



DOCKS AND HARBORS OPERATIONS MEETING AGENDA

August 23, 2023 at 5:00 PM

City Hall Conf. Room 224/Zoom Webinar

<https://juneau.zoom.us/j/84851049882> or 1-253-215-8782 Webinar ID: 848 5104 9882 Passcode 422168

A. CALL TO ORDER (5:00pm in CBJ Room 224 and via Zoom)

B. ROLL CALL: (James Becker, Don Etheridge, Paul Grant, Debbie Hart, Matthew Leither, Annette Smith, Shem Sooter, Albert Wall and Mark Ridgway)

C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES

MOTION: TO APPROVE THE AGEND AS PRESENTED OR AMENDED.

D. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (not to exceed five minutes per person, or twenty minutes total time)

E. APPROVAL OF MINUTES

July 19th, 2023

1. July 19th, 2023 Minutes

F. UNFINISHED BUSINESS

2. Harbor Rate Increase (9%)
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO RECOMMEND THE FULL BOARD DIRECT DOCKS & HARBORS STAFF TO COMMENCE REQUISITE PUBLIC NOTICE TO INCREASE FEES 9% TO APPLICABLE REGULATIONS.

3. Potentially Available Breakwater – Reuse in Juneau
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO DIRECT STAFF TO EXPEND RESOURCES TO EVALUATE CONDITION AND VALUE OF 180 FOOT BREAKWATER POTENTIALLY AVAILABLE TO BE REPURPOSED.

G. NEW BUSINESS

4. Boat Shelter Sale - Board Right-of-First Refusal to Purchase
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO WAIVE THE DOCKS & HARBORS BOARD RIGHT-OF-FIRST REFUSAL TO PURCHASE BOAT SHELTER AG-24/25 FOR \$65K

5. Dock Electrification Update & Pursuit of [EPA DERA \(Diesel Emissions Reduction Act\) Grant](#)
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO FORWARD DOCK ELECTRIFICATION MEMO UPDATE TO THE ASSEMBLY AND APPLY FOR \$1.5M EPA DERA GRANT.

H. ITEMS FOR INFORMATION/DISCUSSION

6. Open Meeting Act - Primer
Presentation by CBJ Law

Committee Discussion/Public Comment

7. Aurora Phase IV – ADOT Harbor Facilities Grant Submission
Presentation by Port Engineer

Committee Discussion/Public Comment

8. Downtown Safety Rail - Update
Presentation by Port Director

Committee Discussion/Public Comment

I. STAFF, COMMITTEE AND MEMBER REPORTS

J. COMMITTEE ADMINISTRATIVE MATTERS

Next Operations Committee Meeting - Wednesday, September 20th, 2023

K. ADJOURNMENT

ADA accommodations available upon request: Please contact the Clerk's office 36 hours prior to any meeting so arrangements can be made for closed captioning or sign language interpreter services depending on the meeting format. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.

**CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES**

Wednesday, July 19th, 2023

@5:00pm in CBJ Room 224 & Zoom meeting

- A. Call to Order:** Mr. Ridgway called the meeting to order at 5:00pm in CBJ Room 224 and via Zoom.
- B. Roll Call :** The following members were in CBJ Room 224 or via zoom - James Becker, Don Etheridge, Paul Grant, Debbie Hart, Shem Sooter, Matthew Leither, Albert Wall (arrived at 5:08pm), Annette Smith, and Mark Ridgway.

Also in attendance: Carl Uchtyl – Port Director, Matthew Sill – Port Engineer, Matthew Creswell – Harbormaster, Emily Wright – CBJ Law, Rorie Watt – City Manager, and Teena Larson – Administrative Officer.

- C. Port Director requests for Agenda changes**

MOTION By MR. ETHERIDGE: 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. Hearing no objection the June 21st, 2023 minutes were approved as presented.

- F. Unfinished Business**

2. Downtown Safety Rail - Correspondence

Mr. Uchtyl said on page 12 in the packet is a letter to the Assembly that he was directed to draft for the Board indicating the Boards desire to install safety railing along the Seawalk. This went before the Board last month. He added the picture of an individual laying on the bull rail. The picture was taken on July 3rd and the individual was non-responsive. JPD and CCFR was called and eventually CARES assisted the individual. He said Docks & Harbors has asked for funding through marine passenger fees for this safety rail since the completion of the 16B project in 2017. The request has not been funded through the City Manager's process. This letter informs the Assembly there is undue risk with not having safety rails along the seawalk. The City Manager added a section in this memo also.

Committee Questions -

Mr. Grant said he was walking on the Docks a few days ago and he saw some guys diving off the dock. Will this handrail keep someone from this activity?

Mr. Uchtyl said no, this is a safety rail and anyone could jump over it.

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Mr. Ridgway said the safety rail will be approximately 36" high off the bull rail. The reason for the need is that people have tripped and fell off the seawalk to their death and he wanted that added in the letter.

Mr. Uchytel said he does not recommend adding that verbiage and does not see the value. Stating that in the letter could potentially expose Docks and Harbors and the City to liability.

Mr. Ridgway asked if there was consideration to add a picture of the existing safety rail that we would like to extend.

Mr. Uchytel said he did not add that because he assumed with the close proximity to City Hall that those curious on what it would look like could walk over and see it. He said he can add it if the Board wants it added.

Mr. Grant asked if we are conceding any liability if someone falls over the side by sending this letter and stating over and over that we have inadequate safety railings on the docks?

Ms. Wright said the information is already out there. If you want Mr. Uchytel to put facts in the letter stating the amount of people that have fallen to their death, that is okay to do and it does not increase our liability. It could be brought up in litigation but it does not add to our liability.

Mr. Sooter said he worked on the 16B project when it was being constructed. The company installing the dock asked for a complimentary OSHA inspection and OSHA required a temporary hand railing be installed on any dock that was no longer a working face.

Ms. Smith said we are eliminating access to the water for people that want to get to the water and that bothers her. She has friends that like to dive off the Seawalk.

Mr. Wall joined the meeting.

Public Comment - None

Committee Discussion/Action –

Mr. Ridgway said he agrees that he does not want to restrict access to the water, but he does not see the safety rail restricting access but keeping someone from falling off the Seawalk to their death. The letter is basically pointing out the safety concerns and asking why we have been turned down for funding. He asked Mr. Sill to send out a picture of the rail that would be installed.

Mr. Leither asked if we are allowing people to jump off the seawalk?

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Mr. Uchytel said we have signs that say no diving but it still happens. We could fine them for a violation of posted notice.

Mr. Leither commented that this safety rail is not restricting anything because the diving is already not allowed.

Ms. Smith said she sees people fishing from this area and swimming and they are all non paying users and she wonders if that is the issue. The Seawalk has not been a safety issue since the 60's.

Mr. Ridgway commented that the Marine Park Lightering float was removed under the pretence of safety. He recommended all the members of the Committee go look at the safety rail before the next Board meeting.

MOTION By MR. ETHERIDGE: MOVE THE SAFETY RAIL LETTER TO THE NEXT FULL BOARD MEETING AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

G. New Business

3. Proposed Launch Ramp Survey - Derby Weekend

Mr. Creswell said on page 14 and 15 in the packet is the potential survey. Last month, we had a Board member of the Territorial Sportsman comment that he would like more done at Amalga Harbor. In 2021 we conducted a survey during the Salmon Derby for our launch ramp users geared toward North Douglas focusing on the future expansion that was being discussed at the time. Lots of people took the survey. Staff is looking at doing that same survey again. The proposed questions are in the packet and he would prefer less than what is there. As an incentive to do the survey, he is recommending to give away two 2024 launch ramp permits that would be given away randomly.

Committee Questions-

Mr. Grant asked why we need to know what the preferred launch ramp is?

Mr. Creswell said this gives us an idea what launch ramp the users are using the most. We also ask this question when someone purchases a launch ramp online.

Mr. Grant said he would remove that question because we get the information elsewhere.

Ms. Smith asked if there was going to be staff handing out the survey at each launch ramp? Is there a reason there is not an area people can write comments?

Mr. Creswell said in 2021 we used Survey Monkey which is an electronic survey. We laminated posters with the QR code and posted at all our launch ramps. Entering the comments in one spot works best on these surveys.

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Ms. Hart said for question one, instead of asking the preferred, we could ask them to rank them.

Public Comment - None

Committee Discussion/Action

Mr. Ridgway recommended staff continue efforts to obtain information on launch ramp user input.

Mr. Creswell commented that he also posts the survey link on facebook and the majority of the responses to the survey came from there.

Mr. Ridgway commented that if something was going to be given away to start out with that information.

MOTION By MR. ETHERIDGE: MOVE TO MOVE FORWARD WITH THE LAUNCH RAMP SURVEY DURING THE SALMON DERBY WEEKEND AND MOVE THIS TO THE FULL BOARD FOR FINAL REVIEW AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

4. Boat Shelter Sale – Board Right-of-First Refusal to Purchase

Mr. Etheridge recused himself from this discussion. His nephew is selling this boat shelter for nephew's mother.

Mr. Uchytel said in accordance with our regulation, any patron wishing to sell their boat shelter is required to give the Board the right-of-first refusal. The patron does have a buyer but the Board has the right to purchase this if they want. In the past, the Board has always elected to waive that right.

Board Question

Ms. Smith asked if that was something we could rent out at a higher rate?

Mr. Uchytel said we would have to establish regulations for that fee, but that is possible.

Mr. Ridgway commented that the Board has expressed desire to remove this requirement over the years and was wondering where that was left off?

Mr. Grant said he remembers past discussions on purchasing a boat shelter included, maintenance on poorly maintained boat shelters, and we would be taking them out of the property tax base.

Public Comment-None

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Board Discussion/Action

MOTION By MS. SMITH: TO WAIVE THE DOCKS & HARBORS BOARDS RIGHT-OF-FIRST REFUSAL TO PURCHASE BOAT SHELTER AE-21 AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

H. Items for Information/Discussion

5. Code Revision – Tourism and Docks & Harbors Duties

Mr. Watt said the goal for this is to have a healthy structure for CBJ. He wants Docks & Harbors to have a code that makes sense, supports Docks & Harbors operations, and supports the Docks & Harbors mission. This is not an attempt to reduce, or take away authority. We currently have code that dates back to the 90's and 2000's, that does not represent the will of the Assembly and the desire for a more tightly controlled cruise ship industry. This does not say Docks & Harbors would not have a role in it, but coming out of the Visitor Industry Task Force was the recommendation to centralize our tourism activities or tourism management. That creates the need to codify those duties and also creates a need to make complimentary changes on the Docks & Harbors side. He said currently, titles can be very confusing for the public. CBJ has a Port Director and also Drew Green with Cruise Line Agencies has a title of Port Director. CBJ has a Tourism Manager and then also a City Manager. It can be confusing on who is in charge. CBJ has a duty to make that clear to the public. There is also some quirky land issues. Mr. Watt explained that Docks & Harbors, Parks & Rec, and Public Works all do not have very clear defined areas to manage. He wants to get the process started to make it so the new City Manager, the Tourism Manager, and Port Director are clear on what their duties and expectations are. In looking at the code, over time the Assembly has allocated tidelands and uplands to the Board to manage for the benefit of the Harbors. He said that should not change and CBJ should work towards enhancing that revenue stream. This change is not a criticism to the Port Director because he does an excellent job. The current situation could be different if Mr. Uchytel were to leave. He sees this as a clean up activity that needs to be initiated. He has expressed to the Assembly they should be eternally grateful to the Board for dealing with the Harbor issues. This is really to focus on the Cruise Ship dock side and the maritime environment. He wants to know what is important to the Board and then he and the Port Director will work this out together.

Committee Discussion

Mr. Grant commented that during his time on the Board, the Board has spent a lot of time on fee increases. Does the Assembly have the time, or the focus on the detail why certain things are done in rate discussions. If they do not, this is an important policy decision being turned over from Docks & Harbor Board to Staff to deal with.

Mr. Watt asked for clarification, is the rate setting for the waterfront or for just Harbors?

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Mr. Grant commented that we just went through a process that we addressed all the fees for both Docks & Harbors.

Mr. Ridgway asked if the City sees something wrong with Docks & Harbors raising all of our rates under our Enterprises?

Mr. Grant commented that a representative from the cruise industry was very active in our fee increase process. That representative pointed out that because of the cruise industry contributions to the infrastructure, their portion of the on going costs should be less than the proposed 9%. The Board is moving forward with raising all Docks & Harbors fees 9%, and with little controversy. He is asking if there is someone in the City wondering if they can do a better fee increase process than the Board?

Mr. Watt commented that the Assembly really does not have the time, but they have the authority. He said the Assembly deals with fee increases all the time. Rate studies have been done and the Assembly has opted for fee increases from zero to inflation. This is a common problem. With the Docks, there are enough other competing factors and ideas that make it complicated for the Docks fee structure.

