



DOCKS AND HARBORS BOARD MEETING MINUTES

April 25, 2024 at 5:00 PM

City Hall Conf. Room 224/Zoom Meeting

A. CALL TO ORDER: Mr. Etheridge called the meeting to order at 5:00 pm in City Hall Room 224 & via Zoom)

B. ROLL CALL: The following members attended in person or via zoom - Paul Grant, Debbie Hart, Mark Ridgway(5:46pm), Annette Smith, Shem Sooter, and Don Etheridge.

Absent: James Becker, and Matthew Leither

Also in attendance: Carl Uchtyl – Port Director, Matthew Sill – Port Engineer, Matthew Creswell – Harbormaster, and Teena Larson – Administrative Officer.

C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES – No Changes

MOTION By MS SMITH: TO APPROVE THE AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

D. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS - None

E. APPROVAL OF MINUTES

1. March 28th, 2024, Regular Board Minutes – Hearing no objection, the minutes were approved as presented.

F. CONSENT AGENDA

A. Public Requests for Consent Agenda Changes - None

B. Board Members Requests for Consent Agenda Changes - None

C. Items for Action

2. PIDP Grant Update – Local Matching Grant Amount

RECOMMENDATION: TO COMMIT FROM HARBOR FUND BALANCE - 20% OF PROJECT COST TOWARDS THE LOCAL MATCH FOR THE PIPD GRANT APPLICATION.

3. Angoon Trading Company Assignment

RECOMMENDATION: TO APPROVE ANGOON TRADING COMPANY LEASE PROPERTY TRANSFER TO MARINE EXCHANGE OF ALASKA

4. Boat Shelter Sale of AF-019

RECOMMENDATION: THAT THE BOARD WAIVE ITS RIGHT OF FIRST REFUSAL TO PURCHASE BOAT SHELTER AF-019

MOTION By MS. SMITH: TO APPROVE THE CONSENT AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

G. NEW BUSINESS

5. US Army Corps of Engineers - Feasibility Cost Sharing Agreement (FCSA) for Auke Bay Wave Attenuator
Mr. Uchytel said on page 23 in the packet is a Model Agreement for a cost shared feasibility study. This was brought to last week's Committee meeting, but it was added at short notice. This is a standard Army Corp letter. The agreement will need to be approved by the Docks & Harbors Board at the request of the City Attorney. This agreement says that Docks & Harbors will be responsible for our local sponsored match of approximately \$2M for the studies for the Auke Bay Wave Attenuator.

Board Questions –

Mr. Grant asked if CBJ Law has reviewed this agreement?

Mr. Uchytel said CBJ Law has, and they need Board approval before it can be executed.

Mr. Grant asked if this needs Assembly approval?

Mr. Uchytel said no. The CBJ Attorney just needs Board approval. The Agreement in the packet is a template agreement. It will be modified by the Army Corp and sent to CBJ Law for final review and the Port Director's signature.

Public Comment - None

Board Discussion/Action

MOTION By MS. SMITH: TO ACCEPT THE US ARMY CORPS OF ENGINEERS FEASIBILITY COST SHARING AGREEMENT FOR THE AUKE BAY WAVE ATTENUATOR AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

H. ITEMS FOR INFORMATION/DISCUSSION

6. Goldbelt Seadrome Property Swap/Sale
Mr. Uchytel said in the packet on page 42 is a letter from Goldbelt to re-engage the property swap at the Seadrome. This has been talked about in the past. He believes the last motion on this topic was for staff to continue dialog with Goldbelt for this project. Mr. Uchytel suggested considering from page 49, on the reconfigured area to sell our portion because we would not be able to use the space like earlier thought now that the Coast Guard owns the area Docks & Harbors was trying to obtain. He is not sure how valuable this area is for our future needs now. This would need to be approved by the Assembly and our property is probably labeled to not sell. It may be better to bank the money from the sale instead of trying to get a parcel that we end up leasing back to Goldbelt. He said Goldbelt also wanted to get out of managing the Seadrome dock. The dock may be something Docks & Harbors purchases. The reconfigured parcel in green shown on page 49 does not have a lot of use options.

