

**CBJ DOCKS AND HARBORS BOARD**  
**REGULAR BOARD MEETING MINUTES**  
**For Thursday, March 29th, 2018**

I. Call to Order

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

II. Roll Call

The following members were present: Weston Eiler, Don Etheridge, Bob Janes, Mark Ridgway David Seng, Budd Simpson, and Tom Donek.

Absent: David Lowell and Robert Mosher.

Also present were the following: Carl Uchytel – Port Director, Dave Borg – Harbormaster, and Matthew Creswell – Deputy Harbormaster.

III. Approval of Agenda

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

Motion passed with no objection.

IV. Approval of February 22nd, 2018 Regular Board Meeting Minutes.

**Hearing no objection, the February 22<sup>nd</sup>, 2018 were approved as presented.**

V. Public Participation on Non-Agenda Items – None

VI. Consent Agenda

- A. Public Requests for Consent Agenda Changes – None
- B. Board Members Requests for Consent Agenda Changes – None
- C. Items of Action

- 1. Transfer of \$690,000 from Aurora Harbor Improvements Capital Improvement Project to the Statter Harbor Phase III Capital Improvement Project

**RECOMMENDATION: THAT THE ASSEMBLY APPROVE A \$690,000 TRANSFER FROM THE AURORA HARBOR CIP TO STATTER HARBOR PHASE III CIP.**

- 2. Transfer of \$10,000 from Cruise Berth Improvement Capital Improvement Project to the Dock Cathodic Protection Capital Improvement Project.

**RECOMMENDATION: THAT THE ASSEMBLY APPROVE A \$10,000 TRANSFER FROM THE CRUISE SHIP BERTH IMPROVEMENT CIP TO DOCK CATHODIC PROTECTION CIP.**

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

Motion Passed with no objection.

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VII. Unfinished Business - None

VIII. New Business –

1. Contract Award for the Downtown Waterfront Improvement Consulting Services (RFP DH 18-043) for \$200,000 to PND Engineers

Mr. Uchytel said this was an RFP to advance the Archipelago lot project. There were two proposers, Tetra Tech and PND Engineers and a selection Committee of four which included myself, the Port Engineer, the Deputy Port Engineer, and Skye Stekoll from CBJ Engineering. The Committee reviewed the two proposals and each evaluator chose PND over Tetra Tech. Staff would like to enter into a professional services contract with PND for the bus staging and open space deck over.

Board Questions

Mr. Ridgway asked if the scope of services was very specific in the RFP?

Mr. Uchytel said no. There is a conceptual plan of what we want, but the specifics of what it will be is still unknown. We know we need bus staging and a deck over and that was the information given. The contract would be design through construction administration assuming we get that far.

Mr. Ridgway asked how the decision was made? Was it based on the needs of the cruise ship industry? How was the needs communicated to Docks & Harbors? How did that become design parameters for X amount of deck over and 18 bus parking spots? He said as he understands it in a planning perspective there are critical times at which there is a peak requirement for busses and that is what was communicated to Docks & Harbors. A potential solution would be to change the cruise ship scheduling and that could be a solution to the bus parking problems.

Mr. Uchytel said he had a meeting with TBMP participants, Kirby Day and coach and bus companies. For years they have been saying there is a need for more bus staging along the waterfront. What there is currently is inadequate and will be more inadequate with the projected increase amount of cruise ship passengers. He has three letters, one from Cycle Alaska, TBMP, and HAP saying the demand for bus staging merits a project Docks & Harbors is contemplating.

Mr. Donek said this is not just for parking. This is for working with the Archipelago lot project which has a lot of open space also.

Mr. Janes said the scheduling of cruise ships happens three years out and is a very complex and complicated schedule. He is working with a group going through a long term tourism growth planning process with JEDC. He is looking for a representative to sit on that group once a month. One of the topics for the group discussion is how to spread out the cruise ship visits to have a balance and not have too many people at one time and not enough at other times. Hopefully this group will help as we grow more in the future.

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Mr. Ridgway said a clear issue is this is the last piece of viable land to build parking. He said he did a quick analysis and there is 100,000 SF of property that Docks & Harbors manages downtown devoted to parking and now we are looking for more. The parking need will continue to grow. He said the planning horizon for Docks & Harbors is to look at broader solutions to an issue and there is no debate there is a need for the additional 18 parking spaces and there will be a need for more. He didn't know if PND was given the opportunity to have a broader scope to think outside the box and think of other modes of transportation and coordinating schedules.