Ms. Smith asked when reading the memo, she was thinking, “why don’t you want advice from the Docks & Harbors Board”. It is clear to her that there is a very clear division. The Assembly makes the decision whether the City wants to set a limit on the amount of cruise ship passengers. She asked if it needs to be put in code specifying what the Assembly and Docks & Harbors can do? She asked Mr. Watt, “what is broken right now”? She does not see anything broken.

Mr. Watt said he sees there is unclear direction. There is a section in the code about marketing the Docks, and he does not see anyone really wanting him to market the docks. There is a section about updating the downtown waterfront plan, but he does not see the Assembly wanting him to do that. There is the land management from Docks, Parks & Rec, and Public Works that is confusing to the public. Those are the things that need worked on. With the creation of the Tourism Manager and the focus on visitation in ship scheduling, the Tourism Manager has no codified authority to do what she is doing. However, we all know that is what the Assembly wants and the Industry mostly understands the Authority is coming from the Assembly. We need to give the Board a department script of what is expected.

Mr. Ridgway commented that the City entered into a MOA with Cruise Line Agencies limiting the ships to five and the Board was not asked to be part of that. The Board provided significant amount of comments for the Visitor Industry Task Force that they were never spoke of. He said he understands that there are really two conversations going on and there really should be only one. His initial reaction to this is, “what’s broken”. We do take into consideration what the Assembly would think, but our engagement with the Assembly has been somewhat limited. He asked if that is the whole issue, communication with Industry and clarifying roles?

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Mr. Watt said he believes it is both of those. Communicating with industry is complicated because who is Industry? Cruise Line Agencies generally has a lot of other agencies speaking on their behalf on many levels. He does not believe Cruise Line Agencies does a lot of communicating for the Industry but for themselves.

Mr. Ridgway said the Board deals a lot with arguments about boat yards which is really about services and whale watching boats. He agrees with, “who represents the Industry”, but that really depends on the issue. This Board deals with a lot and he does not think the Assembly wants to get into that granularity. He does not believe the solution would be to take away the Docks responsibility from the Board.

Ms. Smith commented that she has been on the Board about five years and the appointed Assembly liaison attends our meeting less than 10% of the time. She is not criticizing, but that is one Assembly member volunteering their time and worked long hours. They do not have the time to take another huge burden on.

Mr. Grant commented that he believes with both Docks & Harbors, the Board has done a good job of keeping the enterprises economically healthy. He also asked, “what’s broken”. If there are portions in the code not useful, take them out but he does not hear big structural changes.

Ms. Smith asked how would you fix the confusion with the land management in Douglas with Parks & Rec management across the street from the Harbor and patrons think that is Docks & Harbors.

Mr. Watt said he does not think we can fix all public confusion. However, we can certainly make it a little more logical for the downtown waterfront and a clear clean up that needs to happen.

Mr. Ridgway said when he read this memo, it was pretty clear to him that it states that the code needs to be updated and Docks be taken away from the Board management. Is that the future for the Board moving forward.

Mr. Watt said not to take the Docks operations away from the Board. The Tourism Manager is a policy position. The goal is not to make the Tourism Manager the Operations Czar.

Mr. Grant remembered that recently the Board wanted to hire a consultant for the harmonization for the new Huna Totem Dock/Coast Guard Dock/NOAA Dock and the small cruise ship dock and the Assembly turned that down. He finds that ironic because that was a policy decision.

Mr. Watt said the Port Director and himself were both on the same page for that study.

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Ms. Hart said she is new on the Board, and she has seen times when the Assembly does not want the Board input. That has been challenging to navigating. She asked if this change is just to make it more clear the Docks & Harbors Board duties and also the Tourism Manager duties. She heard Mr. Watt say that the Assembly wants this to align with the current Assembly direction but she is unsure what those expectations are and what the Assembly is really looking for? Are these changes potentially short term and they may change again under a new Assembly? She asked Mr. Watt what the marching orders are from the Assembly?

Mr. Watt said the current Assembly said yes to this, but it could change in the future. This goes back to the Visitor Industry Task Force recommendations. The Task Force recommendations best speak for the Assembly then and now. There were comments from the Board to the Visitors Task Force that were not included in the Task Force recommendations because they were out of synch with how that Task Force was thinking. He commented that with the airport, everything is fenced in and everything within that area is the airport's. With the cruise ships economy, it does not just live in the water. The cruise ship economy affects the whole community and thence the drive for the centralized tourism function that we have never had. That is a policy function rather than operational. Although the vast majority of criticism we get about cruise ship tourism is about tour operation in the community, flight seeing, whale watching, too many people at the Mendenhall Glacier, small tours inpinging on peoples recreation patterns, Docks & Harbors really only touches that in ways that it facilitates advantages of the whale watching fleets. As he sees the criticism, whale watching has an outside impact and level of criticism on the community.

Mr. Ridgway commented this memo was originally intended for the Committee of the Whole on Monday but it was cancelled for lack of quorum. They could have decided to move forward with this memo and we could be having a different discussion right now. He asked Mr. Watt to provide an example, if this moves forward in the way intended in the memo, the Port Director and the Board will still have some of the decisions/issues that we are managing currently, and the Tourism Director will manage the other issues. He asked what we are currently working on that in the future we would not be working on? How can we help this decision making process?

Mr. Watt said in the future the Board would not be working on the economics to the cruise ships. There needs to be a realignment of all of our fees, but in the context of all of the fees. We are dramatically under charging at the CBJ cruise ship docks compared to their value and compared to what cruise ships pay at the private docks. We can only negotiate with industry and come up with a rational modernization of those fees. He believes this is bigger than the Board can contribute. He said the Board can help by doing what we are doing tonight. It is good for him to hear what the Board thinks and what is important.

Mr. Ridgway commented that Docks & Harbors Enterprises is far ahead of Marine Passenger Fees in terms of appropriately right-sizing the fee. The Board went through a

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two year effort to raise the dockage fees. He asked Mr. Watt what other Dockage fees are there that has not been addressed?

Mr. Watt said what has happened with fees over time is we started our modern fee structure which came out in a response to citizen initiative over 20 years ago, which was followed with 15 years arguing on the legality & size of those fees, the expenditure of those fees, and then a three year litigation, which eventually ended well for Juneau. He said if we want to continue to manage a healthy visitor industry, we are not doing enough. Negotiating more and broader uses of fees, rates, partnership agreements, etc., is all necessary for the community and things like further developing the infrastructure at Eaglecrest. If we are going to accommodate people visiting Juneau, and our citizens are going to accept it, they need to have places to go. From 2019 to 2023 we are growing three or four hundred thousand visitors but we have not grown that many tour operators. That is very complicated to bring that to execution.

Mr. Leither said his understanding of what has been occurring is that we went through this process to raise the dockage fees for the large cruise ships and we are working on a 9% increase. That 9% increase is the cost to maintain our Port infrastructure, staff the Harbor, and be responsible as an enterprise. As a Board member, he feels that is his responsibility. His understanding of the City's responsibility is that if you want to fund the Gondola, there is the head tax and that is what he thinks the division is.

Mr. Watt said that is correct, but he believes there is a third element that is not captured. The land that the docks are on has no captured revenue, yet we lease tidelands to the private docks and they pay us for the value of the land. We need to capture the value of the tidelands that the cruise ship docks are on in the same way it happens at the private docks. We have several different fees, and overtime, we have blurred the line on what we use the fees for which was the result of the litigation. The broader discussion is that we need to provide public infrastructure necessary for the industry, and capture cost of doing business all at the same time.

Ms. Smith said speaking to the comment Mr. Watt said about the cruise ships not paying enough, it bothers her that if that decision is taken out of the Boards hands, and put in the hands of the people not involved with the expenditures, there could be an issue. If this is a problem, the Assembly should come to the Board because we are the ones that know how much it costs to run those docks. Speaking to the comment that there may not be enough shore excursions, to her that is not the Board's issue. It would be the Board's issue to know if there was enough room for these additional vehicles.

Mr. Sooter asked Mr. Watt to provide what the Tourism Manager does now, and why was that position created in the first place. He said regarding the rate schedule, in CBJ 85.02.15 part b – it reads, the base rate for registered net ton shall be established by the City Manager by resolution pursuant to code 01.60 utilizing the services of an independent appraiser, the rate shall be the market rate for facilities with like amenities and services. The Manager shall determine the market rate every five years or from time

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to time as he or she shall determine. The market rate shall be adjusted annually by the Manager based on the Anchorage cost of living index.

Mr. Watt said he does not know that section of code. He said the Tourism Manager spends a tremendous amount of time communicating with cruise line companies, CLIAA, and cruise line agencies in other ports. Some of the communication is collaboration and coordination and some of that is trying to understand where the industry is heading and what is happening. If the Assembly would approve a dock at the Sub-port, she would work to try to understand what might happen as a result of that. There is regional collaboration among the different ports that she participates in and there is many discussions about scheduling of and prioritization of ships. He said we are trying to optimize tourism for Juneau. He said for years we have been passive in the scheduling of our municipal docks unlike any other City property.

Mr. Wall said he sees every day how Docks and Harbors impact each other. Putting the fence along the dock will take away resources for what we could do in the Harbor. His concern is, Docks & Harbors becomes so separate that they are blind to the impact that they have on each other. The potential impact that Docks & Harbor could have on each other is huge. The congestion in the Harbor is disturbing at times. The conversation has to be somehow unified.

Mr. Etheridge said there is no connection in Docks funds and Harbor funds. They are two separate Enterprises and the funds are fire walled apart. He commented to Mr. Watt that about a year ago the Board tried to double the cruise ship fees and the Assembly did not act on it, but sent it back to us.

Mr. Ridgway commented that we just went through a fairly expensive rate study and if we were asked to include the recouping of the land value in that study, we would have. However, that was not mentioned to include in the rate study. Taking Docks away from the people who are responsible for the recapitalization of 16B and deferred maintenance for the long term will not be a benefit and will be difficult.

Public Comment - None

6. Harris Harbor Gate

Mr. Sill said there has been ongoing discussion for sometime about security. We have added cameras, and a security nightshift person, but that is still not enough. One of the ways the Lower 48 addresses security is with a security gate and access controls on the Harbors themselves. Recently the Board request that we do a test access control security gate in Harris Harbor. Harris Harbor was chosen because it has one access point and it will be the easiest. Staff looked at a number of options. Due to the dock carts, and tides, installing a gate in the gangway made it impracticable. Staff is looking at a three sided security structure to go at the top of the gangway and he is sending a letter to a number of aluminum fabricators in the Pacific Northwest seeking quotes to come up with a concept from our needs. The intent is not for us to design the structure, but provide to the

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aluminum fabricators a list of requirements and see what they come up with. He said on page 24 and 25 in the packet shows a three sided structure that will be at the top of the gangway that is about 8' deep so it allows someone to be able to have a cart on the flat while trying to maneuver the door. Some of the features is that we will have key fobs for entry, lights, cameras, and a number pad in case someone forgets their key fob or is a transient boater. They could get the number from the Harbor Officer on duty. Staff is sending the illustrations on page 24 and 25 to the fabricators and when he receives three quotes, and one in the price range that we can afford, we will move forward with this. He is also going to meet with our term contractors to install the structure and electrical.

Committee Discussion

Ms. Smith asked if a security company looked at this to ensure some of our unsavory visitors are not able to get around this.

Mr. Sill said security is always a balance. He has witnessed people rowing a dock cart to get to a different part of the Harbor. People can access the end of the float from a boat. Someone could swim to the float. He said maybe someone could get around this but it would be challenging. We will have cameras so we will be able to see them and identify them.

Mr. Grant commented that maybe it could be a little wider so someone could not walk along the outside edge and then an added design feature at the top so it is not easy to jump over.

Mr. Sill said that has been added in the memo to the fabricators, requesting features added across the top to discourage people from climbing over.

Mr. Wall suggested to make it large enough to store the carts in.

Mr. Sill said we have a \$50,000 procurement limit to get this done, otherwise it becomes a bidding process and it would be a much larger deal. We are trying to fit this first security gate in the \$50,000 price range. Staff will make it as large as possible within our financial constraints.

Mr. Leither asked what the timeline was?

Mr. Sill said we are trying to get this done in the fall. He will know more by the next months meeting.

Mr. Sooter asked if Mr. Sill could ask for an alternate for a roof?

Mr. Sill said yes he could.

Ms. Smith asked if we could get the cost to surround the whole top of the dock and depending on price it could maybe be added as an add on.

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Mr. Sill said he is currently soliciting quotes and if the quotes come in vastly below our spending limit, he would then expand the scope of the ask. He believes the current design is going to be between \$40K and \$50K.

