



DOCKS AND HARBORS REGULAR BOARD MEETING MINUTES

October 26, 2023 at 5:00 PM

City Hall Conf. Room 224/Zoom Meeting

- A. **CALL TO ORDER** – Mr. Etheridge called the meeting to order at 5:00pm in CBJ Room 224 & Via Zoom.
- B. **ROLL CALL:** James Becker(arrived at 5:26pm), Paul Grant, Debbie Hart, Mark Ridgway, Annette Smith, Shem Sooter, and Don Etheridge.

Absent: Matthew Leither and Albert Wall

Also in attendance: Carl Uchtyl – Port Director, Jeremy Norbryhn – Deputy Harbormaster, and Teena Larson – Administrative Officer.

C. **PORT DIRECTOR REQUESTS FOR AGENDA CHANGES**

Mr. Uchtyl said the P3 information was not ready for tonight's meeting, and he requested it be pulled from the agenda. He also wanted to add a Special Order of Business after Public Participation.

MOTION By MR. RIDGWAY: TO APPROVE THE AGENDA AS AMENDED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

D. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – None

SPECIAL ORDER OF BUSINESS –

Mr. Uchtyl said the Board is aware that Mr. Matthew Creswell received Harbormaster of the year. He is attending training in Florida and not here tonight. He read the nomination for Mr. Creswell. He received this award at the September AAHPA conference held in Ketchikan.

E. **APPROVAL OF MINUTES**

1. September 28th, 2023 Board Minutes – Hearing no objection, the minutes were approved as presented.
2. October 4th, 2023 Special Board Minutes – Mr. Uchtyl said these minutes were just added to the packet at noon today. There is no requirement to approve these tonight if more time is needed to review.

Mr. Ridgway asked to be provided with more time to review these minutes.

F. **CONSENT AGENDA**

- a. Public Requests for Consent Agenda Changes - None
- b. Board Members Requests for Consent Agenda Changes - None
- c. Items for Action

3. Calendar Year 2024 Board Schedule

Recommendation: To approve the proposed 2024 Calendar.

4. Resolution 3045 in Support of full funding ADOT Harbor Facility Grant

Recommendation: To adopt Resolution 3045.

5. Resolution 3046 in support of increasing maximum ADOT Harbor Facility Grant from \$5M to \$7.5M

Recommendation: To adopt Resolution 3046.

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

Motion passed with no objection.

G. UNFINISHED BUSINESS

6. ~~Public/Private Partnership (P3) with Marine Exchange of Alaska
Presentation by Port Director~~

~~Board Questions~~

~~Public Comment~~

~~Board Discussion/Action~~

~~MOTION: TO DIRECT STAFF TO EXECUTE MEMORANDUM OF AGREEMENT (MOA) PURSUANT TO
CONSTRUCTING A JOINT FACILITY NEAR AURORA HARBOR.~~

7. Title 85 Proposed Changes

Mr. Uchytel said on page 31 in the packet is a draft letter to the Assembly that he was directed to write at the last Operations meeting regarding the proposed changes in Title 85 from the outgoing City Manager. In the letter, he added the proposed changes and then bulletized what he heard for reasonable responses to those changes, summarized in paragraph two based on feedback from this body, paragraph three is proposed language the Board may want to consider, and paragraph four talks about our mission statement and wanting to do a joint meeting.

Board Questions

Mr. Ridgway asked if Mr. Uchytel had reached out to the new City Manager on this topic?

Mr. Uchytel said he did provide the new City Manager with an in-brief. She was unfamiliar with the details for these changes, she was copied when the old City Manager sent this version, but she has not spent time reviewing the changes. Mr. Uchytel said he did provide the concerns from the Committee to the new City Manager. The letter in the packet is a draft document and he does not know when the Assembly will take action on the proposed changes. It has been discussed but he said he has not received any feedback.

Mr. Ridgway asked if Mr. Uchytel knew if this would be going in front of the Assembly anytime soon?