Board Discussion –

Mr. Etheridge asked if this has been taken before the Manager's office?

Mr. Uchytel said not yet. With the proposed Title 85 changes, he wonders if this is something Docks & Harbors Board will have authority to approve.

Mr. Grant asked if there is some restriction in the right-of-way in the Goldbelt reconfigured area in red shown on page 49 across the front along Egan Drive?

Mr. Uchytel said any parcel has a 10' set back that you are not allowed to do anything on. This is the original proposal and we would maintain the area in green. The access would be on our portion of the property.

Mr. Sooter asked if the sewer line goes across our portion and down the bank and underwater over to Thane?

Mr. Uchytel said yes.

Ms. Smith asked if staff could get the minutes where this topic was talked about before? She remembers specific concerns.

Mr. Grant asked why the change between page 47 property configuration and page 49 property configuration?

Mr. Sahlender and Mr. Hastings, Goldbelt representatives, arrived to speak on behalf of Goldbelt.

Mr. Sahlender said the original split was based on property value and grouping parcels together to make the area more usable. When this was presented to the Board, the Board indicated they wanted more waterfront and so they came up with a revision with more waterfront on page 49. This is the same amount of property swap, but it has more waterfront. At the time this was under discussion, Mr. Uchytel was focused on the NOAA property for the small cruise ship initiative but that is not happening now.

Mr. Uchytel asked if Goldbelt has the same concept for the building as originally?

Mr. Sahlender said no. With Docks & Harbors having more waterfront, it will take away from the building and the building was notched because of the property line restrictions. That will impact the building use. If we do the original configuration, it will be better for our building.

Mr. Grant asked about the area between the road and the parking area. Is that a setback, or why is that there?

Mr. Uchytel said that island is probably there due to the requirement for 10% green space.

Mr. Grant commented that the property we keep could be green space or parking. He does not want to rush into selling this property and it could be put to good use.

Ms. Hart pointed out that because of the proposed changes to Title 85, the Board may not be able to be the sole decider on this and may have to involve the Tourism Manager.

Mr. Sooter asked if Docks & Harbors kept this property, would Goldbelt be interested in a long-term lease?

Mr. Sahlender said that could be discussed. If we could have more tidelands to be able to build a larger structure to be able to have more options would be better.

Mr. Grant asked what Goldbelt wants from Docks & Harbors?

Mr. Sahlender said the best option for Goldbelt is purchasing CBJ property. The next best is the reconfigured property shown on page 46. The reconfiguration shown on page 49 is the worst option for Goldbelt.

Mr. Sooter asked if the lines could be changed?

Mr. Sahlender said the original plan will work.

Mr. Grant asked if this was an even exchange of property?

Mr. Sahlender said Mr. Horan did the evaluation and it is an even exchange. He can bring that back and show the valuation per piece again.

Ms. Smith said she is not in favor of selling this property and take away beach access.

Mr. Uchytel said getting to the beach is not easily accessible. He encouraged Board members to go look at that location.

Public Comment –

Mr. Clayton Hamilton, Juneau AK

Mr. Hamilton asked to indicate what was being talked about with the mouse so people online can follow better. He said he does not understand why the Harbor would sell any waterfront property.

Ms. Hart asked if we should bring this back to the next Operations Meeting and invite Goldbelt back, the Tourism Manager, and any other CBJ departments that may have an interest in this topic.

Mr. Uchytel said he will be out for two and a half weeks starting the 8th. Mr. Ridgway is intending to step down and will only have a Board of seven. He hears the desire to hold on to all waterfront property, but you also have to look at what we are going to do with this property. He said he can work with Goldbelt to see if they have a time certain decision. There could be a lease option. We have major capital needs, match for the Statter Breakwater, match for the PIDP drive down float need for new Aurora Harbor office. Cash is not bad for us to have instead of collecting lease rent for an undevelopable area.

Mr. Sahlender said he can brief again with how the land swap looks and how it is calculated by Horan for the May 22nd Operations meeting but he will not be able to attend the Board meeting on May 30th.

