 square feet on the corner and it's limited to those things only, he thinks the Board should consider it.

Mr. Donek said keep in mind that tanks against the building will still be a Fire Department consideration with building codes, and the propane may still need to go on the dock.

Mr. Simpson said he feels strongly that an uplands property owner adjacent to CBJ tidelands should enjoy some kind of preferential right about use of those CBJ tidelands. We are under a moratorium right now, and we did that because we didn't want to see all kinds of different things happening on the seawalk while we're trying to develop a plan to use that property. He could go along with the request for the 45 square feet because it's adjacent to the existing building but he has a real problem allowing something out on the dock until the plan is complete.

Mr. Janes said he was under the impression that our moratorium was as a result of people asking to put carts and different kinds of activities on the dock, unrelated to upland property owners. What Mr. Heumann is asking for doesn't restrict the dock any more than the existing handicap ramp on the Tripp Building, and he thinks it's reasonable.

Mr. Mosher agreed and said he is not concerned about the moratorium because they are asking for a temporary permit.

Mr. Lowell said his concern is that the Board passed a motion to put a moratorium on leases. He asked if a temporary use permit is considered a lease? If the Board could allow a use permit in lieu of a lease and if that was consistent with our previous public process, he could support their plan.

Mr. Bush said he would be willing to consider a temporary use permit which allows the study to go forward unencumbered.

Mr. Seng said it was his understanding that the Board established the moratorium on leases to provide continuity and predictability both for Docks & Harbors and for the public. In the interest of fairness to the entire community, there is a lot to be said for consistency. If we were to entertain a motion to let something move forward, what are we telegraphing to the rest of the business community along the waterfront? Changing the rules is a significant concern to him.

Mr. Eiler said we need to be careful in the terms we use and the certainty we provide but also not be afraid to allow folks to innovate.

Mr. Seng asked if the proposed bumpout is going to be made an integral part of the building? Is it a stand-alone structure that can be wheeled off in an afternoon or are we talking about a temporary use permit for a permanent part of the building?

Mr. Heumann said it will be temporary and removable within a day. We don't want to make permanent changes to the building when we don't know what we'll be able to do after the master planning.

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**MOTION By MR. SUMMERS: TO EXPRESS OUR INTENT TO GRANT A TEMPORARY USE PERMIT FOR APPROXIMATELY 45-70 SQUARE FEET ON THE SOUTHWEST CORNER OF THE PEOPLE'S WHARF BUILDING AS PRESENTED ON PAGE 48 OF THE PACKET, AND SPACE ON THE CEMENT AGAINST THE SOUTH SIDE OF THE BUILDING TO PLACE A PROPANE TANK AND ASKED FOR A ROLL CALL VOTE.**

Mr. Bush suggested that Mr. Heumann and the Port Director work together on the details for the temporary use permit and bring it back so the Board can know exactly what the plan is as it progresses with the application process.

Mr. Janes said he supports the Crab Shack but he is uneasy because other property owners along the waterfront might think more square footage is going to bring more revenue to their operations and want to put temporary additions on their buildings as well.

Mr. Donek said if this blows up in the next couple of months we'll have the opportunity to shut the whole thing down.

Roll Call Vote

John Bush - yes

Weston Eiler - yes

Bob Janes - yes

David Lowell - yes

Robert Mosher - yes

David Seng - no

David Summers - yes

Budd Simpson - yes

Tom Donek – yes

Motion passed.

**VIII. New Business**

**1. Proposed New Regulation – Vessel Sewage Requirements**

Mr. Borg said there is an amended proposal for a regulation passed by the Ops/Planning Committee on page 63 of the packet. An individual from the harbor thought some of the requirements for marine sanitation devices were unclear in section (b). Instead of just saying you can use a Coast Guard approved marine sanitation device (MSD), he added type I, II, or III for clarity. Type I is a flow through device that ion scans and discharges a clean effluent which is legal anywhere in the United States that is not designated as a no discharge zone. He does not want to designate the harbors as no discharge zones because of EPA standards. Type II is also a flow through device that has a holding tank to treat sewage before discharging it. Type III devices are common in a lot of older boats, and consist of a holding tank that does not treat sewage and needs to be pumped out. He specified that a vessel with a type II or III must have a holding tank of no less than 10 gallons. He changed the word *waste* to *untreated sewage*, because anything treated

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properly with a type I or II MSD can be discharged within the harbor. He also removed *composting or incinerating* because they are covered as type III in the vessel requirements and still need to be Coast Guard approved. A five gallon bucket with a lid on it will not be accepted.