Mr. Uchytel said he did not know. He is not always notified with these things. The Board now has a working document that could be finalized quickly and be provided to the Assembly if we hear they will be discussing this topic.

Ms. Smith said, with this not being placed on any agenda, is the Assembly aware of the changes proposed by the old City Manager?

Mr. Uchytel said the Assembly would have known about the proposed changes at the Committee of the Whole meeting. However, before the old City Manager left, he updated Title 85 with additional changes and he does not know if the Assembly has seen the newest version of changes.

Mr. Grant asked if the language in paragraph three is intended to back us away from Dock decisions and full speed ahead on Harbors.

Mr. Uchytel said in paragraph three was what he heard from the old City Manager the two times he spoke at our meetings. That the Assembly did not want to hear from the Board on issues relating to the large cruise ship tourism. In this paragraph, he was trying to offer a counterpoint to what he thought was being suggested and try to provide a cleaner solution.

Ms. Smith commented that it is not the Board's business what the Assembly decides pertaining to large cruise ships. Our job is to enact and manage the Docks based on the policies set by the Assembly. She is

not sure why this change is needed. If the Assembly chose to eliminate all cruise ships coming into Juneau, then that is their business and not ours.

Mr. Uchytel said a lot of the deletions in Title 85 this Board does not do anyway. He said it seems odd to tell Docks & Harbors Board that the Assembly does not want their input when it pertains to the large cruise ships. He is trying to say in a polite way these changes may be short sided and to keep the Board as an advisory group. He is still trying to rationalize the proposed changes. He said if the Board had better language, he would like to hear what that is?

Mr. Ridgway asked where we are with the economic and maritime development stated in our mission statement? These changes will fundamentally affect our mission statement.

Mr. Uchytel said on page 34 in the packet has the language of the general powers of the Board. He said we do have a mission and vision statement. The mission statement is italicized on page 33 in the last paragraph. The vision and mission statement was a staff initiative. He did bring it to the Board but these are not codified by the Assembly.

Mr. Etheridge said he was told at the Assembly meeting he attended that there is going to be a large increase in cruise ship fees.

Mr. Uchytel said there was also an ordinance for introduction appropriating \$50,000 to the Tourism Manager for contractual services for Cruise Line Agencies of Alaska. Mr. Uchytel told the City Manager and the Tourism Manager that they already do this without appropriation. The belief was to better manage scheduling that they needed to have this contractual obligation with CLAA.

Public Comment - None

Board Discussion/Action

Mr. Grant noted that the letter is well written, and he believes the bullet points captured many of the Boards questions and confusion for the changes. He suggested starting the letter with paragraph four with the request to the Assembly for a joint meeting so this could get more attention. He said until we have more dialog and clear understanding from the new City Manager and Assembly, he does not believe this is the time to bifurcate the duties in the letter. He suggested removing paragraph three.

Mr. Ridgway said he would agree with Mr. Grant. From the discussion at the Operations Committee, he suggested adding definitions for cruise ships and tourism. He said he will follow up individually with staff with his suggestions.

MOTION By MR. RIDGWAY: TO DIRECT STAFF TO CONTINUE TO DRAFT CORRESPONDENCE TO THE ASSEMBLY AND CITY MANAGER CONSISTENT WITH BOARD DISCUSSION AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

Mr. Uchytel clarified this should be brought back to the Operations Committee meeting next month?

Mr. Etheridge said yes.

Mr. Uchytel reminded the Board that the end of November is when Docks & Harbors annual report to the Assembly is due.

Mr. Ridgway clarified that if the Title 85 changes are unexpectedly put on a COW Assembly agenda, staff could share a draft version of this letter?

Mr. Uchytel said he could.