7. Title 85 Changes

Mr. Uchytel said on page 55 in the packet is how the proposed change will go to the Assembly. This will change Title 85 and Title 3 affecting the Mangers language. There will be a public hearing Monday at the Assembly meeting on this topic. There are proposed changes to three paragraphs with change indicated in red, one on page 55, 57, and 58. On page 57, there is a proposal to delete, 85.02.065 Limitation on authority and an amendment by Assembly member Wall with different language. On page 61 is a letter from the City Manager regarding the Title 3 and Title 85 changes. Page 63 is a letter from the Tourism Manager clarifying the changes to Title 85 and Title 3. On pages 64 to 67 in the packet, Mr. Uchytel put together a document with frequently asked questions and his answers to let you know what he is thinking. He read and went over the document and discussed his thoughts with the Board.

Board Discussion –

Mr. Ridgway asked if the Assembly has been asked the direct question, “does the Assembly not want the Harbor Board involved in downtown planning”.

Mr. Etheridge said he asked that question and was not given an answer.

Ms. Smith said it is clear to her in the response which is on page 66 in the packet “this enables Docks & Harbors Board to focus on Harbor Board issues”. It does not say Dock issues, so it is very clear to her that they do not want the Board to have anything to do with Docks.

Mr. Ridgway recommended asking the question again to the City Manager.

Mr. Uchytel said his answer to adding duties and responsibility of Port Director is if you need to put this in ordinance to take direction from the City Manager, Docks & Harbors has the wrong Port Director.

Ms. Smith commented on the rate setting change. She believes it is fiscally irresponsible to remove rate setting from the people who actually do the work, know what it takes to do the maintenance on the docks, and put it in the hands of someone that is a policy maker. This is setting us up for major issues.

Mr. Grant said these changes are a solution in search of a problem. Some of these changes do not make sense. We are not being asked about these changes but being told. He said he has spent enough time on this topic.

Mr. Etheridge said the reason for taking over the fee setting is they want to set our docks at the same rate as the private docks. That way there will be no questions when the Tourism Manager wants to be part of the scheduling so they can direct ships where to dock. If there is not a big cost difference between docks, then they think there will be less arguments on where to tie up.

Ms. Smith asked if the industry runs the show?

Mr. Etheridge said they have been.

Ms. Hart asked if the Board wants to write a statement for the Assembly for their Monday meeting to get our concerns out?

Mr. Uchytel said there is nothing to prevent Board members from attending and provide public testimony. The small changes are causing strife for my staff. There is no collaboration.

Ms. Smith said she is not interested in policy issues regarding whale watching. The Tourism Manager can make those decisions.

Mr. Etheridge said that would only pertain to issues inside the breakwater. Outside the breakwater is not us.

Mr. Grant asked how much input with the changes does the Board have with the Assembly.

Mr. Uchytel commented that you are not always going to get all the details with policies. He said the Assembly should be making policies and staff should be executing. The changes in Title 85 are not helpful to him and his staff.

Ms. Hart commented that she does not believe the Assembly has the whole concept of the effort that is happening with the Port. She said the Port is more than just cruise ships but that has taken center stage, and the port operations is totally getting lost. The Assembly is not aware of the firestorm they are essentially creating with these changes. Maintaining the Port is critical, and we have a Port Director.

Mr. Grant suggested sending a one liner letter. "We reject these changes because they are confusing and make our job more difficult." The Board has reviewed the changes at length and would rather no changes happen.

Mr. Uchytel said he doubts the Assembly will reject the changes.

Mr. Grant commented that we can let the Assembly know that the Board has reviewed this, and we do not like it.

Mr. Etheridge commented that the majority of the Assembly is in favor of these changes. The Assembly believes this will help with some of the complaints on tourism.

Ms. Hart said we are in a difficult position. She suggested writing a letter to the Assembly with all our names on it letting them know that these changes are not the best for the Juneau Community or the Assembly.

Mr. Grant suggested the Port Director draft a letter to the City & Borough of Juneau Assembly expressing two ideas. One is, Docks & Harbors Board has had extensive discussion about the proposed changes to Title 85 and secondly, the Board has concluded the changes are not in the best interest of the City & Borough of Juneau and we reject those changes.

