

CBJ DOCKS & HARBORS BOARD
SPECIAL BOARD MEETING MINUTES

For Thursday, August 25th, 2022
City Hall Room 224 and via Zoom

- A. **CALL TO ORDER:** Mr. Etheridge called the Special Board meeting to order at 5:04 p.m.
- B. **ROLL CALL:** The following members were in attendance at City Hall Room 224 or via Zoom; James Becker, Paul Grant, David Larkin (left meeting at 5:15 p.m.), Matthew Leither, Mark Ridgway, Annette Smith, Lacey Derr and Don Etheridge.

Members absent: Debbie Hart

Also Present: Christine Woll – Assembly Member, Carl Uchytel – Port Director, Matthew Creswell – Harbormaster, Erich Schaal – Port Engineer, Benjamin Brown – CBJ Attorney and Nichole Benedict – Administrative Assistant.

- C. **PORT DIRECTOR REQUESTS FOR AGENDA CHANGES** – None
- D. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS** – None
- E. **NEW BUSINESS**

Mr. Uchytel said there are three ordinances to be amended. The ordinance changes require a public process. We will make our recommendations to the Assembly and the Assembly will have an introduction and public hearing before approving the proposal.

Mr. Uchytel said there are eleven regulations to be amended. Our recommendation goes to the Assembly and they can veto the recommendation or send it back to the Board.

1. Ordinance Amending CBJAC 85.25.020 - Boat Harbor Regulations Relating to Vessel Identification. Mr. Uchytel said this ordinance change would require all vessels in our harbors to display a vessel name.

Board Questions – None

Public Comment – None

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 85.25.020 AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

2. Ordinance Amending CBJAC 85.25.090 - Prohibited Acts within the Boat Harbor Related to Dogs and Other Domestic Animals. Mr. Uchytel said this change amended language saying only dogs of boat owners were allowed on the dock. This also cleaned up language regarding dog feces.

Board Questions – None

Public Comment – None

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 85.25.090 AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

3. Ordinance Amending CBJAC 85.02.060 (General Powers) & CBJAC 85.02.063 (Land Management Plan). Mr. Uchytel said the recommended change is on page twelve in the packet. This change brings Docks & Harbors into compliance with the Land Management Plan. We are trying to be consistent with how we manage our properties.

Board Questions

Mr. Ridgway asked about the wording on page fourteen, line twelve. Tidelands should be leased only for specific water-dependent and water-related uses and not sold. He said we are approaching a significant land swap. He asked if it be appropriate to change that section as well while we are amended the ordinance.

Mr. Brown said a land swap is not a sale. It is an alienation of the land. He reminded the Board they do not have the ability to change an ordinance, only recommend a change to the Assembly. He does not think the Board needs to do anything about that tonight.

Public Comment – None

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 85.02.060 & 85.02.063 AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

4. Regulation Change 05 CBJAC 07.010 (Inactive Vessel Management)

Mr. Uchytel said this change recognized the National Guard Dock location as a designated area for inactive vessels.

Board Questions – None

Public Comment – None

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 05 CBJAC 07.010 (INACTIVE VESSEL MANAGEMENT) AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

5. Regulation Change 05 CBJAC15.035 (Reservation Charge Policy). Mr. Uchtyl said this change is to have all reservations made for a period of more than seven days paid in full at the time of the reservation.

Board Questions – None

Public Comment – None

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 05 CBJAC 15.035 (RESERVATION CHARGE POLICY) AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

6. Regulation Change 05 CBJAC 20.050 (Resident Surcharge). Mr. Uchtyl said this proposed change is to add language that any rental or leasing of a vessel by its owner must be for a period of no less than six months.

Board Questions – None

Public Comment

Dennis Watson – Juneau, Alaska

Mr. Watson said this ordinance is about as clear as mud.

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 05 CBJAC 20.050 (RESIDENT SURCHARGE) AND ASK UNANIMOUS CONSENT.

Ms. Smith objected to the motion.