Committee Questions

Mr. Simpson asked if ground-up toilet paper and particulates would be visible in treated sewage?

Mr. Borg said in order to get a Type I certificate of approval through the Coast Guard and the EPA, no visible floating solids can be present. The discharge looks similar to graywater from a shower or sink. There are probably visiting vessels already practicing this because it's not against the law unless you are in a designated no discharge zone.

Mr. Bush asked if this regulation conforms with existing federal law?

Mr. Borg said yes, it is already against federal law to dump raw sewage. It's not illegal to have a treatment system and utilize that.

Mr. Janes asked if there is a way to monitor if type I and II systems are working properly?

Mr. Borg said he believes the devices will not discharge if they are not working properly. He would like to repeat the fecal coliform test in the harbors after a year of this regulation, and hopefully see the numbers go way down. These systems are very expensive, and anything that's installed will have to work properly.

Mr. Simpson asked how the regulation will be implemented?

Mr. Borg said vessels requesting new liveaboard status will be required to comply, and vessels that are already in the harbor will have one year.

Mr. Simpson asked if the regulation only applies to liveaboards?

Mr. Borg said the regulation applies to everyone, but if you want to utilize your vessel as a liveaboard then you're going to have to use one of these technologies. The regulation can be addressed with other vessel owners through our Clean Harbors program.

Mr. Mosher asked what about dogs?

Mr. Borg said it's already in regulation that people have to pick up after their dogs. We're going to start putting bags on the docks and all we can do is hope people do the right thing.

Public Comment- None.

Committee Discussion/Action



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Mr. Donek suggested changing the language to require *all vessels* to be equipped with a permanently installed operational Coast Guard approved type I, II, or III MSD.

Mr. Borg said *all vessels* means an 18 foot skiff would be required to have a type I, II, or III device and that's not reasonable. Some vessels are not equipped with a head. That's why we are making the requirement for liveaboards. If you are living on your vessel, you are generating waste.

Mr. Donek said he was just trying to keep this from becoming a liveboard issue.

Mr. Borg said we borrowed this language from Ketchikan and it's working really well for them.

Mr. Donek said there is value in being consistent between harbors.

Mr. Mosher said he is in favor of the regulation.

**MOTION By MR. SIMPSON: TO ADOPT NEW REGULATIONS PROHIBITING THE DISCHARGE OF SEWAGE IN THE HARBORS AND DIRECT STAFF TO COMMENCE THE PUBLIC NOTIFICATION PROCESS AND ASKED FOR UNANIMOUS CONSENT.**

Motion passed with no objection.

2. ~~Bid Award—Aurora Harbor Phase II~~ – Item removed from agenda.

3. Docks & Harbors Personnel Increase Request

Mr. Uchytel said we would like to increase the docks enterprise FTE and reduce the harbor enterprise FTE, which will allow us to add one additional harbor technician at the port and one harbor officer splitting their time between the port and the harbor. He was hoping to decrease personnel at the port with the new cruise ship docks and less yellow fence activity, but the updated facility security plan requires more personnel at the floats.

Board Questions

Mr. Simpson asked how much of the security is Docks & Harbors' responsibility?

Mr. Borg said in the past our employees ensured that the cruise ship personnel screened every passenger going on the ship. We had a lot of flexibility to move about the dock within our yellow barricaded area. Our security zone is stretched out differently now and the requirement is now that we pre-screen all passengers prior to allowing them into our security area, which gives them access into their restricted area. We have a facility security plan that the Coast Guard reviews and manages. They gave us a lot of latitude in the past because we did the best we could. Now that we are able to provide a better security zone, we are required to have more security personnel.

Mr. Simpson asked if the Coast Guard is requiring this, who is paying for it?

Mr. Borg said we are.

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Mr. Simpson asked if we can use the fees that we levy against the cruise lines for that purpose?

Mr. Uchytel said we ask the City Manager for marine passenger fees every year, and a portion of that is for personnel.

Mr. Eiler said this was assigned to the Finance Committee, and they didn't end up meeting but he has looked this over and as Finance Chair he supports the FTE increase.