Mr. Uchytel said the Assembly will be taking public testimony and if any Board member wants to testify, they should attend the meeting on Monday.

Mr. Creswell said we already do a great job of what we do and everything the Board does goes through the Assembly anyway. The changes are just going to make everything more difficult.

Mr. Sill said his primary concern is taking planning away from us. Many of the things with scheduling and rates, we don't schedule, and the rates have to go to the Assembly, so he does not have concerns with those changes. Taking planning away from people who maintain the facilities and handing that to someone who does not have knowledge of how things work is a great concern. Often times an idea becomes a project when we see a minor problem that we know will become a major problem if not planned to be addressed in the future.

Mr. Ridgway commented that planning is vitally important. This is overly complex and going way too far in the weeds. This could have dire consequences for the Enterprise.

Ms. Smith commented that tourism policy is not something the Board wants to do. The Board is responsible for taking care of our docks.

Mr. Etheridge said he has been trying to get the definition of policy.

Ms. Hart commented the Assembly could do a resolution spelling out the tourism concerns and still leave the Board in charge of Docks and Harbors

Public Comment – None

8. [Blueprint Downtown](#) - Update

Mr. Uchytel said the link is to the Blueprint Downtown. This has been a six-year project. This was approved by the Planning Commission on Tuesday and will go to the Assembly for approval at some point. This is a 475-page document. The takeaway is they have five priorities for the Blueprint Downtown. The fifth priority is to complete the Seawalk and harbor walk. The harbor walk is loosely defined in the Bridge park to Norway point study of 2017 where we talked about improving the walkability of our Aurora and Harris Harbors.

Board Discussion

Mr. Grant commented that this kind of consideration is precluded by the proposed changes to title 85. Why are we looking at this if we have no input regarding policy.

Mr. Uchytel commented that when they removed the section regarding CIP's, what is being communicated? Do they not want any input from this body on CIP's and planning documents? If that was just left alone, we would continue down this path of doing what we have always done. Not scheduling cruise ships and life can go on. When that was removed, it just added confusion.

Mr. Etheridge said that is one of those things that will need to be worked out eventually.

Public Comment - None

I. COMMITTEE AND MEMBER REPORTS

1. Operations Committee Meeting Report

Mr. Ridgway reported that the Committee had a meeting last week and sorted a few things out. He announced his resignation but was temporarily rescinded at this meeting.

2. Assembly Lands Committee Liaison Report - None

3. South Douglas/West Juneau Liaison Report - None

4. Member Reports - None

J. PORT ENGINEER'S REPORT

Mr. Sill reported –

- Aurora Harbor – Nearing completion, about a month left. Trucano is finishing their last task which is constructing a small building where all the electrical utilities will be. Harri Plumbing is nearly done with pressure testing the water system. There are a number of items on the electrical system that have components that will not arrive for substantial completion. He is working closely with his Electrical Engineer and our contractor to work around some of those items. Some of the items missing we can live without for a short time. There is a chance when we get to final completion, we will have most of the electrical system working.
- Harris Harbor Gate –The structure was installed a while back. We just had a new sign installed on the arch piece yesterday. The electricians will arrive on site tomorrow to start pulling cables and installing conduit for the security elements of that project which is the cameras and key fob access. The light heads that will be installed on the poles is about four weeks out.
- Widening the access to the CT lot – A contractor will start work on Sunday to widen the entrance that will help with the bus maneuvering. We will remove curb and shrubs and pave over where the shrubs are.

Ms. Hart asked what kind of feedback has been received about the security gate?

Mr. Sill said it is mixed. Some people are excited we are doing something, but he has heard some criticism. Improving the lighting, and adding cameras, is going to be a huge deal and we will know who our troublemakers are from how they respond to the gate. As constructed, it was too easy for people to climb around. He went back to the company and asked them to build wings that hang over the water to keep people from climbing around. All the cameras are in town, and he will start testing them.