Mr. Uchtyl commented that this would not require Board approval because it is below \$50K so it is whatever the Board would like to see. If the Board has comments that Mr. Sill needs to incorporate for the quote the members should do that within the next few days. Staff can bring this back and show the lowest quote.

Mr. Etheridge said he would like the final design brought back before the Board before it is built.

Mr. Grant asked if the Board has independent spending above the \$50,000 that does not require the full bid process?

Mr. Uchtyl said based on the procurement rules, between \$5K and \$50K requires three quotes, over \$50,000 requires formal bids. For Docks & Harbors only, anything over \$100,000 requires Assembly approval.

Mr. Grant asked if the roof could be a separate project subject to a separate \$50,000 limit?

Mr. Uchtyl said once it's installed, you can add things.

Public Comment - None

7. Used Breakwater – Offered for Purchase

Mr. Uchtyl said he had a contractor stop by today. On page 29 in the packet is a floating breakwater that protects the Coast Guard mooring in the Tongass Narrows in Ketchikan. That breakwater is anchor stayed with a dozen anchors. It is 180' long by 24' wide. The breakwater is in excess of the contractor's needs and he would be willing to sell it in a procurement. Mr. Uchtyl said he did not ask the price but he is sure this would be very expensive. Is this something the Board would want to pursue? He received a complaint from an irate fisherman about wake damage in Auke Bay, this could be used at the Auke Bay Loading Facility.

Committee Discussion

Ms. Smith asked if this could be used in the Statter area for the large moorage needs?

Mr. Uchtyl said it is a floating breakwater so it could be used for moorage, but it only has a bull rail on one side. It is designed for 60' of water so it may not fit everywhere. It was a intriguing proposition.

Ms. Smith asked if it is possible to use at Statter, could we increase rates for that moorage?

CBJ DOCKS & HARBORS BOARD
OPERATIONS/PLANNING COMMITTEE MEETING MINUTES
For Wednesday, July 19th, 2023

Mr. Leither asked what is meant by being designed for 60’.

Mr. Uchytel said it would probably fit better by Aurora Harbor.

Mr. Ridgway asked the name of the contractor and company?

Mr. Uchytel said Kriss Hart with Western Marine Construction.

Mr. Grant asked the length of the wave attenuator at Statter.

Mr. Uchytel said 1000 feet.

Mr. Grant asked if this could solve the Aurora Basin issue on a temporary basis?

Public Comment - None

I. Staff - None

Member Reports -

Mr. Grant reported that all the public restrooms in Australia are spotless.

J. Harbormaster Report – He will provide a report at the Board meeting next week.

K. Committee Administrative Matters

Next Operations/Planning Committee Meeting-**Wednesday, August 23rd, 2023**

Mr. Etheridge commented there will be Committee assignments next week.

Ms. Hart asked, with the City Managers discussion tonight, would we want to put the fee structure back on our Planning Committee radar to relook at the proposed rate. Also, have a discussion if there is a decision to separate the Docks and Harbor if we wanted to specifically ask the Assembly that they could give us some guidance if they are not happy with moving forward with the rate.

Mr. Ridgway recommended adding it as a discussion item at next weeks Board meeting.

L. Adjournment – The meeting adjourned at 6:58pm.

Harbor Rate Adjustment
Execution Planning Schedule
PROPOSED

Section F, Item 2.

- ✓ January 13th, 2022 – Docks & Harbors awarded contract to HDR-Alaska, Inc for Harbor & Port Rate Study
- ✓ September 1st, 2022 – Docks & Harbors received final HDR report “Port of Juneau – Docks & Harbors Rate Setting Project”
- ✓ November 17th, 2022 – Docks & Harbors received final briefing from HDR
- ✓ December 7th & 8th, 2022 – Board Retreat offered consensus to increase fees 9% across both the Docks Enterprise and Harbors Enterprise
- ✓ January 18th, 2023 – Operations & Planning Committee discussed next steps to raise rates 9% as an informational item
- ✓ January 26th, 2023 – Regular Board meeting discussed next steps to raise rates 9% as an informational item
- ✓ February 15th, 2023 – Operations & Planning Committee reviewed White Paper – Propose Docks & Harbors Rate Increase. Committee was notified that the 2022 Urban Alaska CPI was 8.1%
- ✓ February 23rd, 2023 – Regular Board asked to affirm by motion: “To accept the findings of the HDR Report and direct Staff to begin a process, with Board engagement to raise fees 9% across the Docks Enterprise and Harbor Enterprise”.
- ✓ March 22nd, 2023 – Staff provides proposed ppt and informational material to Ops Committee
- ✓ April 4th, 2023 – Hold open house at Mendenhall Library to engage public on proposed rate increase
- ✓ April 18th, 2023 – Hold open house at Yacht Club to engage public on proposed rate increase
- ✓ May 17th, 2023 - Operations & Planning Committee considers public input and makes recommendation to increase rates on time certain schedule
- ✓ May 25th, 2023 – Docks & Harbor Board finalizes execution plan – Motion to increase rates 9% in January 2024
 - August 31th, 2023 – Commence 21-day public notice process to make regulations fee changes
 - September 28th, 2023 – Public hearing on regulations to fee changes
 - October 23rd, 2023 – Assembly adopts Board recommendations on regulations to fee changes
 - January 2024 – First (or only) fee changes goes into effect

REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Amendment of Title 05, Chapters 15, 20, 30 and 40

FEES AND CHARGES – APPLICATION OF CONSUMER PRICE INDEX

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD PROPOSES TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS EFFECTIVE JANUARY 1, 2024:

Section 1. Authority. These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

Section 2. Amendment of Section. 05 CBJAC 15.030 Dockage charges, is amended to read:

05 CBJAC 15.030 Dockage charges.

...

- (e) From May 1 to September 30, dockage for all vessels, except those vessels paying dockage fees set out in 05 CBJAC 15.030(f) and (h), will be assessed for each 24-hour period or portion thereof as follows:
- (1) ~~\$3.00~~ 3.53 per foot for vessels less than 65 feet in length overall;
 - (2) ~~\$5.00~~ 5.89 per foot for vessels with a length overall from 65 feet up to 200 feet; and
 - (3) ~~\$3.00~~ 3.53 per foot for vessels greater than or equal to 200 feet in length overall.
- (f) From May 1 to September 30, fishing vessels will be assessed dockage at ~~\$1.50~~ 1.77 per foot of length overall for each 24-hour period or portion thereof, except there will be no charge to vessels staging to offload at Taku Dock, provided the duration of staging is less than four hours.

...

Section 3. Amendment of Section. 05 CBJAC 15.040 Port maintenance fee, is amended to read:

05 CBJAC 15.040 Port maintenance fee.

...

(e) *Port maintenance fees assessment:*

Time Period	Charge
Each 24-hour period or portion thereof	\$0.055 <u>0.064</u> for each net registered ton of vessel displacement

...

Section 4. Amendment of Section. 05 CBJAC 15.060 Vessel lightering fee, is amended to read:

05 CBJAC 15.060 Vessel lightering fee.

...

(e) *Vessel lightering fee assessment:*

Unit	Charge
Each 24-hour period or portion thereof.	\$1,700.00 <u>2003.09</u>

...

Section 5. Amendment of Section. 05 CBJAC 15.080 Loading permit fee, is amended to read:

05 CBJAC 15.080 Loading permit fee.

...

(c) *Loading permit fees assessment:*

Permit Type	Fee
"A" or "B" Permit	2017: \$300 per company plus \$7 per passenger seat 2018: \$350 per company plus \$8 per passenger seat 2019: Calendar year permit: \$400 <u>494.41</u> per company plus <u>\$9 11.12</u> per passenger seat Starting 2025: Adjust this fee every 5 years based on the CPI adjustment

Limited Loading Permit	\$15 <u>18.54</u> per vehicle for each permit day; or \$250 <u>309.00</u> per year, whichever is less.
------------------------	--

- (d) *CPI adjustment.* For each calendar year after 2022, the fee assessed in this section will be equal to the previous fiscal year's fee, adjusted by the Consumer Price Index - Urban Alaska (CPI) as reported by the Alaska Department of Labor & Workforce Development for the calendar year preceding the start of the seasonal cruise vessel year (April 1 through November 1). The Docks and Harbors Board may, by motion, take action to keep the fee the same as the previous year, or increase the fee in an amount less than the CPI adjustment.

Section 6. Amendment of Section. 05 CBJAC 15.110 Boom truck usage fee, is amended to read:

05 CBJAC 15.110 Boom truck usage fee.

...

- (b) *Basis for charge.* The charge assessed will be at the rate of ~~\$120.00~~ 148.33 per hour for the first hour, and ~~\$60.00~~ 74.16 per 30 minutes thereafter.

...

Section 7. Amendment of Section. 05 CBJAC 20.020 Special annual moorage fee for skiffs, is amended to read:

05 CBJAC 20.020 Special annual moorage fee for skiffs.

...

- (b) The annual moorage fee shall be ~~\$300.00~~ 370.81 per calendar year (January 1 through December 31).

...

Section 8. Amendment of Section. 05 CBJAC 20.030 Daily moorage fees, is amended to read:

05 CBJAC 20.030 Daily moorage fees.

...

- (d) *Daily moorage fees.* Except as provided for reserved daily moorage, daily moorage fees will be assessed for each 24-hour period or portion thereof as follows:

- (1) From July 1, ~~2021~~ through June 30, ~~2022~~, ~~\$0.58~~ 0.72 per foot; and
- (2) CPI adjustment. The fees assessed in this section will be equal to the previous fiscal year's fee and adjusted by the Consumer Price Index - Urban Alaska (CPI) as reported by the Alaska Department of Labor & Workforce Development for the calendar year preceding the start of the fiscal year. The Docks and Harbors Board may, by motion, take action to keep the fee the same as the previous year, or increase the fee in an amount less than the CPI adjustment.

...

Section 9. Amendment of Section. 05 CBJAC 20.035 Monthly moorage fees, is amended to read:

05 CBJAC 20.035 Monthly moorage fees.

...

- (d) *Monthly moorage fee.* Monthly moorage fees will be assessed for each calendar month or portion thereof as follows:
 - (1) *Downtown harbors.* From July 1, ~~2021~~ to June 30, ~~2022~~: ~~\$4.40~~ 5.42 per foot.
 - (2) *Statter Harbor.* From July 1, ~~2021~~ to June 30, ~~2022~~: ~~\$7.30~~ 9.03 per foot.

...

Section 10. Amendment of Section. 05 CBJAC 20.045 Fee for tenders, is amended to read:

05 CBJAC 20.045 Fee for tenders.

...

- (c) *Moorage fee.* There is no moorage fee for a tender in cases where the primary vessel is shorter than the designated stall length, the owner pays moorage fees based on the designated stall length, and the tender can fit within the stall without causing the tender or primary vessel to protrude beyond the designated stall length. In all other cases, the owner of the tender shall pay fees as follows:
 - (1) Annual fee of ~~\$150.00~~ 176.74 per tender paid in advance;
 - (2) Monthly fee of ~~\$50.00~~ 58.91 per tender paid in advance; or
 - (3) Daily fee in accordance with Section [05 CBJAC 20.030] 30 of this regulation.

...

Section 11. Amendment of Section. 05 CBJAC 20.050 Residence surcharge, is amended to read:

05 CBJAC 20.050 Residence surcharge.

...

- (d) *Residence surcharge.* The owner shall pay a residence surcharge of ~~\$69.00~~ 85.28 per calendar month, or portion thereof, for each vessel used as a residence. For a vessel with more than four residents, the owner shall pay an additional surcharge of ~~\$23.00~~ 28.43 per calendar month, or portion thereof, for each additional resident.

...

Section 12. Amendment of Section. 05 CBJAC 20.060 Recreational boat launch fees, is amended to read:

05 CBJAC 20.060 Recreational boat launch fees.

...

- (h) *Recreational launch ramp permit fees.* Recreational launch ramp permit fees, including administrative fees, will be assessed as follows:

~~Calendar year permit-Annual (January 1 – December 31): \$90.00~~ 111.25
(Recreational); \$309.00 (Commercial)

Daily: ~~\$15.00~~ 18.53 (Recreational); \$37.08 (Commercial)

Administrative fee for additional permit(s) or lost decal(s): \$5.00 each

...

Section 13. Amendment of Section. 05 CBJAC 20.070 Fees for commercial use of boat launches, is amended to read:

05 CBJAC 20.070 Fees for commercial use of boat launches.

...

- (d) *Inspected vessel fees.* The harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is regulated under Subchapter T and S of 40 CFR 33 as follows:

- (1) Calendar year ~~2022~~ permit: ~~\$569.80~~ 671.39 per vessel plus ~~\$1.65~~ 1.94 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.

...

