

CBJ DOCKS AND HARBORS BOARD
REGULAR BOARD MEETING MINUTES
For Thursday, November 30th 2017

I. Call to Order

Mr. Donek called the Regular Board Meeting to order at 5:00 pm in the Assembly Chambers.

II. Roll Call

The following members were present: Weston Eiler via telephone, Don Etheridge, David Lowell, Robert Mosher, Mark Ridgway, David Seng, Budd Simpson, and Tom Donek.

Absent: Bob Janes

Also present were the following: Carl Uchtyl – Port Director, and Gary Gillette – Port Engineer,

III. Approval of Agenda

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

Motion passed with no objection.

IV. Minutes from the November 2nd, 2017 Regular Board Minutes.

Hearing no objection, the November 2nd, 2017 Regular Board minutes were approved as presented.

V. Public Participation on Non-Agenda Items – None

VI. Special Order of Business

Mr. Uchtyl read Mr. Gillette's Municipal Employee of the Year award.

VII. Consent Agenda – None

VIII. Unfinished Business-

1. Urban Design Plan – Marine Park to Taku Dock

Mr. Uchtyl said plans are important and shape what we do in the future. He said after public input he would like the Board to look at the preferred plan and recommend the plan move forward. Title 85 in the CBJ Code is what empowers this Board. He read title 85 to the Board. This gives broad responsibility without limitation for the operation, development and marketing of all municipality owned properties. This planning exercise gives a lot of responsibility to the Board. Mr. Uchtyl read the Docks & Harbors mission statement to the Board; To develop and provide opportunities, services, and facilities to support marine related commerce, industry, fisheries, recreation, and visitors. The limitations on the Boards authority is; The Board may commit the City and Borough of Juneau to long range port development for capital improvement plans or projects only as authorized in advance by the Assembly by ordinance or resolution. This means the Board can approve this plan, but the Assembly still has the final decision. This is a good opportunity to move another planning document forward.

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Mr. Gillette provided a power point presentation showing when the Urban Design planning began and the process. The process began in October of 2016 with the need for additional bus staging to handle the larger cruise ships. In November of 2016, the planning process for this bus staging was brought to the Board and staff was directed to find a planning term contractor. Staff went through the process for the term contractor with the Engineering Department and Corvus Design was selected who then assembled a design team and they are here tonight. The design team consists of Chris Mertl with Corvus Design, Meilani Shivers with RainCoast Data Research, Dick Somerville with PND, and James Bibb with Northwind Architects. In May 2017, staff met with the team to discuss issues, constraints, opportunities, visions, and goals for this particular location on the waterfront and then the team was introduced to the Board. Corvus Design developed site condition maps and research on economic trends which was then brought to the Board. Staff met with transportation providers to discuss the needs for staging. From that meeting, the companies thought 12 to 13 B-Zone bus staging areas were necessary to accommodate the larger cruise ships. In June 2017, a schedule for the planning was presented to the Board. This was a fast paced schedule because we did not want this to go on for years. The only date changed in this schedule was the October 26th date which was moved to the November 3rd date. The final design approval is scheduled for tonight. July 2017 was the first time staff met with the Morris Group who is the Archipelago land owner. We were already in this planning process when they were alerted of this plan. The Archipelago lot is the only vacant lot in the downtown area that could accommodate the bus staging. Staff went to the Assembly a few years ago trying to purchase the entire Archipelago lot but there was opposition partly because the loss of property tax. Because of that, staff has envisioned having retail be privately developed portion of that property but we didn't know who that partner was going to be. When the Morris Group heard about the planning for this area, they wanted to be included. They informed staff they sold the newspaper portion of their company and were focusing on developing their real estate properties all over the country with one of them being the Archipelago property. Staff has had several discussions with the Morris Group and they have several different ways this property could be developed, but they want to do something good for the community and want to work with Docks & Harbors to develop this plan. There were several Board and public meetings on this planning process. From these meetings, the planning team took all the input and came up with four different concepts. At the September Board meeting these concepts were introduced to the Board and each Board member was given a chance to address their concerns and tell what they liked or didn't like in the concepts. From all the comments from the Board, the design team came up with a preferred plan that was introduced on November 3rd. At that meeting there were more comments heard and here tonight is the final preferred plan. Mr. Gillette went through his power point presentation with explanation of the different concepts and the comments heard leading to how the final preferred plan was developed. This is a plan and a place to start. December 4th is an Assembly Committee of the Whole meeting where this preferred plan will be discussed with the Assembly.