Roll Call Vote:

James Becker – Yes

Paul Grant – Yes

Mathew Leither – Yes

Mark Ridgway – Yes

Annette Smith – No
Lacey Derr – Yes
Don Etheridge – Yes

Yes – 6
No – 1

Motion passed.

7. Regulation Change 05 CBJAC 20.060 (Recreational Boat Launch Fees). Mr. Uchytel said this change would add the use of the Kayak Launch Ramp at Statter Harbor is free and does not require a launch ramp permit.

Board Questions – None

Public Comment – None

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 05 CBJAC 20.060 (RECREATIONAL BOAT LAUNCH FEES) AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

8. Regulation Change 05 CBJAC 20.090 (Statter Boat Harbor Lower Parking Lot Permit Fee). Mr. Uchytel said this change is administrative in nature only changing the name of the bus parking lot.

Board Questions – None

Public Comment – None

Board Discussion/Action

MOTION MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 05 CBJAC 20.090 (STATTER BOAT HARBOR LOWER PARKING LOT PERMIT FEE) AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

9. Regulation Change 05 CBJAC 20.110 (Crane Use Fees). Mr. Uchytel said this change is to recognize all cranes are now using electronic key fobs and you are not required to prepay for use.

Board Questions – None

Public Comment – None

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 05 CBJAC 20.110 (CRANE USE FEES) AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

10. Regulation Change 05 CBJAC 20.130 (Storage Fees). Mr. Uchtyl said this removes the option to store personal items up to 200 sq/ft. This standardizes storage fees everywhere in our harbors to \$0.50 sq/ft.

Board Questions

Mr. Ridgway asked is this applies to anyone needing storage.

Mr. Uchtyl said we would turn away someone that needed storage but did not have a boat in our harbor.

Public Comment – None

Board Discussion/Action

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 05 CBJAC 20.130 (STORAGE FEES) AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

11. Regulation Change 05 CBJAC 20.160 (Parking Lot Fees). Mr. Uchtyl said this is for Statter Harbor parking only. It removes a monthly rate in the summer and makes parking free in the winter.

Board Questions – None

Public Comment

Dennis Watson – Juneau, Alaska

Mr. Watson said when DeHart's Marina was sold there was an agreement that they could continue to park one vehicle at no charge. He wanted to confirm that agreement is still in effect.

Mr. Creswell said this was for patrons that were displaced by the sale and new construction of A and B floats. Yes, they do still get one free parking pass.

Board Discussion/Action

Mr. Leither said he brought this up earlier due to people buying out the monthly passes all at once for the year. He wanted to make it fair for everyone his intention was not to raise rates. He thinks this fee was to promote carpooling and \$100 per month will do that without increasing the fee.

**MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT
PROPOSED CHANGE TO 05 CBJAC 20.160 (PARKING LOT FEES) AND ASK
UNANIMOUS CONSENT.**

Mr. Leither objected.

Roll Call Vote:

James Becker – Yes

Paul Grant – No

Matthew Leither – No

Mark Ridgway – Yes

Annette Smith – Yes

Lacey Derr – Yes

Don Etheridge – Yes

Yes – 5

No – 2

Motion passed.

12. Regulation Change 05 CBJAC 20.190 (Auke Bay Loading Facility - Drive Down Float Fee). Mr. Uchtyl said this was a regulation attempting to charge vehicles on the drive down Float.

Board Questions

Mr. Grant asked what the purpose of the fee was to begin with.

Mr. Uchtyl said there is a lot of wear and tear on the surface and this could raise revenue for repairs.

Public Comment – None

Board Discussion/Action

**MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT
PROPOSED CHANGE TO 05 CBJAC 20.190 (AUKE BAY LOADING FACILITY
- DRIVE DOWN FLOAT FEE) AND UNANIMOUS CONSENT.**

Motion passed with no objections.

13. Regulation Change 05 CBJAC 25.060 (Summer Management). Mr. Uchtyl said this is about transient users in Statter Harbor. All transient vessels are required to move after ten days. The change would assess a daily rate on the eleventh day if they do not move.