- (e) *Uninspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is not regulated under Subchapter T and S of 40 CFR 33 (OUPV - operator of uninspected passenger vessels) as follows:

- (1) Calendar year ~~2022~~ permit: ~~\$171.60~~ 202.20 per vessel plus ~~\$1.65~~ 1.94 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.

...

Section 14. Amendment of Section. 05 CBJAC 20.080 Passenger-for-hire fee, is amended to read:

05 CBJAC 20.080 Passenger-for-hire fee.

...

- (d) *Inspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is regulated under Subchapter T and S of 40 CFR 33 as follows:

- (1) Calendar year ~~2022~~ permit: ~~\$569.80~~ 671.39 per vessel plus ~~\$1.65~~ 1.94 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.

...

- (e) *Uninspected vessel fees.* The Harbormaster shall assess permit fees to the owner of a vessel engaged in passenger-for-hire activities that is not regulated under Subchapter T and S of 40 CFR 33 (OUPV - operator of uninspected passenger vessels) as follows:

- (1) Calendar year ~~2022~~ permit: ~~\$171.60~~ 202.20 per vessel plus ~~\$1.65~~ 1.94 per passenger each calendar day that one or more facilities is used for passenger-for-hire activity.

...

Section 15. Amendment of Section. 05 CBJAC 20.090 Statter Harbor Bus Lot permit fee, is amended to read:

05 CBJAC 20.090 Statter Boat Harbor Bus Lot permit fee.

...

- (c) *Fees.* The Harbormaster shall assess permit fees to the owner of a vehicle using the Statter Harbor Bus Lot to pick-up and discharge passengers for passenger-for-hire activities as follows:
- (1) Calendar year permit: ~~\$300.00~~ 370.81 per company plus ~~\$15.00~~ 18.54 per passenger seat; or
 - (2) Once per week permit: \$25.00 per vehicle per calendar day for companies that use the lot to drop-off passengers for passenger-for-hire activities no more than once per week; or
 - (3) No charge for non-profit use when approved by the Harbormaster on a case-by-case basis.

...

Section 16. Amendment of Section. 05 CBJAC 20.100 Grid usage fees, is amended to read:

05 CBJAC 20.100 Grid usage fees.

...

- (d) *Grid usage fees.* Grid usage fees shall be assessed as follows:

\$ per foot per day	\$1.00 <u>1.24</u>
---------------------	-------------------------------

...

Section 17. Amendment of Section. 05 CBJAC 20.110 Crane use fees, is amended to read:

05 CBJAC 20.110 Crane use fees.

...

- (c) *Crane use fees.* Crane use fees will be assessed at the rate of ~~\$5.00~~ 6.17 per each 15 minutes of use.

...

Section 18. Amendment of Section. 05 CBJAC 20.130 Storage fees, is amended to read:

05 CBJAC 20.130 Storage fees.

- (a) A person may apply to the Harbormaster for use of long-term storage space in designated areas. Except as provided herein, the fee for use of this space is ~~\$0.50~~ 0.61 per square foot per calendar month, or portion thereof. The Harbormaster is authorized to issue permits and develop written procedures to implement this section.
- (b) Vessel storage. When available, Docks and Harbors will allow vessels to be hauled out and temporarily stored at the Auke Bay Loading Facility. The following rates apply:
 - (1) May through September: ~~\$1.00~~ 1.18 per linear foot per day for up to five days.
 - (2) May through September: ~~\$3.00~~ 3.53 per linear foot per day after five days.
 - (3) October through April: ~~\$8.00~~ 9.43 per linear foot per calendar month.
 - (4) No storage fee will be assessed for the day the vessel is hauled out.
- (c) Boat stand rental. When a vessel is brought to available uplands for storage by an individual or contractor, Docks and Harbors shall assess one hour of prevailing labor rate for blocking and ~~\$100.00~~ 117.83 per calendar month for use of boat stands. The Harbormaster or their representative shall approve the blocking of all vessels.

...

Section 19. Amendment of Section. 05 CBJAC 20.140 Staff labor fees, is amended to read:

05 CBJAC 20.140 Staff labor fees.

When required in the furtherance of duties set out in CBJ Ordinance Title 85, harbor regulations and rules, fees for services of Docks and Harbors Department staff will be assessed as follows:

- (1) ~~\$75.00~~ 92.69 per hour for each staff person with a one-hour minimum charge per staff person;
- (2) ~~\$125.00~~ 142.93 boat charge per hour, one-hour minimum, and increments each 30 minutes prorated; and

...

Section 20. Amendment of Section. 05 CBJAC 20.150 Reserved moorage waitlist fee, is amended to read:

05 CBJAC 20.150 Reserved moorage waitlist fee.

- (a) A person applying for placement on the reserved moorage waitlist shall pay an initial sign-up fee of ~~\$50.00~~ 61.80 and an annual fee of ~~\$10.00~~ 12.36 payable by March 1 of each year that the person wishes to remain on the waitlist.

...

Section 21. Amendment of Section. 05 CBJAC 20.170 Private boathouse surcharge, is amended to read:

05 CBJAC 20.170 Private boathouse surcharge.

...

- (d) *Fair market rent.* The fair market rent used to compute the annual fee is ~~\$0.13~~ .14 per square foot.

Section 22. Amendment of Section. 05 CBJAC 20.175 Fee for delivery and sale of fuel at the Auke Bay Loading Facility, is amended to read:

05 CBJAC 20.175 Fee for delivery and sale of fuel at the Auke Bay Loading Facility.

...

- (b) A fee of ~~\$0.05~~ .055 per gallon of fuel will be assessed to all retailers selling fuel to a vessel at the Auke Bay Loading Facility.

...

Section 23. Amendment of Section. 05 CBJAC 20.210 Auke Bay Loading Facility – Float Moorage, is amended to read:

05 CBJAC 20.210 Auke Bay Loading Facility—Float Moorage.

- (a) The fee to use the Auke Bay Loading Facility Float shall be as follows:
 - (1) No cost for the first two hours using the float.

- (2) ~~\$0.75~~ .93 per linear foot per calendar day for using the float for more than two hours and up to three calendar days.
- (3) ~~\$1.50~~ 1.85 per linear foot per calendar day for using the float for more than three calendar days and up to seven calendar days.
- (4) ~~\$3.00~~ 3.70 per linear foot per calendar day for using the float for seven calendar days or more.

...

Section 24. Amendment of Section. 05 CBJAC 20.220 Auke Bay Loading Facility Float – Mechanical Work Zone, is amended to read:

05 CBJAC 20.220 Auke Bay Loading Facility Float—Mechanical Work Zone.

- (a) The rate for the Docks and Harbors Auke Bay Loading Facility Float Mechanical Work Zone shall be as follows:
 - (1) ~~\$0.75~~ .93 per linear foot per calendar day for the first three days.
 - (2) ~~\$1.50~~ 1.85 per linear foot per calendar day for days four through seven.
 - (3) ~~\$3.00~~ 3.70 per linear foot per calendar day in excess of seven days.

Section 25. Amendment of Section. 05 CBJAC 30.010 Shorepower access fees, is amended to read:

05 CBJAC 30.010 Shorepower access fees.

...

- (e) *Daily shorepower access fees.* Fees to access shorepower on a daily basis are as follows:

Connection Type	Fee
20 amp (120V, 1 phase)	\$6.00 <u>7.41</u>
30 amp (120V, 1 phase)	9.00 <u>11.29</u>
50 amp (208V, 1 phase)	25.00 <u>30.90</u>
50 amp (208V, 3 phase)	52.00
100 amp (208V, 3 phase)	86.00 <u>106.30</u>
100 amp (480V, 3 phase)	198.00 <u>244.73</u>

(f) *Summer monthly shorepower access fees.* Fees to access shorepower on a monthly basis during the months of May, June, July, August, and September are as follows:

Connection Type	Liveaboard Fee	Non-Liveaboard Fee
20 and 30 amp	\$90.00 <u>112.25</u>	\$54.00 <u>66.75</u>
50 amp	180.00 <u>244.73</u>	108.00 <u>133.49</u>
100 amp/208 volt	420.00 <u>519.13</u>	252.00 <u>311.48</u>
100 amp/480 volt	990.00 <u>1,223.67</u>	588.00 <u>726.78</u>

(g) *Winter monthly shorepower access fees.* Fees to access shorepower on a monthly basis during the months of October, November, December, January, February, March, and April are as follows:

Connection Type	Liveaboard Fee	Non-Liveaboard Fee
20 amp	\$120.00 <u>148.33</u>	\$72.00 <u>89.00</u>
30 amp	162.00 <u>199.88</u>	96.00 <u>118.66</u>
50 amp	300.00 <u>370.81</u>	180.00 <u>222.48</u>
100 amp/208 volt	720.00 <u>889.94</u>	420.00 <u>519.13</u>
100 amp/480 volt	1,680.00 <u>2,076.53</u>	972.00 <u>1,201.42</u>

...

Section 26. Amendment of Section. 05 CBJAC 40.010 General moorage management policy, is amended to read:

05 CBJAC 40.010 General moorage management policy.

...

(g) *Vessel salvage and disposal.*

(1) Prior to obtaining a moorage assignment pursuant to 05 CBJAC 40.035, 050, 055, or 065, the owner of a vessel must

...

(ii) pay a non-refundable moorage surcharge ~~\$0.25~~ .31 per foot per month.

...

Section 27. Amendment of Section. 05 CBJAC 40.065 Vessel anchoring requirements, is amended to read:

05 CBJAC 40.065 Vessel anchoring requirements.

- (d) *Permits.* The owner, operator, master, or managing agent of a vessel must submit an application for an anchoring permit on a form provided by the Port Director.

...

- (2) *Long-term permit.* The Port Director may issue a long-term permit for a vessel anchoring out for 14 to 90 days. No vessel may receive a long-term permit or a combination of permits for anchorage of more than 90 days in any 12-month period.

- (A) A ~~\$100.00~~ 109.00 non-refundable application fee is required to apply for a long-term permit. In addition, the daily fee for anchorage is ~~\$0.25~~ 0.27 per foot.

...

Section 28. Notice of Proposed Adoption of a Regulation.

The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on ____[date public comment notice begins in Juneau Empire]____, which is not less than 21 days before the date of adoption of these regulations as set forth below.

Adoption by Agency

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: _____

Carl Uchytel
Port Director

Legal Review

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority following each section; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: _____

Emily L. Wright
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of _____. They were adopted by the Assembly.

Date: _____

Elizabeth J. McEwen, Municipal Clerk

Filing with Clerk

I certify, as the Clerk of the City and Borough of Juneau, that the following statements are true:

- (1) These regulations were accepted for filing by the office of the clerk at ____:____ a.m./p.m. on the _____ day of _____, _____.
- (2) After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
- (3) A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
- (4) Effective date: _____.

Date: _____

Elizabeth J. McEwen, Municipal Clerk



Port of Juneau

City & Borough of Juneau • Docks & Harbors
155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

NOTICE OF PROPOSED CHANGES TO REGULATION Amendment of Title 05, Chapters 15, 20, 30 & 40 Fees and Charges

DOCKS & HARBORS BOARD IS PROPOSING TO INCREASE ALL DOCKS & HARBOR FEES 9%. BELOW IS A FISCAL NOTE CHART WITH THE PROPOSED CHANGES FOR JANUARY 1ST, 2024.