5:26 – Mr. Eiler left the meeting

Board Questions -

Mr. Simpson said he recuses himself from participation in this matter.

Mr. Lowell asked if in the planning of the location for the bulkhead if there was consideration to move that further seaward to reduce the cost of the deck over.

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Mr. Gillette said there were some preliminary looks at that. If it makes sense the planning team can move it out. The B-zone buses are the smaller 18 or fewer passengers.

Mr. Seng asked what the process is that exists in the function of CBJ that would impact these plans? Somethings we can predict and somethings we can't predict.

Mr. Gillette said once this gets into more detail, and looking more closely at the ordinances, setbacks, and height limits. This plan is very conceptual at this point. Getting down to the very inch could change some things. Plans can change getting through the process.

Mr. Uchytel said plans do change. Over a year ago, he said he wanted to buy the entire Archipelago lot. What changed is the Morris Group coming forward and seeing the great potential for this area to blend with what Docks & Harbors is doing and they want to develop it. There are two willing partners that want to work together to develop an undeveloped parcel. Moving forward there is a lot of details to work out.

Mr. Seng asked if there are sales tax projections for when the property changes and retail is added?

Mr. Uchytel said he does not have those projections.

5:51 - Mr. Ridgway said Mr. Eiler is trying to rejoin the meeting.

Mr. Eiler rejoined the meeting.

Mr. Ridgway wanted to make sure the public point of view was being considered.

Mr. Gillette said a lot of the new letters from the public is supporting the food carts. Docks & Harbors supports that but the food carts were located under private enterprise. The Morris Group understands the importance of food carts but that part of the plan is up to the Morris Group. There is not enough room for the 15 food carts that was in that lot this last summer. There will be room for some.

Mr. Ridgway said setting aside the food carts, there are a lot of different comments on the design. Wings of Alaska has a safety issue with the 150' float, and in discussing these design issues is the Board establishing a public policy?

Mr. Uchytel said the position of the Board previously was that they did not want private enterprises on Docks & Harbor maintained facilities as a general rule. Mr. Heumann has an ask for the Board for additional use of public property for this area and that was set aside until this planning process was complete. He does not have any expectation the Board will be establishing a policy tonight on commercial activity on Docks & Harbor property. Before the Board is a plan on how to manage this area with an agreement that will compliment the private enterprises on the Archipelago lot and work together.

Mr. Ridgway asked if Mr. Gillette has considered the design issues brought forward from the public?

Mr. Gillette said he believes they are being looked at. If there are items in the plan that the Board does not want in the plan, that item could be removed and still move forward.

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Mr. Uchytel said there were public comments received that were not added to the packet. One was from Sally Smith that was 38 pages on electric vehicles. Last month there were four letters received, one from Recia Wilson and Charlie Harrington opposing development on Docks & Harbors lands. Greg Pilcher and Jeff Fanning requested the Waterfront Vendor Booths remain in their current locations.