Public Comment-None

Board Discussion/Action

MOTION By MR. ETHERIDGE: TO AWARD A PROFESSIONAL SERVICES CONTRACT TO PND ENGINEERS, INC FOR \$200,000 TO ADVANCE DESIGN EFFORTS FOR BUS STAGING AND OPEN SPACE DECKING UNDER CONTRACT DH18-043 AND ASK UNANIMOUS CONSENT.

Mr. Donek asked for a vote.

Weston Eiler – Yes

Don Etheridge – Yes

Bob Janes – Yes

Mark Ridgway – Yes

David Seng – Yes

Budd Simpson – Abstained from voting

Tom Donek – Yes

Motion passed

Mr. Uchytel said this design as well as the Norway Point to Bridge Park plan was an information item presented to the Planning Commission on Tuesday. This reaffirmed Docks & Harbors planning efforts are consistent with Title 49 of the code. The Planning Commission knows as these two plans move forward, they will need to go back to the planning commission for an action item. It was very favorable and he had general agreement with Docks & Harbors efforts.

Mr. Eiler asked where this is in the process of going to the Assembly.

Mr. Uchytel said on January 29<sup>th</sup>, the Assembly approved moving the \$200,000 into a CIP account. That process took two meetings to get approved. Now this award will go before the Assembly because the Assembly has to approve any contract award of anything greater than \$100,000.

Mr. Eiler clarified this is approving a contract and not the plan.

Mr. Uchytel said that is correct and will go before the Assembly on April 2<sup>nd</sup>.

**IX. Items for Information/Discussion**

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1. Strategic Planning Project List (May 2017)

Mr. Uchytel said the list in the packet is the list from the Board's efforts a year ago. He wants to start the process again to prioritize what the Board wants staff to be working on. Does the Board want to have a strategic offsite? He can give an update with what he has been working on with the Corps of Engineers projects and his meetings with Coast Guard and NOAA in DC. He just would like an update on project priorities. Good news for the Omnibus bill is it will triple the amount of money destined for TIGER Grants. We have been unsuccessful for about three or four years in a row, but there is now more money being put forward. He believes it is a priority to expand the marine services yard. It should be a topic for discussion to stay at the Norway Point to Bridge Park location or move the location of the marine services yard to the Little Rock Dump. He said he is working on currently a Corps of Engineers federal program called WRDA. (Water Resources Development Act 2016) There is a line item for beneficial use of dredged material. In the Norway Point project there is a concept to move the title grid from Harris Harbor to Norway Point. He asked the Corps of Engineers to build the wall and put the maintenance dredged material from Aurora and Harris Harbor on the uplands side of the wall which would add .6 of an acre. He is also asking for consideration for the Corps to put the grid and a 150' float at that location as well. What is the priority for phase III and where do we get the money to finish that concurrent with the Aurora and Harris Harbor dredging project? Another serious thing is the wave attenuator at Statter Harbor. The Corps of Engineers headquarter people liked the project but there is an unknown of funds at this time. They understand what we are trying to do at Statter Harbor. Mr. Uchytel said on Monday he was in Anchorage and stopped by the Corps of Engineers to let them know this was still a high priority and want to proceed with the wave attenuator project. It is the number one project at the Alaska District. He received a phone call today from the chief of the construction project doing his due diligence reconfirming that Docks & Harbors is in this to get it completed. What that means for the feasibility cost study is that it could be half of \$3M. We don't need the \$1.5M upfront, but we will have to have \$200,000 by the end of September. We are one of six competing with 80 other projects. In our FY19 CIP projects, we have \$500,000 set aside for this project. He believes we should move forward with the wave attenuator. We are not going to get a FRC replacement at Auke Bay. If the Board would like to have the Statter Harbor Breakwater estimated life determined, PND is going to have a diver in Skagway and could get a term contract to get this moving. That may help determine if we want to continue with the deck over on the existing breakwater. We do need to resolve a question from Fish & Game regarding Amalga Harbor. The problem is there is inadequate boat float at Amalga Harbor and backs up at low tide and there is conflict between the users and we are trying to resolve that. Staff thought of a good idea to have a fish cleaning station outside Amalga Harbor and only be seasonal use. Fish & Game does not like that idea and would prefer extending the boarding float. There is still Fish & Game money for a fish cleaning station and they would like to know what the Board would like to do. That is another topic that should merit discussion to decide what to do with out scant resources.