Fee	Regulation	Current Fee FY24	CPI Date	Jan 1 st , 2024 9% increase	Fiscal Note ¹
Dockage Charge	05 CBJAC 15.030	\$1.62/Fishing Vessel, \$3.24/<65 feet, \$5.40/65 feet – 200 feet; and, \$3.24 over 200 feet	April 1st	\$1.77 fishing vessel \$3.53<65 feet; \$5.89 65 feet -200 feet; and, \$3.53 over 200 feet	\$0 \$0 \$1,310 \$90,154
Port maintenance fee	05 CBJAC 15.040	\$0.059 per Net Registered Ton	April 1st	\$0.064 per Net Registered Ton	\$133,124
Vessel Lightering fees	05 CBJAC 15.060	\$1,837.70	April 1st	\$2003.09	\$10,066
Limited Loading Permit	05 CBJAC 15.080	\$17.01/day and \$283.49/year	April 1st	\$18.54/day & 309.00/yr;	\$198
Loading permit fees	05 CBJAC 15.080	\$453.59 company plus \$10.20/seat fee		\$494.41 co. plus \$11.12/seat	\$20,490
Boom truck services	05 CBJAC 15.110	\$136.08 for 1st hour; then, \$68.04 per each 30 minutes	July 1st	\$148.33 for 1st hour; then, \$74.16 per 30 minutes	\$0
Special annual moorage for skiffs	05 CBJAC 20.020	\$340.19/year	July 1st	\$370.81/year	\$1269
Daily moorage fees	05 CBJAC 20.030	\$0.66/ft	July 1st	\$0.72/ft	\$34,904
Monthly moorage fee	05 CBJAC 20.035	Downtown \$4.97/ft; Statter \$8.28/ft	July 1st	Downtown \$5.42/ft Statter \$9.03/ft	\$127,567 \$68,578
Fee for tenders	05 CBJAC 20.045	\$162.15/year \$54.05/month \$0.66/day	April 1st	\$176.74/year \$58.91/month \$0.72/day	\$0
Residence surcharge	05 CBJAC 20.050	\$78.24/month up to 4 residents \$26.08/month over 4	July 1st	\$85.28/month up to 4 residents \$28.43/month over 4	\$9628 \$0
Recreational boat launch fees	05 CBJAC 20.060	\$17/day & \$102.06/year (Recreational) \$34.02/day & \$283.49 (Commercial)	July 1st	\$18.53/day & \$111.25/year \$37.08/day & \$309.00/year	\$248 & \$15,005 \$476 & \$9
Fees for commercial use of boat launches	05 CBJAC 20.070	Inspected \$615.95/year & \$1.78 per pass Uninspected \$185.50/yr \$1.78 per pass	April 1st	Ins \$671.39/yr & \$1.94/pass Un \$202.20/yr & \$1.94/pass	\$872 \$17
Passenger-for-hire fee	05 CBJAC 20.080	Inspected \$615.95/ \$1.78 per pass Uninspected \$185.50/\$1.78 per pass	April 1st	Inspected \$671.39/\$1.94 Uninspected \$202.20/\$1.94	\$66,963 \$933
Statter lower parking lot permit fee (busses)	05 CBJAC 20.090	\$340.19/company fee \$17.01/seat	April 1st	\$370.81/company fee \$18.54/seat	\$733 \$5209
Grid usage fees	05 CBJAC 20.100	\$1.14/ft per day	July 1st	\$1.24/ft per day	\$199
Crane use fees	05 CBJAC 20.110	\$5.66/15 minutes	July 1st	\$6.17/15 minutes	\$1488
Storage fees	05 CBJAC 20.130	\$0.56/sf per month	July 1st	\$0.61/sf per month	\$5461
Vessel Storage – ABLF:					
• May through Sept up to five days		\$1.08/sf per day		\$1.18/sf per day	\$0
• May through Sept after five days		\$3.24/sf per day		\$3.53/sf per day	\$0
• Oct through April per month		\$8.65/sf per month		\$9.43/sf per month	\$0
• Boat Stand Rental		\$108.10/sf per month		\$117.83/sf per month	\$0
Staff labor fees	05 CBJAC 20.140	\$85.04/hr	April 1	\$92.69/hr	\$550
Boat Charge per hour		\$131.13/hr		\$142.93/hr	(estimate)
Reserved moorage waitlist fee	05 CBJAC 20.150	\$56.70/initial application; and, \$11.34/year	July 1st	\$61.80 initial application; and, \$12.36/year	\$112 \$74
Private Boat Surcharge	05 CBJAC20.170	\$0.13/sf	July 1st	\$0.14/sf	\$703
ABLF Fee for Delivery/Sale of fuel	05 CBJAC20.175	\$0.05/gallon	July 1st	\$0.055/gallon	\$67

Auke Bay Loading Facility—Float Moorage	05 CBJAC 20.210	1-3 day \$0.85/foot; 4-6 days \$1.70/foot; After 7 days \$3.39/foot	July 1st	1-3 days \$0.93/foot; 4-6 days \$1.85/foot; After 7 days \$3.70/foot	\$3418 \$454 \$88
Auke Bay Loading Facility Float—Mechanical Work Zone	05 CBJAC 20.220	1-3 day \$0.85/foot; 4-6 days \$1.70/foot; After 7 days \$3.39/foot	July 1st	1-3 days \$0.93/foot; 4-6 days \$1.85/foot; After 7 days \$3.70/foot	\$24 \$0 \$0
Shorepower access fees	05 CBJAC 30.010	20 amp - \$6.80/day 30 amp - \$10.20/day 50 amp - \$28.35/day 100 amp (208V) - \$97.52/day 100 amp (480V) - \$224.52/day 20 & 30 amp (Summer Liveaboard): \$102.06/month 20 & 30 amp (Summer Non-Liveaboard): \$61.24/month 50 amp (Summer Liveaboard): \$224.52/month 50 amp (Summer Non-Liveaboard): \$122.47/month 100 amp/208V (Summer Liveaboard): \$476.27/month 100 amp/208V(Summer Non-Liveaboard): \$285.76/month 100 amp/480V(Summer Liveaboard): \$1122.63/month 100 amp/480V(Summer Non-Liveaboard) \$666.77/month 20 amp (Winter Liveaboard): \$136.08/month 20 amp (Winter Non-Liveaboard): \$81.65/month 30 amp (Winter Liveaboard): \$183.38/month 30 amp (Winter Non-Liveaboard): \$108.86/month 50 amp (Winter Liveaboard): \$340.19/month 50 amp (Winter Non-Liveaboard): \$204.11/month 100 amp/208V (Winter Liveaboard): \$816.46/month 100 amp/208V(Winter Non-Liveaboard): \$476.27/month 100 amp/480V (Winter Liveaboard): \$1905.07/month 100 amp/480V(Winter Non-Liveaboard): \$1102.22/month	July 1st	20 amp - \$7.41/day 30 amp - \$11.12/day 50 amp - \$30.90/day 100 amp (208V) - \$106.30/day 100 amp (480V) - \$244.73/day 20 & 30 amp (Summer Liveaboard): \$111.25/month 20 & 30 amp (Summer Non-Liveaboard): \$66.75/month 50 amp (Summer Liveaboard): \$244.73/month 50 amp (Summer Non-Liveaboard): \$133.49/month 100 amp/208V (Summer Liveaboard): \$519.13/month 100 amp/208V(Summer Non-Liveab'rd): \$311.48/month 100 amp/480V(Summer Liveaboard): \$1223.67/month 100 amp/480V(Summer Non-Liveab'rd) \$726.78/month 20 amp (Winter Liveaboard): \$148.33/month 20 amp (Winter Non-Liveaboard): \$89.00/month 30 amp (Winter Liveaboard): \$199.88/month 30 amp (Winter Non-Liveaboard): \$118.66/month 50 amp (Winter Liveaboard): \$370.81/month 50 amp (Winter Non-Liveaboard): \$222.48/month 100 amp/208V (Winter Liveaboard): \$889.94/month 100 amp/208V(Winter Non-Liveaboard): \$519.13/month 100 amp/480V (Winter Liveaboard): \$2076.53/month 100 amp/480V(Winter Non-Liveaboard): \$1201.42/month	\$880 \$2574 \$1909 \$1168 \$222 \$780 \$18,030 \$340 \$574 \$0 \$0 \$0 \$0 \$0 \$86 \$468 \$329 \$2235 \$398 \$468 \$0 \$0 \$0 \$0
General moorage management policy	05 CBJAC 40.010	\$0.28/foot	July 1st	\$0.31/foot	\$1895
Vessel anchoring requirements	05 CBJAC 40.065	\$100 application; plus \$0.25/foot	July 1st	\$109 application; plus, \$0.27/foot	\$0

The above regulation is proposed for adoption pursuant to CBJ's 01.60 and CBJ 85.02.060, and CBJ 85.02.100. Interested persons may obtain a full copy of the proposed regulation at any harbor offices, at CBJ libraries, at CBJ Clerk's Office, online at www.juneau.org/harbors/proposed_regulations.php or obtain more information by calling the Harbormaster at 907-586-5255. In accordance with 01.60.220(a), fiscal notes on regulations, there is no anticipated increase in appropriations to carry out these regulation changes. In accordance with 01.60.220(b), fiscal notes on regulations, the value placed in column represents the anticipated increase in Docks & Harbors revenue for a twelve month period following implementation of the new rates.

The Board is holding a public hearing and intends to take final action on the proposed changes at a Special Board meeting on **September _____ at 5 pm in CBJ Room 224 and via zoom meeting**. If this is approved by the Board it will move to the Assembly for their final approval. Written comments may also be submitted to the Port Director's Office by fax at (907) 586-0295, by hard copy at 76 Egan Drive, and online by web form at the above web address until 4:30 p.m. September _____ 2023.

#

¹01.60.220. - Fiscal notes on regulations.

(a) If adoption of a regulation would require increased appropriations by the municipality, the agency affected shall prepare and the director of finance shall approve an estimate of the appropriation increase for the fiscal year following adoption, amendment, or repeal of the regulation and for at least two succeeding fiscal years.

(b) If adoption of a regulation would impose costs on persons subject to the regulation, the agency proposing the regulation shall prepare an estimate of such costs for the fiscal year following adoption, amendment, or repeal of the regulation and for at least two succeeding fiscal years. The estimate under this subsection shall include the direct capital and operating costs of compliance, but not the costs or savings, if any, attributable to secondary impacts, lost or gained efficiencies, lost or gained profits, goodwill, customer convenience or inconvenience, or similar indirect effects. The estimate to be prepared under this subsection is intended as a guide to approximate costs and not as an authoritative assessment of the costs of compliance.

RECORD DRAWINGS
11/11/2015

CAMERON D. DUNCAN
STATE OF CALIFORNIA
REGISTERED
PROFESSIONAL ENGINEER
STRUCTURAL
No. S4150

U. S. COAST GUARD
FACILITIES DESIGN &
CONSTRUCTION CENTER



DETACHMENT SEATTLE
915 SECOND AVENUE, ROOM 2664
SEATTLE, WASHINGTON 98174-1011

ISSUE		
MARK	DATE	DESCRIPTION
	11/11/15	RECORD DRAWINGS

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CAD FILE NAME: 4138942SA102.DWG
DESIGNED BY: CDD
DRAWN BY: ESN
EDITED BY: ESN
CHECKED BY: RWS

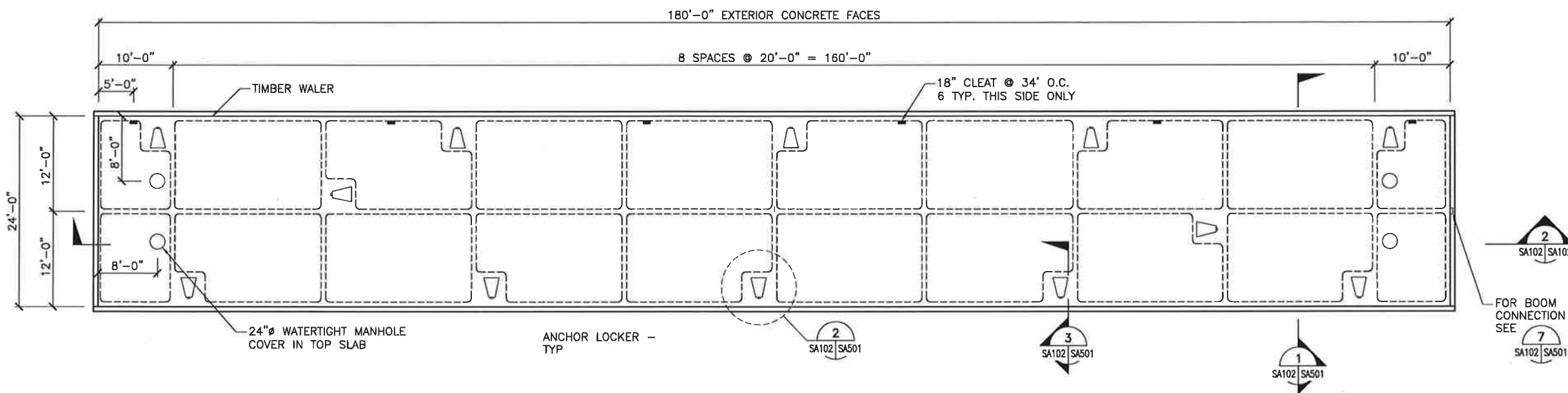
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SHEET TITLE

FRC HOMEPORTR UPGRADES
BASE KETCHIKAN ALASKA
WATERFRONT
STRUCTURAL
(E) WAVE ATTENUATOR PLAN

REVIEWED BY:	REVIEWED BY:	REVIEWED BY:
PROJECT ENG.	BRANCH CHIEF	TECH. DIRECTOR

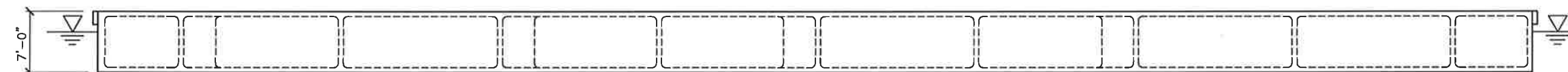
APPROVING OFFICER	DATE
PROJECT NUMBER	DRAWING NUMBER
4138942	4138942SA102
DISCIPLINE/SHIT NO	
SA102	