Public Comment- None.

Board Discussion/Action

Mr. Simpson said the State and every other agency is being asked to reduce personnel and he is concerned about the optics of adding somebody. Also, the creation of these new docks with limited access points was supposed to simplify security.

Mr. Uchytel said Mr. Borg and Mr. Creswell are doing a great job engaging the Coast Guard in a lot of issues. The inside of the CT float was designed for packers and commercial fishing boats. The Coast Guard thought that was an unreasonable threat to the larger cruise ships, but he believes it was negotiated that commercial fishing boats and small cruise ships will be able to tie up there.

Mr. Borg said we believe so, but we're still waiting for our plan to come back signed.

Mr. Donek said we request marine passenger fees each year and the rest also comes out of cruise ship monies. We are not spending local funds for this.

**MOTION By MR. JANES: TO INCREASE THE DOCKS & HARBORS PERSONNEL ROSTER 0.66 FTE FOR A TOTAL OF 29.09 FTE.**

Roll Call Vote

John Bush - yes

Weston Eiler - yes

Bob Janes - yes

David Lowell - yes

Robert Mosher - yes

David Seng - yes

David Summers - no

Budd Simpson - no

Tom Donek – yes

Motion passed.

**IX. Items for Information/Discussion**

1. Alaska Glacier Seafood (AGS) – Lease Amendment #4

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Mr. Uchytel said this lease amendment allows Alaska Glacier Seafoods to use a no cost portion of the Auke Bay Loading Facility. It was approved by the Board in October, and he is bringing it forward as information.

Board Discussion/Public Comment

Mr. Donek asked if the timing was coordinated with the original lease?

Mr. Uchytel said he will link it when the original lease comes up for renewal.

**2. Assignment of Lease – AJT Mining Properties**

Mr. Uchytel said Docks & Harbors leases tidelands adjacent to the former Thane Ore House, now the Tlingit and Haida Cultural Immersion Park, to AJT Mining. The property was formerly sublet, and AJT Mining would like to now reassign the sublet to Central Council of Tlingit and Haida Indian Tribes of Alaska. He has the authority as Port Director to approve the sublet, unless the Board does not want to allow it.

Board Discussion/Public Comment

Mr. Simpson asked if Tlingit and Haida is moving forward with their project down there?

**Alec Mesdag, AJT Mining Properties, Juneau, AK**

Mr. Mesdag said Tlingit and Haida are intending to incorporate the warehouse building into their overall plans. He has seen preliminary design documents for redevelopment of the entire site.

**3. Update - Land Use Master Plan Bridge Park to Norway Point**

Mr. Gillette said we have had numerous public meetings on this over the last few months. He gave a Powerpoint presentation of the preferred conceptual plan, which is essentially a marine service yard at Norway Point with a 150 ton travel lift, a 120 foot float for people to work on their boats, a relocated grid, a pedestrian harbor walk along the edge of the water, a frontage road connection, consolidated parking, retail space, a mixed use building, a new Harbormaster's Office, an extended crane dock, a drive down float similar to the one at the Auke Bay Loading Facility, a net shed, a location for selling fish, and potential relocation of the Yacht Club to Bridge Park. The entire cost estimate right now from PND Engineers is about \$96 million. Obviously this would not all be done in one shot. A report package will be presented at the Docks & Harbors Regular Board Meeting on March 30<sup>th</sup>, hopefully for final approval and adoption of the plan.

Board Discussion/Public Comment

Mr. Simpson said Mr. Uchytel and the consultant did a great job presenting this at the Regular Yacht Club Meeting. In general, the Yacht Club members were first startled by the idea of moving the Yacht Club, but once they got used to the bigger picture they saw the value in improving the boat yard, getting a bigger lift, etc. There is a lot of push back on putting the Yacht Club at Bridge

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Park. There is either going to have to be a huge education effort to get them to understand why that's the best or only spot for the Yacht Club, or it might be easier to find another spot.

Mr. Donek said he has also gotten feedback that Bridge Park is not a popular location for the Yacht Club. Someone suggested collocating the Yacht Club with the Harbormaster's Office. It could go on the second floor and have a view of Aurora Harbor.