Board Discussion/Public Comment –

Mr. Donek said we are not going to try to decide what the priorities are tonight, but does the Board want to do a special meeting or add to an OPS/Planning meeting?

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Mr. Eiler said he prefers a separate retreat type meeting.

Mr. Janes said he agrees with a separate retreat type meeting.

Mr. Etheridge agreed with a separate retreat type meeting with just this on the agenda.

Mr. Donek asked when would it be good for a meeting? The estimated life left in the Statter Harbor Breakwater would probably not happen until May and is that a critical element?

Mr. Uchytel said the question from the Board is “should we put anymore money into the breakwater if it has issues”? He said he has an opinion on this but if the Board wants a diver to dive it and get an engineers condition that can be done.

Mr. Ridgway asked to hear his opinion.

Mr. Uchytel said he sees Docks & Harbors getting the new wave attenuator before having money to improving the existing structures at Statter Harbor. The existing breakwater will probably be around for 10 years.

Mr. Donek said if the wave attenuator does happen, we will not be in a position to add new floats behind it and the breakwater would become a moorage float. The hesitation to wait to proceed with the deck over of the breakwater may not have been well thought out. When would be a good time for retreat?

Mr. Janes asked if there is an estimate for a diver for the Breakwater assessment and could that be approved tonight.

Mr. Uchytel guessed at \$20,000.

Mr. Eiler said that might be a topic discussed at the retreat.

Mr. Etheridge said putting money in a dive assessment at this point would be throwing away money. We could put a couple covers on it for \$20,000.

Mr. Donek asked if the end of April or the beginning of May would be a good time for the retreat?

Mr. Eiler asked for a doodle poll to go out.

Mr. Ridgway suggested that staff have enough time to prep the Board with enough relevant information. The information is critical with making infrastructure decisions.

**2. Loading Zone Regulations & Pedicabs**

Mr. Uchytel said this was an ask from the Board because Mr. Quayle came forward to a February OPS meeting requesting consideration pertaining to loading zones. Docks & Harbors does not have a pedicab regulation and they are treated the same as the regular loading zone operations. This year the loading zone permits are \$350 per company and \$8 per seat. Mr. Uchytel said Mr. Quayle said he is a single operator and didn't feel it was fair to be charged \$350.00 from this regulation that pertains to coaches and busses and large companies when he only operates a single pedicab. He wanted the Board to direct staff to come up with a specific pedicab regulation. The reason for hesitation for creating a new

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regulation is JPD also regulates the pedicabs and they require a \$1500 fee for pedicab registration and are trying to be consistent. Another pedicab owner Mr. Houck came before the Board and suggested to make no changes to the regulation. This is brought back to the Board to decide what if any changes should be made to the loading zone regulation as they pertain to pedicabs.

Board Discussion/Public Comment –

Mr. Janes asked if the pedicab uses the bus loading zone areas to load and unload passengers and use the Seawalk?

Mr. Uchytel said the permit is tailored for the Seawalk use. They sell their services along the Seawalk. There are also specific areas they are allowed to sit and they are also allowed to advertise on their pedicabs.

Mr. Quayle, Juneau, AK

He wanted the Board to keep the fees how they are. He said he has enough money for the fees this year but he rather not have to pay so much. He wants to be able to pick up passengers anywhere on the Seawalk including all the way to the ship. He said he provides a very valuable service because he can take people on the sidewalk to where they want to go. He would take people to the AJ Dock also even though it is not under Docks & Harbors. He said he is asking the Board to keep the fees at \$300. It is a large overhead when you have to pay \$1800 plus insurance. With the fees like they are, you are not going to have anyone else besides me. Juneau charges more than any city in Southeast Alaska. He said the Board can increase the water rates for the cruise ships to get more money.

Mr. Janes asked what the fee is currently?

Mr. Uchytel said the company fee is \$350.00 and \$8.00 per seat. JPD will also require a \$1500.00 fee.