EXISTING PONTOON - PLAN

SCALE: 1/8" = 1'-0"

SA101 SA102

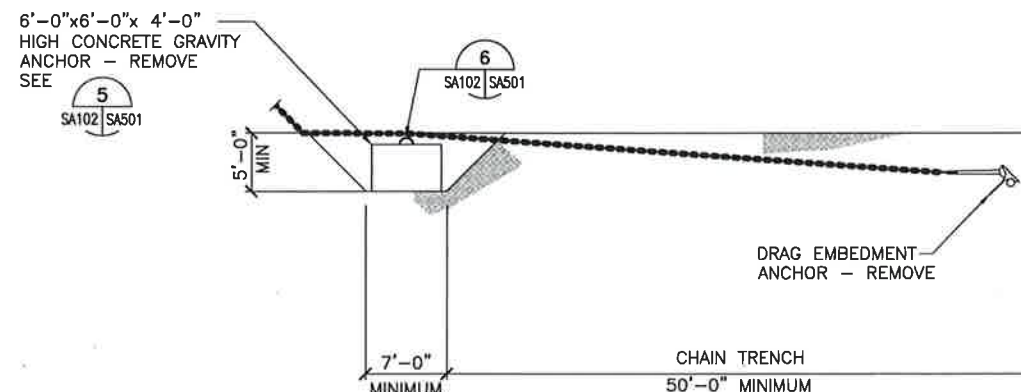


EXISTING PONTOON - ELEVATION

SCALE: 1/8" = 1'-0"

SA102 SA102

NOTE:
ALL FLOAT COMPARTMENTS ARE FILLED
W/ EXPANDED POLYSTYRENE (EPS)



EXISTING GRAVITY/ STOCKLESS ANCHOR - DETAIL

SCALE: 1/8" = 1'-0"

SA101 SA102

RECORD DRAWING
DATED - 11/11/2015

GRAPHIC SCALE:



#8 = ANCHOR SET NUMBER

CONSULTANTS

RECORD DRAWINGS
11/11/2015

CAMERON D. DUNCAN
STATE OF CALIFORNIA
REGISTERED
PROFESSIONAL ENGINEER
STRUCTURAL
No. S4150

U. S. COAST GUARD
FACILITIES DESIGN &
CONSTRUCTION CENTER



DETACHMENT SEATTLE
915 SECOND AVENUE, ROOM 2664
SEATTLE, WASHINGTON 98174-1011

ISSUE		
MARK	DATE	DESCRIPTION
	11/11/15	RECORD DRAWINGS

A/E PROJECT NO: 4138942
CAD FILE NAME: 4138942SA103.DWG
DESIGNED BY: CDD
DRAWN BY: ESN
EDITED BY: ESN
CHECKED BY: RWS

SCALE: AS INDICATED PLOT SCALE: 1 : 1

SHEET TITLE

FRC HOMEPORT UPGRADES
BASE KETCHIKAN
KETCHIKAN ALASKA
WATERFRONT
STRUCTURAL
NEW WAVE ATTENUATOR PLAN

REVIEWED BY: REVIEWED BY: REVIEWED BY:
PROJECT ENG. BRANCH CHIEF TECH. DIRECTOR

APPROVING OFFICER DATE

PROJECT NUMBER DRAWING NUMBER

4138942 4138942SA103

DISCIPLINE/SHT NO. SHEET 80 OF 34

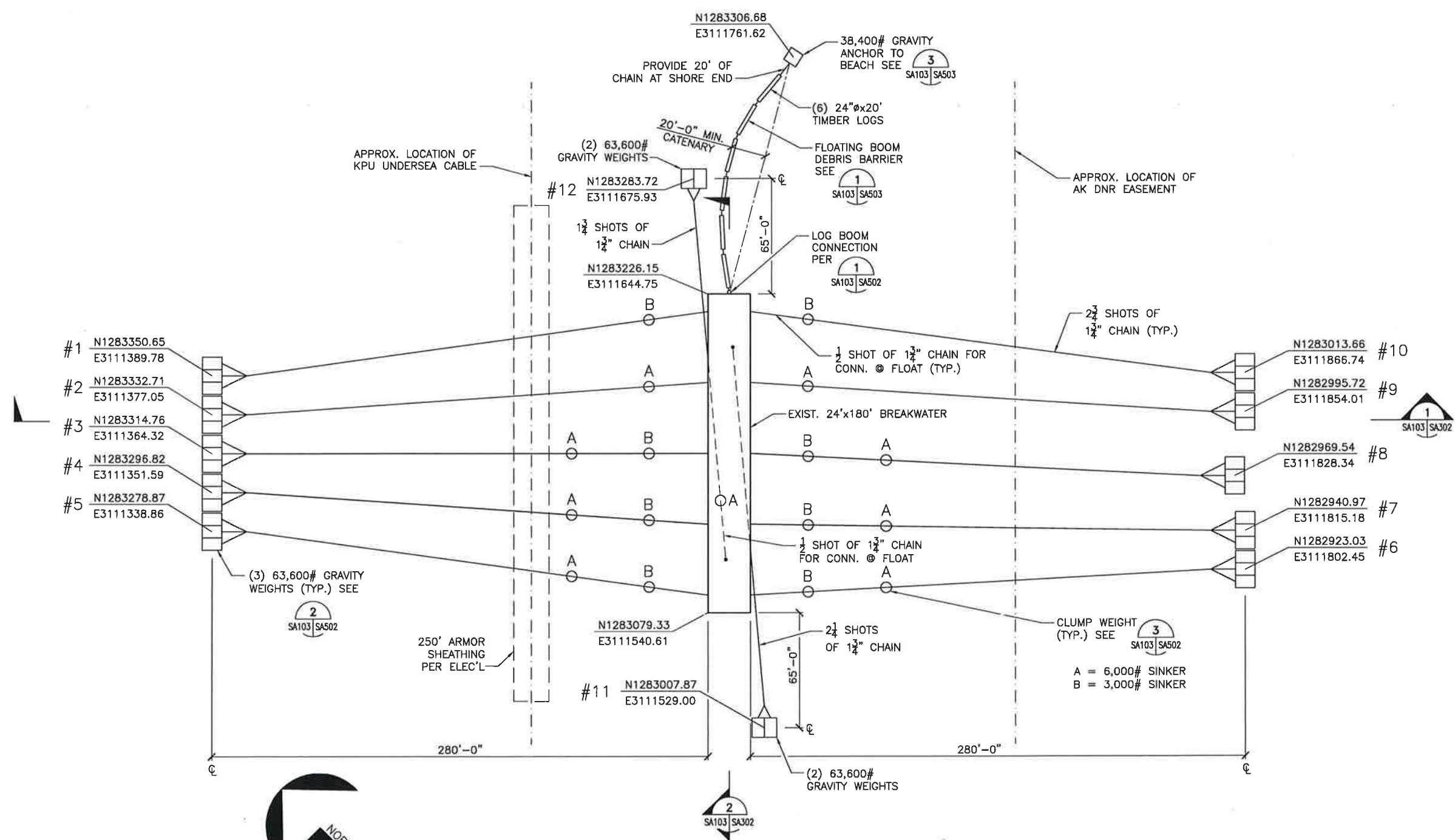
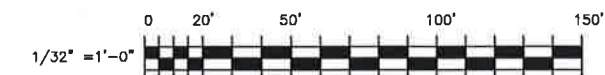
NEW WAVE ATTENUATOR MOORING ARRANGEMENT

SCALE: 1/32" = 1'-0"

1
SW101/SA103

RECORD DRAWING
DATED - 11/11/2015

GRAPHIC SCALE:



RECORD DRAWINGS
11/11/2015

U. S. COAST GUARD
FACILITIES DESIGN &
CONSTRUCTION CENTER



DETACHMENT SEATTLE
915 SECOND AVENUE, ROOM 2664
SEATTLE, WASHINGTON 98174-1011

ISSUE

MARK	DATE	DESCRIPTION
	11/11/15	RECORD DRAWINGS

A/E PROJECT NO:	4138942
CAD FILE NAME:	4138942SW103.DWG
DESIGNED BY:	CDD
DRAWN BY:	ESN
EDITED BY:	ESN
CHECKED BY:	RWS

SCALE: AS INDICATED PLOT SCALE: 1 : 1

SHEET TITLE

FRC HOMEPORT UPGRADES
BASE KETCHIKAN
KETCHIKAN ALASKA
WATERFRONT
STRUCTURAL
BATHYMETRIC SURVEY: 1"=60'

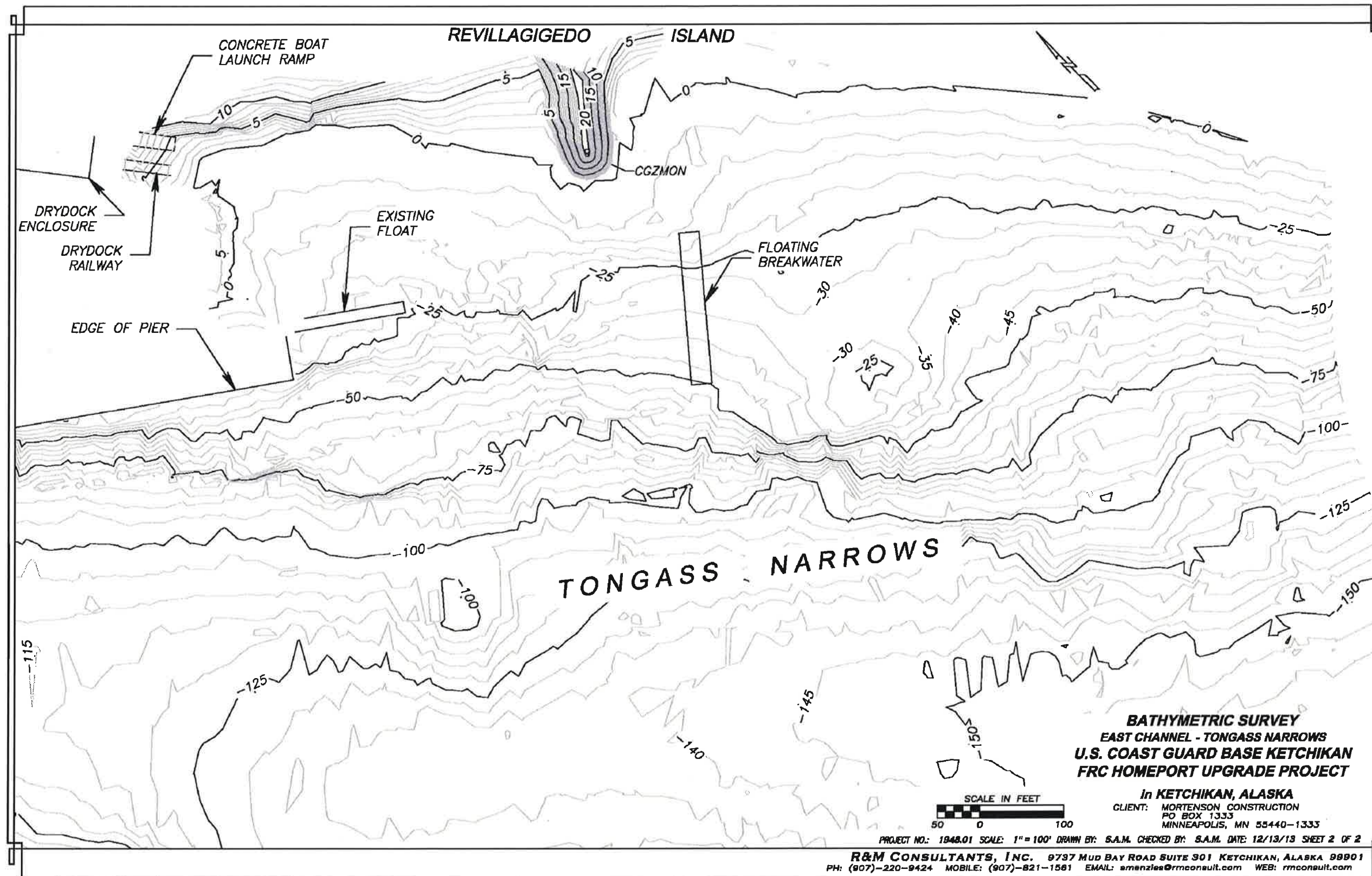
REVIEWED BY:	REVIEWED BY:	REVIEWED BY:
PROJECT ENG.	BRANCH CHIEF	TECH. DIRECTOR

APPROVING OFFICER	DATE
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PROJECT NUMBER	DRAWING NUMBER
----------------	----------------

4138942 4138942SW103

DISCIPLINE/SHT NO. SHEET 47 OF 35



SCALE: 1" = 60' WHEN PLOTTED ON 22x34 SHEET

GRAPHIC SCALE:



RECORD DRAWING
DATED - 11/11/2015



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Port Director
To: Neil MacKinnon
Date: August 31th, 2023
Re: BOAT SHELTER (AG-24 & AG-25) – FOR SALE

1. In accordance with 05 CBJAC 40.020, Mr. Neil MacKinnon provided notice of intentions to sell Boat Shelter (AG-24/25) in Aurora Harbor on August 10th. Docks & Harbors has the first right of refusal to purchase this structure at fair market value.