Public Comment -

Al Clough, Vice-President/Pilot Wings Airways

He said he is here to discuss the safety concerns with the proposed 150' float in this plan. He said he was before the Board earlier in the year to request the removal of the lightering float that was in this location due to the safety concerns. The Board listened and removed the lightering float. After that float was removed, Wings Airways put over \$200,000 in improvements into their facility and the 2017 was a safe and productive season. The proposed 150' float overlies part of the pre-existing lightering float and will present similar set of approach and departure angle challenges that the lightering float had to our dock. The blind zone that is being established with the new panamax ships would be more onerous and a larger safety hazard than boats going to and from the previous lightering float. Ships are going to get larger and it is going to get tighter. He said float planes do not have brakes. The turbine engines can go backwards but it is not pretty when the wind is going one way and the current is going another and where boats are located on the docks. There are significant safety concerns for our passengers as well as the public that may or may not be operating at that location and unknown schedules. This proposed 150' is a higher safety concern than the last lightering float because it is further shielded. He requests the 150' float be removed from this plan. If in the future the seawalk continues along in front of the hanger, and Wings Airways location moves due to that project, that would be the time a float could be added. Currently, it is unsafe.

Mr. Etheridge asked if the 150' float was left in the plan, but no vessels were allowed to go to it, would that still hinder your operation?

Mr. Clough said it is very tight to maneuver in that location. The best he can tell is this float would go under where the ramp to the old lightering dock was. We are currently turning our aircraft in this location so it will not work in that location.

Bill Heumann, Juneau, AK

He said this plan is progress and he is in favor of it. The proposed retail will bring competition, but that is part of the game. There is a considerable expectation of increase in tourists and Juneau has to meet that demand. This plan is a step in the right direction. He doesn't have any issues with a public/private partnership and would like the scope of that broadened. It should not be just restricted to this area. There are a lot of benefits in general with government working with the private sector.

Dennis Watson, Juneau, AK

He said he has a concern similar to Wings Airways. He read a paragraph from Title 85.10.50 "of this title provides where necessary to expedite waterborne traffic or to eliminate congestion to safeguard persons or property". Title 85.25.10 "All vessels or watercraft within any area now or hereafter set aside for such purposes of all vessels and watercraft shall keep clear and avoid

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impeding their navigation”. Mr. Watson said this is the responsibility of the Board and it is a serious concern. Tourism is increasing and that means congestion is increasing.

Drew Green, Juneau, AK, Port Manager for Cruise Line Agencies of Alaska.

He said there is great value in planning, but he has some concerns. He said he has had problems with past plans that were just plans that could be modified or changed and down the road a developer tried to do something but it was not allowed because it was not in the plan and you had to go back through the process to change the plan. He is worried if a plan is approved tonight and everything is not flushed out, it could cause problems. He recommended to isolate the Archipelago project so that part of this project can continue and work on the other issues before the rest of the plan is approved. The operational issues Cruise Line Agencies has is the float. He would like that removed from the plan. In 2019 there will be a need to put the lines to tie up the ships on the old Alaska Steamship bollard number one which has been discussed since the conception of 16B. The other things he would like to work on is the bathrooms and visitor center at the cruise ship terminal. There are some problems there and he would like the opportunity to work with Travel Juneau. He would like to see a covered area. There was a temporary Costco tent this last year, but he would like to see something more decorative and permanent. By design, the larger ships will go to the Alaska Steamship float. When that happens, there will be more people and more people wanting the covered area. He doesn't like to put restrooms on prime waterfront real estate and suggested to put it closer and adjacent to the visitor center. The number one question from visitors is how do you get to the glacier and the second is where is the bathrooms. He said he would also like to discuss at another time the dollar figure to do the deck over. It is a big price tag.

Board Discussion/Action

Mr. Etheridge said he has a concern with the 150' float. He suggests to remove it from the plan until it can be done more safely. Having ship lines go over the float is another safety concern.

Mr. Seng said plans change, if this is approved moving forward, what is the Board being locked into and what is flexible? He believes if the 150' float is left in the plan, it doesn't mean it is going in and could be stopped at any time in the future. The restrooms could move, the vendor area's could move. Is the Board approving a concept or a plan as drawn?

Mr. Donek said it is a concept.

Mr. Uchytel said this is a conceptual plan. It is something to bring forward to the Assembly and show interested people what the waterfront plan is. This plan solidifies generally what Docks & Harbors wants to do. We are trying to capture operational needs.