K. HARBORMASTER'S REPORT

Mr. Creswell reported –

- Staff is working on summer preparations.
- We were fully staffed on our evening security officers, but Mr. Brian Haight has resigned. That position is posted, and we have had a lot of interest.
- We have made great strides in hiring this year and doing better than we have for the last several years.
- The parking system IPS, the new parking meters have been installed and will be live next Wednesday. There will be an app that you can pay by plate. This will also have an enforcement part. There will be growing pains for the first few weeks, but we will get through it. This has been implemented with Parks & Recreation partnership.
- Launch ramp etiquette and procedures video – Staff did an inhouse drone video. We will work on editing that and if we like it , we will push that out.
- The directional signs – Mr. Norbryhn has ordered the signs for the Statter Harbor launch ramp.
- Maritime Festival – Next Saturday, May 4th. There will also be a Navy destroyer here.

- Statter Harbor storm damage repair to the breakwater and Auke Bay Marine Station - The fish pens were tied up to the breakwater and the State Trooper vessel the Enforcer was tied up to the Auke Bay Marines Station float. He worked with DIPAC and the State Troopers to help pay for those repairs. There is a term contractor working on those repairs now and are 75% to 80% complete.
- The UAS interns. – This was turned on this week and we may have interns this summer. Staff is working to figure out who is eligible and who is not.
- Aurora Harbor waiting shelter and bulletin board shelter were built by UAS students. We provided the material, and they constructed it. They are almost finished.
- Harbor Carts – are being constructed by the UAS welding class.

Mr. Grant asked how the epoxy floors turned out.

Mr. Creswell said they turned out great and made it so much easier to clean and turned out just like we wanted it.

L. PORT DIRECTOR'S REPORT

Mr. Uchytel reported –

- Tuesday is Doug Liermann's retirement party at the Buoy Deck.
- Mr. Uchytel said he will be on leave starting May 8th for two and a half weeks.
- He asked if anyone wanted to go on a tour of the Navy ship to let him know.
- Staff is replacing the USS Juneau Memorial plaque. Last year we had a sister of a perished sailor let us know that her brother's name was misspelled. Mr. Scott Hinton looked up all the names on the plaque and he found five names misspelled.
- Tlingit and Haida has had a lease at the old Thane Ore House area since 2016. In 2019 they had Jensen Yorba Lott doing test pits and they found some diesel. Tlingit and Haida let Docks & Harbors know this was Docks & Harbors problem. For the last two and a half years we have been working with ADEC and Nortech to get this area cleaned up. This last week all the test wells were demobilized and removed, and ADEC is going to close the case. Also, this week, Tlingit and Haida announced that their Cultural Immersion Center that they were going to put at the former Thane Ore House is now going to be out at Tee Harbor. Docks & Harbors has spent upwards of \$40K to \$50K addressing their concerns and now he is not sure what they plan to do. Mr. Uchytel said he received an email from CBJ Engineering that Tlingit and Haida wants to construct a recycling center at the old Thane Ore House location. Mr. Uchytel told Engineering that is not part of the lease agreement. He has not heard from Tlingit and Haida that they are no longer going to use the property for a Cultural Immersion Center.

Mr. Etheridge asked if there was, in the lease agreement, they would pay so much per person?

Mr. Uchytel said the lease was set up so that they would pay fair market rent for the lease property, and \$1.50 per person that came through the Cultural Immersion Center. There is a term in the lease that they use the property within a certain time frame and that has not happened. They did raze the old Thane Ore House building, and we have acted on all their requests. He suspects they will cancel the lease and staff will need to go out with another RFP.

- There is a grant application for the Aurora Harbor drive down float due May 10th and we have good letters of support. We have an EPA grant application for dock electrification on May 28th.

Mr. Grant asked if we should look at the old Thane Ore House location for a boat yard?

Mr. Uchytel said we would need to figure our access through DNR tidelands.

Mr. Grant suggested not to rush into leasing this again until the possible boatyard option is looked into further.

M. ASSEMBLY LIAISON REPORT - None

N. BOARD ADMINISTRATIVE MATTERS

a. Ops/Planning Committee Meeting - Wednesday May 22nd, 2024

b. Board Meeting - Thursday May 30th, 2024.

O. ADJOURNMENT – The meeting was adjourned at 6:51pm.