Board Questions

Mr. Ridgway asked about the allowances the Harbormaster makes if someone isn't able to move a vessel within the ten days.

Mr. Creswell said he deals with that often. People might need to go out of town, have transportation issues or some other major life happening. They can simply come to him and ask for an exemption.

Mr. Leither said a lot of the vessels that are not moving claim to have mechanical issues, and have been saying that all summer. He asked if that type of thing would qualify them for an exemption from the Harbormaster.

Mr. Creswell said that does happen and he has gone down to boats and asked them to show proof repairs are in progress. He has spoken to their mechanics or asked to see invoices proving repairs are in progress.

Public Comment – None

Board Discussion/Action

Ms. Derr said she wants to be respectful of those that do move every ten days and follow the rules.

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGE TO 05 CBJAC 25.060 (SUMMER MANAGEMENT) AND ASK UNANIMOUS CONSENT.

Mr. Grant objected to the motion.

Mr. Grant said he would like to see it changed from ten days to seven. This is to foster turnover in the harbors. He feels seven days is more than enough time and will allow more people able to enjoy Statter Harbor.

Mr. Creswell said he feels ten days is a fair and an adequate timeframe. If someone fishes on Saturday and wants to fish the following weekend and the weather is bad it gives them a grace period before needing to move. He also said ten days is known to everyone and ingrained in their head.

Mr. Etheridge asked if we are able to amend a recommendation.

Mr. Brown said this change is completely in the range of what was already posted and offered to the public for notice.

Mr. Ridgway objected to the amendment changing it from ten days to seven.

MOTION By MR. GRANT: TO CHANGE THE TIMEFRAME REQUIRING BOATS TO MOVE FROM TEN DAYS TO SEVEN.

Roll Call Vote:

James Becker – No

Paul Grant – Yes

Matthew Leither – No
Mark Ridgway – No
Annette Smith – No
Lacey Derr – No
Don Etheridge – No

Yes – 1
No – 6

Amendment fails.

Mr. Leither said he would like to put some teeth behind the ten day requirement. There are a lot of boats in Statter Harbor not following it and he would like our harbor to stay full. He said he agrees with this proposal but would like to talk this out.

Mr. Creswell said over the last six years he has observed people in Statter Harbor are there because that is where they would like to be. He does not feel this change would run anyone off or cause them to move to another harbor. This change is to give us another tool to keep vessels moving. We already encourage vessels with mobility issues to go downtown instead of the transient Statter Harbor.

Mr. Leither asked about the turnover at the downtown harbors.

Mr. Creswell said there is greater turnover and availability in the downtown harbors.

MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED CHANGES TO 05 CBJAC 25.060 (SUMMER MANAGEMENT) AND ASK UNANIMOUS CONSENT.

Motion passed with no objections.

14. Regulation Change 05 CBJAC 25.080 (Winter Management). Mr. Uchytel said the intent of this change is to remove the lottery for winter moorage in Statter Harbor and removes the \$100 application fee. This allows the Harbormaster and Deputy Harbormaster the authority to assign winter moorage based on length of vessel and their preferences.

Board Questions

Mr. Grant asked if this changes the winter moorage list to a first come first serve basis.

Mr. Creswell said in the past we did a first come first serve list as well. We did not guarantee a spot or location. He would like greater latitude to make determinations by size, need or live-a-board placements.

Mr. Grant said this change is to put in regulation what is already being done.

Public Comment – None

Board Discussion/Action

**MOTION By MS. DERR: TO RECOMMEND THE ASSEMBLY ADOPT
PROPOSED CHANGE TO 05 CBJAC 25.080 (WINTER MANAGEMENT) AND
ASK UNANIMOUS CONSENT.**

Motion passed with no objections.

F. STAFF, COMMITTEE AND MEMBER REPORTS – None

G. ASSEMBLY LIAISON REPORT – None

H. BOARD ADMINISTRATIVE MATTERS – None

I. ADJOURNMENT – The meeting adjourned at 5:55 p.m.