

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES

For Wednesday, November 9th, 2022

Port Office and Via Zoom Meeting

A. Call to Order – Mr. Ridgway called the meeting to order at 5:20 p.m. in the Port Office Conference Room and via Zoom. [The meeting start time was delayed and moved from CBJ Room 224 due to technical issues.]

B. Roll Call – The following members attended in the Port Office Conference Room:
Lacey Derr, Don Etheridge, Paul Grant, Debbie Hart, David Larkin and Mark Ridgway.

Absent – James Becker, Matthew Leither and Annette Smith.

Staff Present – Carl Uchtyl – Port Director; Matthew Creswell – Harbormaster; Jeremy Norbryhn – Deputy Harbormaster; Teena Larson – Administrative Officer; Kevin Dugan – Port Operations Supervisor; and, Nichole Benedict – Administrative Assistant.

C. Port Director Request for agenda changes – Mr. Uchtyl had no changes.

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

Motion passed with no objection.

D. Public Participation on Non-Agenda Items

Kirby Day – Juneau, Alaska

Mr. Day spoke about the SEAK AMSC Committee meeting earlier that day. The United States Coast Guard (USCG) was present and the main topic was Port security. He spoke about facial recognition and the dual identification process. The Seabourn Cruiseline ships will have access to facial recognition software next year.

E. Approval of Minutes

1. October 19th, 2022 Meeting Minutes – Hearing no objection, the October 19th, 2022 minutes were approved as presented.

F. Consent Agenda – None

G. Unfinished Business

2. Legislative Priority List

Mr. Uchtyl said the Legislative Priorities List starts on page sixteen of the packet. He reviewed the ranking by the Board and staff. He noted only six of the nine Board members participated in the ranking.

Committee Questions – None

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Public Comment – None

Committee Discussion/Action

Mr. Grant said the Board and staff ranked these projects very similarly. He noted the new Aurora office building was the only project staff ranked much higher than the Board.

Mr. Ridgway said he liked the process; it went well and was very clear.

MOTION By MR. ETHERIDGE: TO RECOMMEND THE BOARD APPROVE THE PRIORITY LIST AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

H. New Business

3. Assembly Authority for Negotiated Land Sale

Mr. Uchtyl spoke about the memo on page eighteen in the packet. Goldbelt would like to demolish the current Seadrome Building and enter into a land swap with Docks & Harbors. Mr. Uchtyl would like to work with Horan & Company to get the lot appraised so the land swap would be a no-cost transfer. Docks & Harbors and Goldbelt are the only landowners in this area and Mr. Uchtyl thought it made perfect sense to negotiate directly with Goldbelt.

Committee Questions

Ms. Derr said she attended the Assembly Committee of the Whole meeting where Huna-Totem gave a presentation on their waterfront plan. She is concerned there are two huge buildings proposed within a hundred yards of each other with nearly identical priorities. Ms. Derr wants to make sure Docks & Harbors is not getting in the middle of two corporations competing on similar projects.

Mr. Uchtyl said Huna-Totem and Goldbelt partner on many projects and he does not anticipate a problem. He feels the role of Docks & Harbors is to facilitate this ask. They want to improve the building they currently have.

Mr. Ridgway wanted to know if Docks & Harbors had entered into any negotiations yet.

Mr. Uchtyl said he has a relationship with Goldbelt and Horan & Company. We will need permission from the Assembly before we can move to a purchase agreement.

Mr. Grant asked about the Hansen-Gress land request and if this motion resumes negotiations by Docks & Harbors. He was under the impression the request was currently with the Assembly.

Mr. Uchtyl said the request has gone through the Lands Management Division and they have taken the lead on it. This will probably come back to us at some point to make sure the request is the will of the Board.

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Mr. Ridgway said he was surprised by the devaluation of the Hansen-Gress property. Mr. Grant asked if there was a chance Goldbelt would be willing to buy the land instead of swapping.

Mr. Uchytel said he has not had that discussion with Goldbelt. This Board has previously been against selling property. Mr. Uchytel thinks we could lease the land we own to Goldbelt for parking. That lease could create a revenue stream. Goldbelt would also be willing to keep the Port Director's office in the new building.

Mr. Ridgway said he is glad this will come back to the Board because he has significant reservations with the current plan.

Mr. Uchytel said the patchwork division of land shown on page twenty does not benefit either entities. He does not think Docks & Harbors will have the finances to do anything else with the property.

Public Comment – None

Committee Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY AUTHORIZE DIRECT NEGOTIATIONS WITH GOLDBELT IN ACCORDANCE WITH 53.09.260 FOR A POTENTIAL LAND EXCHANGE AT THE SEADROME PROPERTY AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

I. Items for Information/Discussion

4. Auke Bay Speed Restrictions Request Update

Mr. Norbryhn said there has not been movement on this since we last spoke. There is an email chain on page twenty-one of the packet. We would need to request a Private Aid to Navigation Permit from the state of Alaska. It might also be a federal wake zone. There does not seem to be enough data showing collisions, allision and damage to justify the request.

Committee Discussion

Mr. Grant asked what problem we are trying to solve.

Mr. Ridgway said this issue has been before the Board many times. The Board has been in communication with the City Attorney and this is clearly not in our jurisdiction. Mr. Ridgway asked if we collect data regarding damage or complaints about vessel speeds outside of Statter Harbor. He also asked if Tourism Best Management Practices (TBMP) keeps data on complaints.

Mr. Larkin said it is clear this Board does not have jurisdiction over the issue and we should forward complaints to the USCG.

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Mr. Etheridge said he is worried we would be required to do the enforcement and it would take two staff and a boat. We also have no way to determine the speed of vessels.