8. Downtown Safety Railing Funds Transfer Request

Mr. Uchytel said on page 39 in the packet is a document he prepared for the Operations Committee meeting. Based on last week's meeting, he wants to move forward with executing a CIP project. On page 40 is a document that will be destined for the Assembly Public Works & Facilities Committee requesting to transfer funds. The final change to this letter would be to add a hyperlink for the video when the bicyclist went over the bull rail. If this letter is approved by the Board, it will be heard at the PWC meeting on November 6th. On page 41 in the packet is the letter that was sent to the Assembly in July. Staff currently has standard plans and specs ready for the next phase of the railing, we will just need additional CAD drawings.

Board Questions

Mr. Ridgway asked how accurate the estimate is for the railing?

Mr. Sill said he believes our estimate is on the high side for the railing.

Mr. Uchytel added the estimate we are using was from the deckover project which had limited contractors due to pile driving. This railing project does not require pile driving and so we are hoping for more contractors and receive favorable bids.

Mr. Ridgway asked for the LF of the deckover and how is staff proposing to maintain access to the safety rails?

Mr. Sill said the LF for the Marine Park Deckover project was around 100'. We anticipate the cost would drop with a longer railing. Regarding access to the safety rail, staff has some ideas to maintain access.

Ms. Hart said she has to leave the meeting at this time but supports the railing. **5:41pm.**

Public Comment - None

Board Discussion/Action

MOTION By MR. RIDGWAY: TO COMMENCE PROCESS TO CREATE CAPITAL IMPROVEMENT PROJECT (CIP) AND TRANSFER \$500K FROM THE DOCKS ENTERPRISE FUND BALANCE AND ASK UNANIMOUS CONSENT.

Ms. Smith objected.

Roll Call Vote

James Becker – Yes

Paul Grant – Yes

Mark Ridgway - Yes

Annette Smith - No

Shem Sooter - Yes

Don Etheridge – Yes

Motion passed.

H. ITEMS FOR INFORMATION/DISCUSSION

9. Board Input to CBJ Legislative Priority List

Mr. Uchytel said he received the list in the packet starting on page 48 this week. This is a process to prioritize the Board's input for the top two projects into the Legislative priorities and he will need this

input by next month. This is not projects that can be funded by other available funds such as marine passenger fees. There are three projects on this list, they are the North Douglas Launch Expansion, the Statter Harbor Wave Attenuator, and Aurora Harbor Rebuild Phase IV. On page 77 in the packet shows the process. Mr. Uchytel noted that the Statter Harbor project has the attention of Senator Murkowski.

Board Discussion

Ms. Smith asked if the plan for the Juneau Douglas Museum is to be located in the Peratrovich Plaza?

Mr. Uchytel said that is an Engineering project and they are looking at the Peratrovich Plaza for the location.

Mr. Ridgway asked how that will affect Docks & Harbors?

Mr. Uchytel said the Museum is consistent with the Urban design planning document Taku Dock to Marine Park to have a future attraction. Staff's perspective is to keep open space at that location and buy the uplands to locate the museum there.

Mr. Ridgway asked If there is data showing how much bus parking is used in the Peratrovich Plaza?

Mr. Uchytel said we do not, but it is used more than it looks.

Mr. Grant said he remembers doing a rank choice voting to come up with these three projects. Is that rank choice voting going to be done again before our final input? He said he does not recall where the new Harbor office for Aurora came in. In what place is the new Aurora Harbor building?

Mr. Uchytel said last year we did a survey monkey and he read off the FY24 top priorities the Board came up with.

- 1-Taku Harbor Maintenance & Repair - \$1.5M
- 2-Wayside Park Dredging - \$750K
- 3-Cruise ship dock safety railing - \$1.2M
- 4-Aurora Harbor replacement - \$1.5M
- 5-Statter Harbor Breakwater Feasibility Study - \$500K (cost share)
- 6-Procurement of two load tap changer transformers - \$5M

Auke Bay Seawalk/Baywalk – He said he was not sure why this was on Docks & Harbors list and it did not have a priority.

Mr. Grant commented that the list Mr. Uchytel read, and the priority list, does not have a lot of congruence.