Mr. Eiler said this plan is different than the Norway Point to Bridge Park plan. There are pieces in this plan that is practically shovel ready and other pieces that are generational vision of what we want this area of the waterfront to look like. He is open to hold this over for more conversation if the Board agrees. He sees this as a two step process, the Archipelago and development there with a partnership and then he cautions to not just put something in a plan just to move forward. This needs to be a living document with various things we want to see on this waterfront. If there is not enough room for the food carts in the Archipelago area, where will they go? If the Visitor Center on the corner is not the best location, where is the best location?

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Mr. Mosher said with the safety concerns with the 150' float brought forward from Wings, the float should be removed from this plan. He doesn't have a problem with a public/private partnership, but this will open it up for others.

Mr. Lowell said the Archipelago plan to date is a solid plan. If this is a concept and plans can change, than he suggested to adopt this plan with the exception of the float. It is not associated with the development of the Archipelago lot so it won't stifle that portion of the project moving forward. He recommended moving forward with the plan with the removal of the float.

Mr. Ridgway asked Mr. Uchytel what staff thinks solidifies this plan as written and what is the process to change what is not solidified in this plan?

Mr. Eiler left the meeting at 6:36 pm.

Mr. Uchytel said this plan identifies different things needed on the waterfront and during the public process it was identified that open space was valuable to have an area decked over and have an open area for people to meet. This plan shows we are interested in complimenting private investments and letting private enterprise do what they do best while also meeting the needs of the public part of this plan you wouldn't expect private enterprise to do.

Mr. Ridgway said he would like to know the process if the plan needs to be changed.

Mr. Donek said it will need to go to the Operations Committee and then to the Board. Contracts under \$100,000 can be approved here, over \$100,000 will need to be approved by the Assembly.

Mr. Seng said the Morris Group can do whatever they want on their property without the Board saying anything. This is more of an opportunity for the Board to be able to have a partner and allow the Board, CBJ, and the Assembly all to participate in this plan so it is a win/win for all.

Mr. Donek recommended to remove the 150' float and replace it with an asterick with future water access vicinity of Marine Park. This does two things, it removes the float, but also keeps it on the plan so when the seawalk continues around the corner, that may be the time for the float to be installed.

MOTION By MR. ETHERIDGE: THAT THE DOCKS & HARBORS BOARD ADOPT THE AMENDED URBAN DESIGN PLAN WITH THE 150' FLOAT REMOVED AND ADD ASTERICK WITH FUTURE WATER ACCESS AND RECOMMEND TO THE ASSEMBLY THAT IT APPROPRIATE THE FUNDING NECESSARY TO FACILITATE FUTURE DEVELOPMENT PLANS FROM MARINE PARK TO TAKU DOCK CONSISTENT WITH THE URBAN DESIGN PLAN AND ASK UNANIMOUS CONSENT.

Mr. Simpson asked for a roll call vote to show he abstained from voting.

Don Etheridge – Yes

David Lowell – Yes

Robert Mosher – Yes

Mark Ridgway – No

David Seng – Yes

Budd Simpson – Abstained from voting

Tom Donek – Yes

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5 Yes, 1 No, and 1 Abstained from voting – Motion passes.

5 Minute Break 6:48pm

Back in Session 6:55pm

IX. New Business

1. Capital Improvement Projects

Mr. Gillette said on page 49 in the packet is the proposed FY19 Capital Improvements projects staff would like to have funded. Proposed funding sources are also included. He went over the projects on the list and described the need for these projects.

Board Questions -

Mr. Seng asked what is the \$7M intended for on the Archipelago Property?

Mr. Gillette said this would be looking into more of the design for the deck over area. There is some property acquisition. It would go for the design and construction of a portion of this land. FY19 begins July 1st. This is a starting point and how it is exactly spent will come back to the Board.

Mr. Uchytel said this list is a requirement every year for CBJ Engineering. The projects on this list are needs, but they are markers.

Mr. Gillette said this identifies projects that need funding. This is a CIP Plan list projected out six years.