Mr. Ridgway said we have heard many complaints over the years. He feels the Board did its due diligence by checking with our Law Department and the USCG.

Mr. Grant said he is not happy the Board's response will be there is nothing we can do about it.

Ms. Derr said the Board has received plenty of feedback this is not in our jurisdiction. If a Board member would like to challenge that, she recommends they take it on as an individual project and can report findings back to the Board later.

Mr. Larkin said to move the buoy would require a federal permit. He also said slowing down the vessels could affect tour schedules and timing. He feels we do not have the authority to change the speed limits and suggests all complaints go to the USCG.

Mr. Grant said he would like to find a solution.

Public Comment

Kirby Day – Juneau, Alaska

Mr. Day said the discussion was initiated by TBMP. TBMP receives many complaints regarding the wakes from vessels that wait until just before the buoy to slow down. There are three people that complain and have had damage done to their private docks. He suggested TBMP and Docks & Harbors remind vessel owners about the adverse effect on private docks near Statter Harbor when they wait until the last second to slow down. TBMP does record complaints and in 2022, fifteen complaints were filed against whale watching vessels. Most of the complaints were regarding speed and wake issues. Mr. Day remembers a few years back when a petition went around complaining about Statter Harbor wake issues. The petition received over 100 signatures. Mr. Day said this has been a top priority over the last few years and he would be happy to work with everyone to find a solution.

5. Board Retreat

Ms. Derr said the doodle pole showed December 7th and 8th as the best days for the retreat. She has the retreat scheduled those days from 5:00-8:00 p.m. She is working with Mr. Etheridge on the agenda. The main topic will be the rate study and possible rate increases.

Public Comment – None

Committee Discussion – None

6. National Register of Historic Places – Aurora/Harris (not eligible)

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Mr. Uchtyl wanted to memorialize the documents starting on page twenty-four of the packet. The U.S. Army Corps of Engineers evaluated the Aurora Harbor and Harris Harbor dredging project to see if it qualified as a National Register of Historic Places. The project was not eligible.

Committee Discussion – None

Public Comment – None

7. CBJ Budget Process Calendar

Mr. Uchtyl said he wanted the Committee to be aware he is starting the budget process. Ms. Larson will get the packet from the Finance Department in mid-December. The Finance Department will want the Board to approve the budget by January 27, 2022. Mr. Uchtyl asked if members would like to add Operations/Planning Committee and Board meetings at the beginning of January to discuss the budget.

Ms. Larson said Docks & Harbors will get a new Controller this year to help go through the budget process.

Mr. Uchtyl said there has been a huge amount of turnover in the Finance Department. We do not know who will be assigned to the Docks & Harbors Enterprises.

Committee Discussion

Mr. Etheridge asked if we are foreseeing any large changes in the budget compared to last year.

Mr. Uchtyl said this is the second year of the biannual budget. He does not foresee any large interdepartmental changes.

Public Comment – None

8. Waterfront Project Manager Coordination needs with Private and Federal Partners.

Mr. Ridgway spoke about page seventy-eight in the packet and the waterfront improvement plans.

Committee Discussion

Mr. Ridgway asked if we could get a project manager to help coordinate these multiple waterfront plans.

Mr. Uchtyl said it is public knowledge the USCG is evaluating adding more assets in Alaska. He does not think CBJ will allocate funds for a project manager but they might be willing to use some of the revenue from Marine Passenger Fees. Mr. Uchtyl said the Board could add an employee if it is within the budget. He is cautious about growing the staff because one staff member costs \$100k per year.

Mr. Grant asked if CBJ would be willing to let us use an engineering liaison from their staff.

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Mr. Uchytel said we could always ask. CBJ Engineering is currently short staffed and not taking on new projects.

Ms. Derr said it would be great if we could use Marine Passenger Fees. She does not think Docks & Harbors can afford to staff the position.

Mr. Etheridge said the Board would need to meet with the Assembly. The Assembly has taken action to remove the authority from the Board regarding this waterfront plan.

Public Comment – None

J. Staff and Member Reports

Ms. Derr said the Lands Committee is hearing a dispute over a sliver of land between two private landowners in Auke Bay. Both landowners applied for ownership of the land. Ms. Derr also drafted a letter for the Statter Harbor live-a-board community about impending storms and creating a live-a-board association.

Mr. Uchytel said the ten-foot wide sliver of land is currently owned by Parks and Recreation.

Mr. Grant said he would be willing to continue to work on the bylaw project. Mr. Etheridge said he would also be willing to work on the bylaw project.

Port Director Report

- The USS JUNEAU memorial is planned for Sunday, November 12th to commemorate the 80th anniversary of the sinking. The Governor will attend and give a speech.
- Mr. Uchytel is working on a memo to the Assembly on the previous year's operations. It will be included in the next Board meeting agenda.
- Docks & Harbors was unsuccessful in obtaining a MARAD grant this year.
- We received our allotment of the Raw Fish Tax for 2021. Our portion was \$463K and we budgeted for \$350K.

K. Harbormaster Report

- Staff is continuing to work on the derelict vehicle problem.
- All winterization is complete for the harbors. All snow removal equipment is operational.
- Mr. Norbryhn sent out an email to the live-a-board members in Statter Harbor per Ms. Derr's request.
- The large bathroom at Harris Harbor will be locked from 11 p.m. to 5:00 a.m. due to continued vandalism. Key fobs will no longer work during that time.

L. Board Administrative Matters

- The next Operations/Planning meeting is Wednesday December 21st, 2022 at 5:00 p.m.
- The Regular Board meeting is Thursday, November 17th, 2022 at 5:00 p.m.

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M. Adjournment – The meeting adjourned at 6:57 p.m.