Mr. Uchytel said a lot of the projects listed are currently being worked on:

- Taku Harbor – working on
- Wayside Park Dredging – working on
- Safety Railing – working on
- Aurora Harbor Office – working on
- Auke Bay Breakwater Feasibility Study – working on
- Load tap changer transformer – working on

Mr. Ridgway asked Mr. Uchytel to explain the internal process on how he works with the Port Engineer to determine a CIP project.

Mr. Uchytel explained in depth the process for many past projects process.

Mr. Sill added that projects come from master plans and condition assessments. When staff is walking the facility and if something is noted as needing fixed, then we have an expert come in to write a report

and provide a recommendation. If the recommendation determines something needs to be fixed, that is when we start a project.

Break – 5 Minutes

Public Comment - none

I. COMMITTEE AND MEMBER REPORTS

1. Operations Committee Meeting Report –

Mr. Ridgway said the Committee met last week and forwarded several items to the Board meeting tonight. The next Operations meeting is November 15th.

2. Assembly Lands Committee Liaison Report – Mr. Becker said the next meeting is November 6th.

3. South Douglas/West Juneau Liaison Report – Ms. Smith said there were no meetings.

4. Member Reports –

Mr. Ridgway said he has talked to other Board members one on one and based on those conversations, he would like staff to add to the next operation meeting agenda the rate setting policy that was established a couple of years ago. He wanted to amend the policy to create some mechanism within the policy that if there are members of the community that are *in extremis* due to a variety of financial circumstances, that we establish as a standard policy methodology to assist them, but to leave the rates alone.

Mr. Etheridge asked the Board members if they have interest in doing the annual Board retreat this year?

Mr. Ridgway commented that in previous years there were pressing issues, and he does not know of any at this time. If Title 85 needs to have further discussion, the Board could do a retreat, but at this time there is no need.

Board members agreed that there is no need for a retreat at this time.

J. PORT ENGINEER'S REPORT

Mr. Sill reported –

- Statter Harbor phase IIIC Restroom – Staff did the first winterization today for this facility and blew down the lines to get ready for winter. This project is largely completed but we are still waiting on a few things from Dawson Construction and our consultant for close out.
- Statter Harbor Restroom winter use – Our plan is to only keep the family restroom open through the winter. During the day it is unlocked but at night it is on a key fob entrance. The two large restrooms will be closed for the winter.
- Epoxy flooring - This will be installed in the new and the old restrooms in Statter Harbor. The new facility has bare concrete that is not ideal with the number of people going through that facility during the summer and the old restroom is looking shabby.
- The Cruise Ship berth winterization – He worked with the port crew to get all the water out of the lines for both the water and grey water system. With the cruise ships staying later and the cold temperatures there were some stressful days. As the season gets longer it gets more challenging for our infrastructure. Typically, the systems are shut down in the first week of October.
- Aurora Harbor Phase III – We are in the pre-construction phase and a lot of submittals are being reviewed. The construction of the floats should be next month. He intends to fly to Seattle to inspect the floats to ensure we are getting a good product. He has been in discussion with our

Protected Species Observers that are needed while doing our pile driving. We are still on track to start construction mid-December.