2. The applicable “Boat shelter sales” regulation states:

05 CBJAC 40.020(f) - Boat shelter sales. Reserved moorage status within a boat shelter may transfer between the seller and buyer of a boat shelter. In order to transfer the reserved moorage status within a boat shelter, the owner of a boat shelter shall inform the Port Director of the owner's desire to sell a shelter before offering the shelter for sale to the general public. The Docks and Harbors Board has the first right of refusal to purchase the shelter at fair market value. If the Board does not exercise its first right of refusal within 30 days after notice, the owner may offer the shelter for sale to the general public. If the owner sells the shelter without informing the Port Director and allowing the Docks and Harbors Board its first right of refusal, the reserved moorage within the shelter will not transfer to the buyer. This subsection does not allow an inappropriately sized vessel to be assigned reserved moorage space within a boat shelter.

3. The Docks & Harbors Board is waiving its right of first refusal to purchase which will allow Mr. Neil MacKinnon to sell Boat Shelter AG-24/25 on the open market to the general public.

#



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Port Director

To: City & Borough Assembly

Via: (1) Docks & Harbors Board
(2) City Manager

Date: August xxth, 2023

Re: CBJ DOCK ELECTRIFICATION - UPDATE

1. At the August 8th, 2022 Committee of the Whole meeting, a [memo](#) was provided to the Assembly outlining a process to bring shore power to the two CBJ owned docks through the results of the [2022 Juneau Cruise Ship Dock Electrification Report](#). The memo noted numerous positive events which are advancing the opportunities to bring clean hydroelectric shore power to visiting cruise ships. Some of these actions include the strong support from the cruise industry to pursue the AK/BC/WA Maritime Green Corridor; significant consultation with the local electrical utility company (AELP) along with other Juneau partners, stakeholders and community members; continued pursuit for federal grants; and, Assembly prioritization of local passenger fees for funding dock electrification.
2. The August 2022 plan enabled the ordering of a LTC (Load Tap Changer) transformer for the South Franklin Dock (SFD) substation, which is a precursor requirement in providing shore power at additional docks in Juneau. Refreshing this 22-year old equipment with current technology will significantly improve the flexibility of the SFD substation to meet the voltage levels required by the cruise ships and ultimately allow cruise ships which are currently connecting to be on shore power for a longer period of time. The \$2.26M procurement package for the LTC transformer is underway and AELP is reviewing the manufacturer's shop drawings. It is anticipated that the LTC transformer will be installed in the fall of 2024.
3. Docks & Harbors has been meeting with AELP nearly weekly since January to plan and evaluate options to bring shore power to the CBJ owned docks. These joint efforts have included exhaustive interviews with US port executives, manufacturers of electrical equipment, manufacturers of cable management systems and consultants with proprietary systems providing "power conditioning" to cruise ship port clients. With the potential electrification for three or four different dock owners within the Port of Juneau, it is abundantly clear that the preferred solution must be in concert with AELP's expertise and guidance. After speaking with global

consultants and equipment suppliers, it is not an overstatement that Juneau will be the most technologically challenging port worldwide to electrify. This is essentially due to stepping down 69kV transmission voltage to 11kV/6.6kV distribution voltage along a steep mountainside; then to submarine cables/small float with a 25-foot tidal range to a cable management system; and finally connecting to the ship's onboard system. I know of no other port in the world that has less useable uplands than Juneau for electrical infrastructure laydown.

4. The 2022 Dock Electrification report estimated the cost to electrify both the Alaska Steamship (AS) and Cruiseship Terminal (CT) Docks to be \$25M. However, this estimate is based on cost data, pre-pandemic. Extrapolating from our recent Aurora Harbor electrical bid tabs and from open-source news from other US ports adding shore power, anticipating a \$20M project per dock is not unreasonable. The financing plan which was presented to the August 2022 COW suggested that funding for the AS/CT Docks would be through dedicated revenues bonds with the cruise ship docks as fiscal collateral. It is now understood that new revenue bonds cannot encumber existing facilities with bonds. However, it may be possible to leverage revenue bonds which utilize future passenger fees as the funding source to service the bond debt. Additionally, CBJ Law has opined that "no general obligation indebtedness of the municipality may be incurred" unless authorized by voters. Another funding option available to CBJ could be through a loan offered by the USDA Rural Energy Savings Program (RESP) program and administered thorough JEDC. In summary, this means other means of financing must be considered including passenger fees, loans and federal grants.
5. In 2022, Docks & Harbors unsuccessfully applied for two US DOT federal grants:
 - \$25M FY22 RAISE (Rebuilding American Infrastructure with Sustainability & Equity); and,
 - \$25M FY22 PIDP (Port Infrastructure Development Program)

It is our intentions to apply for FY23 EPA DERA (Diesel Emissions Reduction Act) grant, due December 1st, which can provide a maximum of \$1.5M per application. As well as applying for an upcoming IRA (Inflation Reduction Act) EPA Clean Ports Program grant. Although the Clean Port Program - Notice of Funding Opportunity (NOFO) is not expected until the first quarter of calendar year 2024, it is anticipated that up to \$3B will be made available for ports.

6. With the FY24 commitment of \$5M from passenger fees, the Dock Electrification CIP has \$5.38M. It is Docks & Harbors intentions to continue to leverage these funds toward grant opportunities and build a balance which is sufficient to contract for electrifying the AS Dock. Working with AELP, we will develop a strategy to procure engineering services, electrical equipment and construction contracts necessary to advance the community goal of reducing cruise ship emissions in Juneau Harbor.

#

Copy: AELP
JCOS
JEDC

Docks & Harbors Board Member Training

CBJ LAW DEPARTMENT

August 2023

Nicole Lynch, Assistant Municipal Attorney

Emily Wright, Assistant Municipal Attorney

Topics

- CBJ Charter & Code
- Open Meetings Act
- Public Records Act
- Conflict of Interest

Charter:

- Charter is local “constitution”
- CBJ is a Home Rule Muni. (Sec. 2.1)
- Docks and Harbors Board (Sec. 3.21)

Code:

- Docks and Harbors Board (Chapter 85.02)
 - Found here:
https://library.municode.com/ak/juneau/codes/code_of_ordinances
 - Must meet at least once a month (85.02.040)
 - Broad policy authority (85.02.060)
 - Quorum = 5

Open Meetings Act (OMA)

- **A.S. 29.20.020, A.S. 44.62.310, Charter 3.12(d)**
 - ❖ All meetings to be public
 - ❖ Reasonable notice of meetings
 - ❖ Public have an opportunity to comment at regular and special meetings
 - ❖ Executive session (generally for deliberation only)

OMA: What *is* a Meeting?

- ❖ Decision-making or Policy-making board
 - (a) When more than 3 members or a majority, whichever is less, are present and (b) consider a topic that the board is empowered to act upon.
- ❖ Advisory-only board (i.e. subcommittee)
 - (a) a prearranged gathering of board members (b) for the purpose of considering a topic that the body is empowered to act upon

OMA: Executive Session Substance

- ❖ Closed-door deliberation permissible for
 - Immediate knowledge of which would adversely affect CBJ finances (i.e. labor contracts, land deals)
 - Defame or prejudice a person (i.e. evaluations)
 - Appeals or grievance

See AS 44.62.310(c).

OMA: Executive Session Process

1. Notice of topic in agenda,
2. Motion to move into executive session,
3. (If personnel matter, subject person veto right),
4. Deliberate in executive session; no action,
5. Return to public meeting to take action.

Public Records Act

- **A.S. 40.25.110, Charter 15.7, CBJ 01.70**
- Two big rules:
 - 1) Every person has the right to inspect public record unless an exception applies.
 - 2) Strong presumption in favor of disclosure.
- Applies to board emails, texts, documents, even if on your personal devices.
- **Best Practice: keep work at work, keep work on work devices, and don't use text messages for substance.**

Conflict of Interest

You are a municipal officer

You are prohibited from using your position to:

- ❖ Gain a benefit
- ❖ Secure employment or contracts
- ❖ Take or withhold action if you have personal/financial interest
- ❖ Use CBJ time or equipment for personal/financial interest
- ❖ Vote or deliberate if you have a personal/financial interest

Conflict of Interest

❖ Financial conflict of interest

- Any interest held by the municipal officer or an immediate family member from which the person has received w/in 3yrs or expects to receive compensation (business, property, relationship).

❖ Personal conflict of interest

- Not a financial interest but includes any material exchange of promise, service, privilege, exemption, patronage, or advancement.

Conflict of Interest: **Best Practice**

- ❖ If in doubt, contact your attorney (CBJ Law)
 - **Shield:** If you act consistent with attorney advice, then you are immune from personal liability
- ❖ Close calls, disclose in meeting

Resources

❖ **Docks & Harbor Staff**

❖ **City Clerks**

❖ **CBJ Law Department**



AURORA HARBOR REBUILD PHASE IV

Alaska Department of Transportation & Public Facilities
Municipal Harbor Facility Grant Application

Submitted by:



City and Borough of Juneau
Docks & Harbors
Carl Uchtyl, Port Director
155 South Seward Street
Juneau, Alaska 99801

Prepared by:



DOWL

DOWL
9085 Glacier Highway,
Suite 102
Juneau, Alaska 99801

August 4, 2023

TABLE OF CONTENTS



TABLE OF CONTENTS

REQUIRED ITEM	LOCATION OF CONTENTS and SUPPORTING INFORMATION
Full Application	Application
Block 1	Appendix A: Project Summary
Block 2	Application
Block 3	Application
Block 4	Appendix B: Scope, Schedule, and Cost Estimate
Block 5	Appendix C: Prior Grant Closeout Waiver
Block 6	Appendix D: Bill of Sale
Block 7	Appendix E: Capital Improvement Project
Block 8	Appendix F: 50% Match Funding
Block 9	Appendix G: Property Loss Insurance
Block 10	Appendix H: Preventative Maintenance Plan
Block 11	Appendix I: Finance Plan
Block 12	Appendix D: Bill of Sale
Block 13	Appendix I: Finance Plan
Block 14	Appendix J: Safety Issues
Block 15	Appendix K: Past Maintenance Expenditures
Block 16	Appendix L: Range of Options
Block 17	Appendix M: Resolution of Support
Block 18	Application

APPLICATION





Application for a Harbor Facility Grant

FFY2025

Please read the entire Grant Program's Instructions (Form DOT&PF H-27268) carefully before attempting to fill out this application to ensure full consideration. For each funding request, submit one (1) original and one (1) complete copies of this application with all attachments.

Harbor Facility Name:	Aurora Harbor	
Municipality or Regional Housing Authority:	City and Borough of Juneau	
Address:	155 South Seward Street	
	Juneau, Alaska 99801	
Principle Contact:	Matthew Sill, PE, Port Engineer	
Phone & Email:	907.586.0398	Matthew.Sill@juneau.gov

TYPE OF PROJECT AND FUNDING REQUEST

Eligible harbor facility items of work	Non-eligible harbor facility items of work
<ul style="list-style-type: none"> Approach structures Pilings and anchors Access ramps and gangways Float systems for permanent and transient moorage Floating breakwaters Utility systems integral to the float systems (specifically power, lights, fresh water, sewage pump out, and fire protection) Launch ramps Seaplane floats Portable or trailer mounted equipment for firefighting, sewage pump out, oily bilge water, etc. Other appurtenances necessary for the basic operation of the harbor facility Third party contracts for construction management and inspection services 	<ul style="list-style-type: none"> Dredging, blasting or mechanical removal of harbor basin materials Rubble-mound breakwaters and revetments Dikes, groins, and jetties Wharfs and docks for large commercial or tourist marine vessels (greater than 125 feet LOA) Seawalls, bulkheads, sheet pile walls, gabions, and quays Access roads and upland improvements Boat houses Commercial or privately owned utility systems on the float systems Fuel and oil distribution systems Platform floats for small buildings, restrooms, or commercial retail space Landscaping and facility amenities, e.g., trash receptacles, used oil collection tanks, storage/locker boxes, etc. Security or close circuit television video (CCTV) systems Utility system improvements beyond the harbor facility limits, e.g., electrical and water/sewer line extensions to bring those services to the harbor facility Harbormaster offices, buildings, offices, shops, boat yards or storage structures Vessel hoisting machinery and boat haul-out systems Planning and engineering studies, land acquisition or bidding documents, i.e. Plans and Specifications

REFERENCE THE INSTRUCTIONS (DOT&PF FORM H-27268)

(Block 1)

PROJECT SUMMARY – This is a brief summary describing the purpose and need for the project in a supportive narrative.