Mr. Houck, Juneau, AK

He said he came to the Board last year and being in the company for the first year requested to hold off on raising fees and to let him come back this year. He said he runs four pedicabs and had eight drivers six days a week 10 hours a day and the fees in the grand scheme of things are nothing compared to the money spent on insurance and maintenance. Raising the rate \$50 this year is probably .4 of a percentage point to run a company like his. His recommendation would be to leave it the same if at all possible. He appreciates the opportunity to run a business in this town and being the only person in the State of Alaska making a living riding a bicycle. He said this is something he always wanted to do after 26 years in the Coast Guard. He said in regards to being able to go down to the gangway of the ship he would ask that Board leave that up to the individual driver. Most of the drivers are willing to go down to the ship but sometimes they are found in a difficult situation once they get down there. There is a 150 pound driver trying to ride a 185 pound bike up a 45 degree ramp and some cruise ship passengers want to get in and get a ride up the ramp. He doesn't want to put his drivers in a situation like this unless they voluntarily do it. It is a pleasure doing business here and appreciate the improvements with removing the ADA ramp by the Library.

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Mr. Simpson asked if he has taken any steps to address the \$1500 fee that JPD charges?

Mr. Houck said that is a fee to do business, he doesn't have time and it is worth it to him to pay the fee and move on.

Mr. Uchtyl said if the pedicab was to take a passenger down to the ship, they would need to be escorted or have a TWIC card because of the facility security plan.

Dennis Watson, Juneau, AK

He said he helped Mr. Janes tie up his first whale watching boat many years ago and no one would have thought it would grow to where it is today. It would be wise to come up with a modest regulation on pedicabs. As the Seawalk moves farther down the road there may be less people willing to walk that distance and the pedicabs are a business opportunity and won't be a monopoly for long.

Mr. Ridgway asked if there is an impact on congestion alleviated or created by pedicabs?

Mr. Uchtyl said the first year the pedicabs operated staff was hesitant but it has worked out well and it is a benefit.

Mr. Ridgway asked if staff tracks the company gross revenue to determine a rate structure.

Mr. Uchtyl said no. Fees are difficult. There was discussion during the fee review if the large operators should pay more than the small ones and it was very painful.

Mr. Ridgway clarified there is no tracking of gross sales at any of the vendors or permitted individuals.

Mr. Uchtyl said we know how many companies there are and seats for the loading zone permits.

Mr. Janes said he is very supportive of the pedicabs and as the Seawalk expands in both directions, the pedicabs are going to be more important to many people and useful.

Mr. Donek asked Mr. Uchtyl if he sees a need for changing the regulation or adding to it?

Mr. Uchtyl said staff makes it work with a permit. If the pedicabs expand, then we will need to change the regulation but it has been running smoothly as is.

Mr. Borg said the fee's cover improvements also. We just removed the ADA ramp and made the seawalk ADA compliant which was \$160,000 and therefore a lot easier access.

Mr. Ridgway asked if there is any relationship between what a business is expected to gross and the permit fee itself. Is it based on CPI and the work needed to maintain the facilities for that permit holder?

Mr. Uchtyl said we don't collect enough money to maintain the facilities we have. From the money that is collected, there is staff that maintains the loading zone areas and striping, pavement, trash. There is no relationship to what we charge and how successful a company is. We sell the vendor permits for \$30,000 but we do not know how much they gross.

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Mr. Etheridge said that would be hard to base a fee on because of the different size companies.

Mr. Ridgway said from a Docks & Harbors point of view gross revenue might be important to know. Are we charging \$10.00 for a permit when someone is grossing \$3M?

Mr. Donek said in the Fee Review Committee meeting we did start going in the direction of charging larger companies more because of the use and it did not go well.

**At Ease 6:08**

**Return to the meeting 6:17**

3. Statter Harbor Phase III (For Hire Commercial Floats) 65% Package .

Link for supporting documents-

[http://www.juneau.org/harbors/documents/statterharborIIIA65\\_designplans032118.pdf](http://www.juneau.org/harbors/documents/statterharborIIIA65_designplans032118.pdf)