- Aurora Harbor Phase IV – R&M is working on the Corps of Engineers permit. We did receive a letter from the State waiving the eligibility requirements for our Grant application for phase IV. This is about a \$11M project. We are hoping that will cover all the floats: two main floats, headwalk, and reconnect the gangway at the Yacht Club. This will basically finish the north end.
- Marine Park Deckover – The Engineer's for this project still owe us some O&M manuals. The other interesting thing is Parks & Rec is working on a complete redesign of Marine Park. He is working with them to make sure their design works with the infrastructure that exists underground there.
- Douglas Harbor Safety Lighting Project - Our electrical term contractor will install four lights in the parking lot. Three will go in between the two gangways and the fourth will go northwest of the gangway closest to the launch ramp. They are all the same as the one installed at the launch ramp. He has applied for the building permits, and Alaska Concrete Casting is going to pour the bases next week for the poles. We hope to get this done as quickly as possible.
- Harris Harbor Security Gate – Mantle Industries is under contract for the aluminum structure. Carver Construction, our term contractor, will erect the structure on site. He is working with Juneau Alarm for the access controls. There will also be security cameras installed.
- Wayside Park Float inspection – Last month PND completed a hands-on inspection as well as Global Diving for an underwater inspection. Once the report is complete, he will go out for the dredging permit, and start on contract documents for the needed repairs and dredging.
- Concrete Breakwater Inspection(Ketchikan) – He received the videos from the underwater diving today. The people that looked at the breakwater said it was in great shape.
- Waterfront Safety Improvements - As soon as we have approval to move forward, he will work with one of our term contractors to throw together some bid documents so we can put it out to bid.

Mr. Becker asked if asphalt was going in at the Douglas parking lot?

Mr. Sill said SECON has equipment parked at the Douglas Parking Lot and in exchange for that use, they will put recycled asphalt in the lot.

Mr. Becker asked if fill was going to be put in first before the wrap?

Mr. Sill said they committed to bringing in wrap and role it in our lot.

Mr. Grant asked if the extended cruise ship season is getting in the way of staff winterizing our facilities. What if the cruise ships are not able to get water or cannot dump sewage?

Mr. Sill said in general terms, it does not affect our costs because we winterize anyway. The only time it would impact our costs is if there was damage. We did things to make sure our system did not freeze, and we got through. The process itself is not time-consuming and we watched the weather very closely. If the weather report said it was going to be cold for a long time, we would have winterized earlier.

Mr. Uchtyl pointed out that the cruise ships dump grey water but not sewage. At this time, there is not a need to change anything, but if we need to shut down early that is an option.

K. HARBORMASTER'S REPORT- The Deputy Harbormaster, Mr. Norbryhn reported –

- Staff have started winterization with blowing down the bathroom water lines and reprogramming the doors so they are locked until spring. The Family bathroom will be open all winter from 7 am to 4:30 pm and can be accessed by a fob after hours.

- Staff is working on the winter hot berth list. All the vessels on the winter hot berth have been offered a space.

Mr. Ridgway asked if the passenger for hire vessels are just paying for the summer use and not all year long.

Mr. Norbryhn said they pay monthly rates through the summer and they do not pay all winter like a stall holder does.

L. PORT DIRECTOR'S REPORT

Mr. Uchytel reported –

- The Marine Exchange of Alaska approached Docks & Harbors earlier in the year wanting to expand their footprint downtown. Originally, they wanted to purchase land from us parallel to the Douglas Bridge facing where the old seaplane floats were. That area did not work out due to some DOT ROW challenges. They are now very serious about expanding their footprint in the Harris/Aurora Basin area to be able to consolidate their operations. They are currently part owner of the Hansen & Gress property, and they still have a desire for more space. Staff and Marine Exchange have been in discussions for a Public/Private partnership(P3). The public will provide the land and Marine Exchange would construct the building that would accommodate the needs of Aurora Harbor. He said he met with CBJ Law and the Lands Manager and they think it is a viable plan. For this to happen, the Board will need to approve this. He wants to bring the drawings to the November meeting and the next step would be for the Board to approve staff entering into a MOA with Marine Exchange. Docks & Harbors would provide the land and then we would have shared office space and parking with Marine Exchange.

Mr. Becker said the boat yard is very busy and there is a limited amount of space at this location. Where is the building going to be located?

Mr. Uchytel said the building would be located where the existing Aurora Harbor building, shed, and waste oil tank is. It will not encroach into the UAS owned property.

Mr. Becker asked where we are with the UAS property.

Mr. Uchytel said the lease has been extended for four years and per our agreement we will hire three paid interns, remove snow in the UAS area, provide free Transit and Eaglecrest pass discounts for UAS students.