Mr. Eiler said he would like to remind the Board of the importance of this planning, when we start it, and how we want it phased in being mindful of the dollar sign that's there at the end. It's a multigenerational plan. We need to have a clear vision and public process for it, but also understand the realities of the current budget recession the State is facing as we're communicating with the public about it.

Mr. Simpson asked that the Yacht Club be moved from under the bridge conceptually prior to the Board meeting in March.

Mr. Bush said he is concerned about improved access to the whole area. He would like to see a roundabout by the high school and one at the end of the bridge.

Mr. Gillette said the Department of Transportation did a study and because of the traffic count on the Juneau side of the bridge, it would need to be a three lane roundabout. Even next to the high school, it would need to be quite large to handle the traffic flow.

Mike Baldwin- Juneau, AK

Mr. Baldwin said he has lived in Aurora Harbor since 2011. The vehicle and foot traffic have increased since then and there is a problem with security. There are four access points into Aurora Harbor, and we need gates with card operated locks. Seattle and California have gates with one way locks so your key card gets you into your float but if it's locked you can still get out.

Mr. Janes asked if the key lock is to the dock ramp itself or to get into the area?

Mr. Baldwin said at the dock ramp, to control the traffic right there. It's done in all major harbors. Only boat owners have access to the area. Right now, anybody can get into the harbor, especially Aurora Harbor with all the entrances. You can start over where the Yacht Club is now, walk the full length of Aurora Harbor, and come up at the Harbormaster's Office with no resistance whatsoever. That's a lot of the problem.

Mr. Eiler asked if Mr. Baldwin has seen this in other public harbors?

Mr. Baldwin said yes he has.

Mr. Donek said it is something for staff to think about.

Mr. Borg said we are working with the Law Department to address security.

4. Update – Auke Bay Marine Station

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Mr. Gillete said we are still in negotiations with UAS. We have generally agreed to a subdivision line. The University wants exclusive access to the Fish House and the float for a period of ten years. We have pointed out recently that the Fish House and the float are actually on our tidelands and are leased to the National Marine Fisheries Service. They should not be a point of discussion because they are not GSA's property to dispose of. We received the lease, which originally started in 1965, from the State. It expires in 2020. It will be discussed at another meeting tomorrow.

**Board Discussion/Public Comment**

Mr. Eiler asked if the subdivision means the property is being disposed of through MARAD?

Mr. Gillette said GSA has indicated that if we come up with a subdivision line, they will give the University their piece through the Department of Education, and Docks & Harbors will get our piece through MARAD.

**5. Board Strategic Retreat Scheduling and Update Board Calendar**

Mr. Uchytel said he would like to propose that the Board come together on a Saturday and prioritize the next big things to do in the community. We did this a couple of years ago and we have basically cleared the list of goals. He asked if the Board would like a facilitator? He said discussions may include Taku Harbor, the net float, the bathrooms at Harris Harbor, paving at Douglas Harbor, dredging Wayside Float, installing Fibergrates over the Statter Harbor breakwater pools, etc. It might be a good opportunity to talk about the Fisheries Development Committee being disbanded, whether there is an opportunity to have some kind of fisheries input into the Docks & Harbors Board and what that might look like. This would be an opportunity to discuss things we never have time for during committee meetings and regular board meetings.

**Board Discussion/Public Comment**

Mr. Donek asked Mr. Uchytel to ask Mila Cosgrove to facilitate the meeting. He suggested to put all the big picture things on the table. The Board will make time for Mr. Becker and the Fisheries Committee, and get through whatever else they can.

The strategic retreat is scheduled for April 1<sup>st</sup>, 2017 from 9:00am to 3:00pm.

**X. Committee and Member Reports**

**1. Bridge Park to Norway Point Master Plan- Board Review- Thursday, February 2<sup>nd</sup>, 2017**

Mr. Janes said it went just as it's been presented here. It is a good process.

**2. Assembly COW Joint Meeting with D&H Board- Monday, February 6<sup>th</sup>, 2017**

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**REGULAR MEETING MINUTES**  
**For Thursday, February 23<sup>rd</sup>, 2017**

Mr. Donek said we went through a list of five different things- an update of CIP projects, planning efforts, operations and regulations, the removal of the Marine Park Lightering Float, and the Auke Bay Marine Station Property.