Mr. Uchytel provided the link to this items supporting documents because it is 30 pages. He put in the agenda packet the pages that were the highlights to this project. We will be moving \$690,000 out of the Aurora Harbor project, because of the favorable bid and no contingency issues, to the Statter Harbor Phase III project which is the for hire float for match money. CBJ Law decided we could use cruise ship passenger fees at Statter Harbor to build the For Hire Floats but it requires 15% of Harbor funds match. We are not allowed to use Docks funds and only Harbors funds. This 65% review is only for the dredging portion of the project. The entire phase III is broken down as follows; (a) dredging, (b) float installation, (c) uplands paving/bathrooms/staging areas. Page 103 in the packet is existing conditions and page 105 shows the dredge basin which we are planning to dredge to -16. This will require demolition of the old launch ramp and the piers for the travel lift. We will also have to remove 750 cubic yards of rock which will require blasting. This will be carried out by building up a pad to +15, drilling about 100 cores and blast the rock. Once that area is done, they will move to the other area that requires blasting and repeat the process. All the blasted rock will be removed and then they will build a retaining wall. It is currently a \$3.5M project for the blasting, dredging and the construction of the MSC wall. We are working on getting the permits and staff is optimistic that we will have the permits in place by June. We would go out with a RFP in June, have the bid award to a contractor in July/August, and have the contractor mobilize in October. This portion of the project we hope to have completed by March of 2019.

Board Discussion/Public Comment – None

4. Budget Presentation to the Assembly Finance Committee

Mr. Uchytel showed a power point presentation he will show at the Assembly Finance Committee on April 11<sup>th</sup>. He said on the Assembly agenda also is a 2% wage increase for all MEBA employees effective July 1<sup>st</sup>. This means personnel costs are going to increase by 2% from what is projected on this presentation for FY19 and FY20.

Board Discussion/Public Comment – None

**X. Committee and Member Reports**

1. ~~Operations/Planning Committee Meeting – Wednesday March 21st, 2018~~ - Cancelled



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2. Member Reports - None

3 Assembly Lands Committee Liaison Report- Mr. Eiler said the last meeting had no items pertinent to Docks & Harbors and their next meeting is April 9<sup>th</sup>.

4 Auke Bay Steering Committee Liaison Report- Mr. Janes said nothing to report.

XI. Port Engineer's Report –

Mr. Uchytel said Mr. Gillette is recovering from hip surgery. He provided Mr. Gillette's report that Aurora Harbor phase II is progressing and should have substantial completion over the weekend.

Mr. Donek asked if AEL&P has to approve the electrical connection before being able to plug in.

Mr. Uchytel said that is Docks & Harbor rule because of a OSHA violation. Due to safety concerns, boat shelter owners are required to abide by a specific electrical connection before they can energize the new electrical service. We are providing new electrical cords for boat shelter owners.

XII. Harbormaster's Report –

Mr. Borg reported;

- Seasonals are returning on Monday.
- Completed interviews and chose a candidate for the Harbor Operations Supervisor. We are waiting for H.R.'s approval.
- Staff is working on the impound for the Lumberman.
- Out of the 15 already impounded vessels there are nine left to get crushed.
- We are having problems at the North Douglas launch ramp with sanding over. We will clean again mid April and ditch down on the right side of the ramp.
- The Norway Point flag – Due to weather and the Fire Departments ladder truck being down we have not been able to get the flag pole back up. He is planning on getting a lift to raise the pole again.

Mr. Eiler asked for the upcoming retreat to get a list of the slips currently in the Harbors and any waitlists.

Mr. Borg said he can provide that.

XIII. Port Director's Report

Mr. Uchytel said while in DC he met with the Coast Guard and NOAA and presented them with Juneau amenities "port" folio in an effort to convince them to come to Juneau. He is optimistic from what he has heard from NOAA. The Coast Guard FRC will not be coming to Juneau.

Mr. Eiler said he would like to hear from Mr. Uchytel's meeting what they view in Ketchikan's docks as the gold standard or are we lacking amenities?

XIV. Assembly Liaison Report – None

XV. Board Administrative Matters

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- a. ~~Special Board Meeting—Friday April 6<sup>th</sup> 2018 at Noon~~ – Cancelled
- b. Assembly Finance Committee Budget Presentation – Wednesday, April 11<sup>th</sup>, 2018 at 5:30 pm.
- c. Ops/Planning Committee Meeting – Wednesday April 18th, 2018 at 5:00pm
- d. Board Meeting – Thursday, April 26th, 2018 at 5:00pm

Mr. Simpson said he will not be able to attend both the April meeting.

XVI. Adjournment – The regular Board Meeting adjourned at 6:47 pm.