Mr. Ridgway asked if when the P3 with Marine Exchange was brought to the Board in the past, was staff given direction to move forward with a MOA?

Mr. Uchytel said he believes it was just an information item in the past.

Mr. Etheridge asked if we are on the same timeline for the travel lift repairs?

- Mr. Uchytel said we are repairing the travel lift owned by UAS that is leased to Harri's Commercial Marine. Staff has a contract with Kendrick Equipment out of Vancouver, BC to fix the travel lift and they will be here November 13th to the 18th. The travel lift needs a new trunnion and brakes for the spool. We have also contracted with Trucano for their crane to lay down the travel lift as well as Tyler to bore out the race for the trunnion.

Mr. Ridgway asked if at some point we were going to bring the travel lift from Statter Harbor downtown?

Mr. Uchytel said Harri's Commercial Marine has not asked him for that but have asked Board members. We do have the 15 Ton Marine Travelift at Statter Harbor not being used. A formal request has not been made to staff.

Mr. Grant asked why are we fixing the UAS travel lift?

Mr. Uchytel said no one else will fix it.

Mr. Etheridge said he pushed to get this fixed. It is at the point that the Travelift is dangerous and if we are going to lease that property, we need a Travelift.

Mr. Ridgway said we lease property with a dock, travel lift, and crane. We need to fix it to support our patrons. Have we ever considered going to UAS and say we just spent \$38,000 on parts and \$12,000 on labor for the travel lift. Do we have anything in our agreement that we can deduct the repairs from our rent?

Mr. Uchtyl said no. This is similar to the cranes. We spend lots of money on crane repairs and get beat up by the public saying we don't maintain them.

Mr. Grant said he is not in favor of subsidizing Harri's Commercial Marine. This comes back to the same reason he wanted to walk away from leasing from UAS all together. It feels like we are in quicksand with that place.

Mr. Ridgway said it is hard to find a marina that is not subsidized. The Travelift and cranes come with the lease, but they do not maintain them. He does not believe anyone should be getting a great deal, but this is developed this way for a reason, and it will be a tricky thing to get out of.

Mr. Becker said he got on this Board originally to get a haul out facility for larger vessels. He has remained on this Board because he wants Juneau Marine Services to be operating and hauling boats. As he understands the situation, UAS does not want to move now until they find some place for their classes. Why can't we just buy the portion of the UAS property we need and UAS can still stay there?

Mr. Etheridge said UAS will not sell a portion of the property because they believe it is more valuable as one large piece.

Mr. Ridgway suggested bringing back to the next Operations meeting an update on the Travelift repairs.

Mr. Etheridge said he does not believe this needs to be brought back to the Operations meeting.

- Mr. Uchtyl said the cruise ship passenger numbers are 1.638M. The cruise ships are arriving at 101% capacity.
- He is working on Mitch Falk's Bayhouse properties condos issues regarding access. Mr. Falk had this at the Assembly meeting but because the meeting went too long, it was pulled. Mr. Uchtyl said Mr. Falk has some property that goes through the Statter Harbor parking lot. He has produced documents for an easement from the 1930's. It appears State DOT vacated that easement in 2010. He has a meeting with CBJ LAW to figure this out.
- Hansen and Gress should close on Monday or Tuesday with the purchase price of \$118,500.
- Harbor's admin supervisor Cierra Kendrick has resigned and will be leaving next Friday.
- Kenneth Davis our Harbors Security Officer has also resigned, and his last day is Friday as well.
- He reiterated the need for Board members to show up to all the meetings.

M. ASSEMBLY LIAISON REPORT

Ms. Ella Adkison said she has only attended one Assembly meeting and is looking forward to being Docks & Harbors liaison.

N. BOARD ADMINISTRATIVE MATTERS

- a. Operations Committee Meeting - Wednesday November 15th, 2023
- b. Board Meeting - Thursday November 30th, 2023

O. ADJOURNMENT – The meeting adjourned at 7:11pm