Public Comment - None

Board Discussion/Action

MOTION By MR. SENG: TO APPROVE THE LIST OF FY19 CIP PROJECTS AND ASK STAFF TO MOVE FORWARD IN ACCOMPLISHING THEM AND ASK UNANIMOUS CONSENT.

Motion Passed with no objection.

X. Items for Information/Discussion

1. Annual Report to the Assembly

Mr. Uchytel said in Title 85 there is a requirement to make an annual report to the Assembly. On page 51 in the packet is the FY17 annual review of Docks & Harbors operations and page 52 is our fee schedule that the Assembly requests to see. This is basically communication with the Assembly.

Board Discussion - None

Public Comment - None

XI. Committee and Member Reports

1. Operations/Planning Committee Meeting- Wednesday, November 15th, 2017

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Mr. Donek reported the Committee discussed;

- The six year Capital Improvement Plan that was discussed here tonight.
- Marine Passenger fees request for 2018
- Floating Breakwater netfloat in the vicinity of Glacier Seafoods
- The Downtown Urban Plan

2. ~~Finance Committee Meeting~~ CANCELLED

3. Member Reports - None

4. Assembly Lands Committee Liaison Report- None

5. Auke Bay Steering Committee Liaison Report- None

XII. Port Engineer's Report

Mr. Gillette's written report is in the packet. He said one item to point out is the contractor for Aurora Harbor Phase II is on location and the project is underway. The Corps permit requires observation of marine mammals in the area and this has been accomplished with our staff. Work has not had to stop because of the marine mammals yet. The requirement is to account for sea lions and humpback whales. They were delayed a little in the beginning, but are getting back on schedule. The floats are complete and were trucked to Seattle. They will be loaded on the barge and coming to Juneau soon.

Mr. Donek asked if this project will be completed on time?

Mr. Gillette said they are good right now and still on schedule.

XIII. Harbormaster's Report - None

XIV. Port Director's Report

Mr. Uchytel reported;

- Statter Harbor phase III will require the Incident Harassment Authorization (IHA) which will delay any work until October 2018. It also means this will need to be completed over two winters. The IHA will cost \$100,000 and staff is hopeful we will get the permit by July. We still intend to get the plans and specs to do the blasting and dredging and have those ready to go in the May/June timeframe. The bid award date will be extended based on if we have the IHA in hand. The work will be required to be finished by March 2019. There is also a bald eagle nesting area that we will need to obtain a permit for.

Mr. Donek asked if there was the Eagle nesting area problem with the Statter Harbor launch ramp project?

Mr. Gillette said no because we were far enough away from the specific Eagle nesting tree. We did have an Eagle nesting tree we needed to get a permit for during the Douglas Harbor project. We ended up not needing the permit because the dates for the project changed and we didn't need to do the observation.

Mr. Donek asked where the Eagle tree is located?

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Mr. Gillette said it is along the road. He said DOT removed an Eagle nesting tree when they were doing their road work.

- Staff put together three separate “what you need to know” cards for the Harbor Users. One is for the use of the launch ramps, one is for securing a slip, and one is general Harbor information. This is an attempt to let people know expectations for Harbor use.
- There were two RFI’s that went out. One was for used waste oil that the Harbor collects – Secon showed interest. The other was for the Auke Bay Marine Station renting opportunities – the State Troopers and Juneau Youth Services showed interest. We should have the keys for this facility by the first of the year.

XV. Assembly Liaison Report –

Rob Edwardson reported that the Assembly voted on the insurance requirements for vessels resolution and the vote passed.

Other items the Assembly worked on was –

- Procurement for six buses – three next year and three for the year after
- Discussed electric buses and the City does have one coming that will be paid for by a grant

XVI. Board Administrative Matters

- a. Ops/Planning Committee Meeting – Tuesday, December 13th, 2017 at 5:00pm
- b. Finance Committee Meeting – Cancelled
- c. Board Meeting – Thursday, December 21st, 2017 at 5:00pm

XVII. Adjournment – The regular Board Meeting adjourned at 7:26 pm.