3. Harbor Fee Review Committee Meeting- Wednesday, February 15<sup>th</sup>, 2017

Mr. Simpson said we recommended the elimination of the Winter Management regulations on the Consent Agenda tonight.

4. Operations/Planning Committee Meeting- Wednesday, February 15<sup>th</sup>, 2017

Mr. Simpson said we discussed Mr. Heumann's proposal which was also presented tonight.

5. ~~Finance Committee Meeting- Thursday, February 16<sup>th</sup>, 2017~~ CANCELLED

6. Member Reports- None.

**XI. Port Engineer's Report**

Mr. Gillette said his written report is in the packet. We have selected Corvus Design for the Marine Park to Taku Dock urban design plan. It will basically be the same team that we've been working with on the harbors master plan. We've got a fee proposal and a draft contract ready to give them, with the plan to start around mid-March. Staff will schedule meetings for the Board in late March. There will be a workshop session with the Board to concentrate on ideas, then there will be an open studio session and a public meeting presentation. This will be similar to the process we just went through, but a little shortened because it's not as big of an area. Staff would like to have a plan by the end of fall that can be brought to the Board for approval.

Mr. Simpson asked what the budget is for the consultant?

Mr. Gillette said we are limited to \$50,000 and it was \$49,900.

**XII. Harbormaster's Report**

Mr. Borg reported:

- The Board's support on the sewage proposal will help in reaching our Clean Harbors goal.
- Two cranes are down at the Fishermen's Terminal. There was a pretty serious near miss the other day with one of the cranes. We had a near minus tide and there was a fishing vessel sitting underneath in the mud. They were lowering a 400lb load down to the deck when the cable came unspooled and it fell about four feet. Nobody was hurt and there was no damage to the vessel. Staff measured the cable and it only had 50 feet of cable. We're putting a new winch motor on the crane that will hold 125 feet of cable so there should still be 30 feet on the boom at a minus four foot tide. The other crane is not working because the cylinder was leaking. Jim at Southeast Industrial pulled the arm off and rebuilt the boom so it should be back in operation before next week.

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**XIII. Port Director's Report**

Mr. Uchtyl said we removed the award for Aurora Phase II from the agenda. The bids were opened on February 8<sup>th</sup> and the apparent low bidder was NCS. Trucano was second low bidder. Trucano filed a notice that he may protest, so we pulled that from the Special Board Meeting and the Assembly Meeting on February 13<sup>th</sup>. We've received information from the Department of Labor that there may be some labor issues with one of the contracts NCS recently completed in Sitka. They may potentially be disbarred from the State. We may hear something from the State on March 6<sup>th</sup>, and will decide what to do at that point. If we award it now and give them notice to proceed, then the State takes action midway through the project, they would be given a cease and desist order and it would get very messy. We have to hold their bid for 90 days from bid opening. This moves up the start date of moving boat shelters around, but we don't know the right thing to do at this point.

**XIV. Assembly Liaison Report**

Ms. Becker reported:

- Franklin Street is being remodeled starting Monday. This project will be completed in phases. One sidewalk and one part of the road will be open almost at all times. They will go block by block and there will be no on-street parking in that block.
- She agrees with waiting on the Aurora Harbor Phase II bid award. She has heard about it from the community, and it is never wrong to be cautious.
- The appropriation asked for from deferred maintenance to the harbor CIP was approved by the Assembly.
- The Assembly is talking about a new road to Bartlett Hospital as a secondary road for emergencies.
- There will be an ordinance prepared to exempt taxes onboard cruise ships. There are a limited number of things sold on ships when they are in town like hair appointments and alcohol. The store is not open. According to the Financial Director, we only get \$50,000 to \$100,000.

**XV. Board Administrative Matters**

- a. Harbor Fee Review Committee Meeting- Wednesday, March 8<sup>th</sup>, 2017 at noon
- b. Ops/Planning Committee Meeting – Wednesday, **March 22<sup>nd</sup>, 2017** at 5:00pm
- c. Finance Committee Meeting – Thursday, **March 23<sup>rd</sup>, 2017** at 5:00pm
- d. Strategic Retreat – Saturday, April 1<sup>st</sup>, 2017 at 9:00am
- e. Board Meeting – Thursday, **March 30<sup>th</sup>, 2017** at 5:00pm

**XVI. Adjournment** – The regular Board Meeting adjourned at 8:02pm.