Aurora Harbor is Juneau’s largest harbor basin, serving a diverse mix of commercial fishing and sightseeing vessels, along with privately owned vessels of all sizes. Aurora Harbor plays a vital role in supporting maritime recreational activities, tourism, and economic growth in Juneau.

Aurora Harbor was constructed by the State of Alaska Division of Water & Harbors in multiple phases through the 1960s until the final float installation in 1975. The State of Alaska transferred ownership of the harbor to the City and Borough of Juneau (CBJ) in 2003, which prompted a condition assessment that resulted in critical findings that indicated that the float system and associated infrastructure had reached the end of its safe working life.

In the following years, CBJ has worked towards replacement of the deteriorated infrastructure and have completed construction of the first two phases of the Aurora Harbor Rebuild. Phase III is currently under construction and will be complete in the Spring of 2024.

In the meantime, the floats remaining in the north end of the harbor basin continued to deteriorate and were condemned by CBJ. In the Summer of 2020, CBJ Docks and Harbors staff initiated the demolition of the remaining floats due to the extreme hazard posed to the public.

Aurora Harbor Rebuild Phase IV will complete the recapitalization effort first envisioned in 2003, and it will restore the harbor capacity that has been missing since the deteriorated float system was demolished. Phase IV includes the installation of two final mainwalks, I and J, as well as the headwalk float and the refurbishment and reinstallation of a salvaged gangway on an extension to the existing approach dock.

See Appendix A | Block 1: Project Summary for additional discussion of the purpose and need for this project.

(Block 2)

a. Indicate if this application is for a Tier I or a Tier II grant.

b. Indicate the type of work project (check all that apply and indicate % of total project construction cost)

<input type="checkbox"/> <u>Tier I application</u>	
<input type="checkbox"/> Major Maintenance	%
<input type="checkbox"/> Major Repair or Replacement	%

<input checked="" type="checkbox"/> <u>Tier II application</u>	
<input type="checkbox"/> Major Maintenance	%
<input checked="" type="checkbox"/> Major Repair or Replacement	% 100
<input type="checkbox"/> Expansion	%
<input type="checkbox"/> New Construction	%

(Block 3)

Cost Apportionment: Submit a breakdown of the amount and source of project funds for the construction phase of the project. The maximum amount for the proposed harbor grant amount is 50% of the total estimated project cost.

	AMOUNT	% Of TOTAL	SOURCE OF FUNDS
a. Proposed harbor grant amount	\$5M	43 %	Harbor Facility Grant Program (minimum amount is \$50,000)
b. Applicant's share of cost	\$5M	43 %	1% Sales Tax
c. Amounts from state sources		%	Only four state sources eligible
d. Amounts from federal sources		%	
e. Amounts from other sources	\$1.5M	14 %	Harbor General Fund
f. Total estimated project cost	\$11.5M	100 %	

Note: The maximum amount on Line 3a is **\$5 million per municipality or regional housing authority per fiscal year** [Ref: AS 29.60.820(a)]. Applications for two or more harbor facilities in the same year are acceptable as long as the maximum amount is not exceeded by the applicant.

(Block 4)

Scope, Schedule, and Cost Estimate: Attach a detailed project scope (including general layout drawing), schedule and construction cost estimate.



Anticipated Project Dates for the construction phase:

Start Date:	11/1/24	Complete Work:	11/30/25
-------------	---------	----------------	----------

PAST HARBOR FACILITY GRANT FUNDING**(Block 5)**

What AS 29.60.800 administered harbor grant(s) were previously made toward this harbor facility?

DOT&PF Harbor Grant No.	Date the grant was awarded
13-HG-007	10/31/14
17-HG-005	4/10/17
23-HG-004	7/13/22

BASIC ELIGIBILITY REQUIREMENTS (Attach documentation supporting each response)**(Block 6)**

☒ yes ☐ no

Does the municipality or regional housing authority legally own the harbor facility?
[Ref: AS 29.60.810]

(Block 7)

☒ yes ☐ no

Is the project a capital improvement project and not part of a preventive maintenance program or regular custodial care program?
[Ref: AS 29.60.810(1)]

(Block 8)

Does the municipality or regional housing authority have the required 50% local matching funds for construction of the project? [Ref: AS 29.60.810(2)]

☒ yes ☐ no

(Block 9)

Does the municipality or regional housing authority have adequate Property Loss Insurance or an adequate program of insurance for the harbor facility?
[Ref: AS 29.60.810(3)]

☒ yes ☐ no

(Block 10)

Does the municipality or regional housing authority have an existing Preventive Maintenance Plan? [Ref: AS 29.60.810(4)]

☒ yes ☐ no

(Block 11)

Is there documentation that the municipality or regional housing authority will adhere adequately to the preventive maintenance plan after completion of the proposed project?

☒ yes ☐ no

(Block 12) – To establish Tier I eligibility

a. Was the harbor facility once state-owned? [Ref: AS 29.60.820(b)]

☒ yes ☐ no

b. If yes, please include a copy of the Bill of Sale (or a Deed) and fill in the date when the state transferred the harbor facility to the municipality or regional housing authority

☐

Date 4/3/03

MINIMUM REQUIRED RATING CRITERIA (Attach documentation supporting each response)
(Block 13)

Does the municipality or regional housing authority have sufficient revenues to operate and maintain the harbor facility in the future without further state assistance; including total replacement at the end of its design life?
[Ref: AS 29.60.820(c)(1)]

☒ yes ☐ no

(Block 14)

Does this project address public safety or emergency factors?
[Ref: AS 29.60.820(c)(2)]

☒ yes ☐ no

(Block 15)

How much money has the municipality or regional housing authority spent on maintenance of this harbor facility and what were the funds used for?
[Ref: AS 29.60.820(c)(3)]

In 2021 \$ 345,000

Last 5 yrs. \$ 1,618,000

(Block 16)

Has the municipality or regional housing authority explored options that would reduce or eliminate the need for the proposed project?
[Ref: AS 29.60.820(c)(4)]

☒ yes ☐ no

ATTACHMENTS CHECKLIST**(Block 17)**

Please review the application to see that it is complete and that five copies are provided. Please ensure that all attachments are provided and clearly identified (see Section B of the Grant Program's Instructions). Answers to questions 13 through 16 are scored; failure to provide attached responses to these questions will influence the ranking of your grant application.

- ☐ Indicated the kind of tier that this application for a Tier I or II grant (Question 2)
- ☐ Amount of Harbor Facility Grant (Question 3)
- ☐ Source(s) of local match (Question 3)
- ☐ Plan view drawing (Question 4)
- ☐ Detailed project scope, schedule, and budget (Question 4)
- ☐ Proof of harbor facility ownership (Question 6)
- ☐ Documentation that project is a capital improvement (Question 7)
- ☐ Municipality or regional housing authority has the required 50% local match (Question 8)
- ☐ Proof of adequate Property Loss Insurance (Question 9)
- ☐ Documentation of the Preventive Maintenance Plan (Question 10)
- ☐ Proof that harbor facility was once state-owned (Question 12)
- ☐ Documentation that lists the sources and amounts of the Finance Plan, including backup documentation such as letters of award from eligible federal, state, local and private sources (Question 13)
- ☐ Documentation of public safety or emergency factors (Question 14)
- ☐ Documentation of past maintenance expenditures (Question 15)
- ☐ Documentation of options explored (Question 16)
- ☐ Application signed by an authorized representative (Question 18)
- ☐ Resolution of support (optional but encouraged)

CERTIFICATION**(Block 18)**

I hereby certify that I am an authorized municipal or regional housing authority representative, that this application's information is true and correct to the best of my knowledge, that the application has been prepared under the direction of the appropriate local or municipal governing agency, and that this application is submitted in accordance with law. In addition, by signing this application, I agree that I have reviewed and will abide by the Department of Transportation & Public Facilities' "Instructions for completing the Harbor Facility Matching Grant Application" (Form DOT&PF H-27268) and AS 29.60.800 et seq. I understand that failure to comply with this certification will be cause for the Department to withhold a grant award or withdraw a grant offer that may have been extended.

Carl Uchytel, Port Director

(Typed Name and Title of Authorized Representative)


(Signature of Authorized Representative)

APPENDIX A

Block 1: Project Summary

The following pages contain a brief project description and statement of need.



PROJECT SUMMARY

Description and Statement of Need

The CBJ Docks & Harbors department is seeking Alaska Department of Transportation & Public Facilities (DOT&PF) Harbor Facility Grant funding to construct Phase IV of the Aurora Harbor Rebuild Project. Once built, this project will provide much needed infrastructure to ensure Juneau's maritime industry, the third largest economic contributor to the City, continues to grow and expand.

As Alaska's capital city, Juneau is known primarily as a government town. Unfortunately, over the past decades this has led to an underfunded waterfront, and economic opportunities afforded to well-managed, diversified ports and harbors have largely gone unfulfilled. The aphorism that a rising tide floats all boats cannot be truer in Juneau. Since 2012, Docks & Harbors has invested nearly \$136 million in infrastructure improvements, recapitalizing half-century-old port and harbor facilities.

Though much has been accomplished, the vision to create and leverage economic diversity through smart, sustainable, and expanded marine infrastructure requires funding sources outside what Juneau, with its 32,000 residents, can provide.

Aurora Harbor is Juneau's largest harbor basin, which serves a diverse mix of commercial fishing and sightseeing vessels, along with privately owned local and transient pleasure vessels and liveaboard vessels of all sizes.

Aurora Harbor plays a vital role in supporting maritime recreational activities, tourism, and economic growth in Juneau. The harbor at full capacity is able to accommodate nearly 500 vessels ranging in length up to 110 feet. The harbor provides power, lighting, and potable water utilities to all of the moorage floats.

Construction of the breakwater and dredging of the basin was performed in 1963 by the US Army Corps of Engineers and the first phase of floats were installed by the State of Alaska Division of Water & Harbors in 1964. Work on Aurora Harbor proceeded in multiple phases through the 1960s until the final phase of float installation in 1975.

The State of Alaska transferred ownership of the harbor to CBJ in 2003, which prompted the preparation of a condition assessment to evaluate expected safe working life remaining in the float system.

The 2003 condition assessment indicated that the float system and associated infrastructure had reached the end of its safe working life. CBJ solicited public feedback regarding the future of the harbor and prepared a phased Master Plan for the facility in 2013. Subsequent phases of float construction in 2015 and 2018 recapitalized mainwalks A through G and replaced the two southernmost approach docks. See Figures 1 and 2 for the Phase I and Phase II site plans, which were both successfully completed with prior Harbor Facility Grant Funding.

Figure 1: Phase I Site Plan



Figure 2: Phase II Site Plan



Aurora Harbor Phase III is currently under construction, although pandemic-related issues, and extremely long lead times have delayed the project. When complete in the spring of 2024, Phase III will include an extension of the headwalk and a new mainwalk H, as well as needed safety improvements.

This Project

By 2019, the floats remaining in the north end of the harbor basin had decayed to the point that they were condemned by the CBJ. In the summer of 2020, Docks & Harbors staff initiated the demolition of the remaining floats due to the extreme hazard posed to the public by the deteriorated float system. Since the demolition, the north end of the harbor has remained empty while the wait list for stall assignments has grown. The following photos demonstrate the typical condition of the harbor facilities prior to their demolition.



CBJ, taking advantage of the open water created by the demolition, worked closely with US Army Corps of Engineers to develop a plan for maintenance dredging on the north end of the Aurora Harbor basin in the spring of 2021 (see adjacent photo). This collaboration resulted in a freshly dredged basin, ready for float replacement.

Figures 3 and 4 demonstrate the conditions following the demolition.



Figure 3: Condition of the northern harbor following demolition of the original floating dock system.



Figure 4: Existing conditions of the north entrance to Aurora Harbor as of July 2023.

Aurora Harbor Rebuild Phase IV will complete the recapitalization effort first envisioned in 2003. The project will include the installation of two final mainwalks, I and J, as well as the headwalk float, and the refurbishment and reinstallation of a salvaged gangway on an extension to the existing approach dock. Phase IV will also resolve ongoing safety issues with the demolished float system, including:

- The addition of ground-fault circuit interrupters (GFCI)-protected electrical equipment
- Replacement of a leaking seasonal water system that frequently broke and allowed seawater to enter the potable water system with a year-around sealed potable water system
- Improved lighting with energy-efficient LED fixtures
- Modern floats with sufficient width and safety improvements
- A dry fire suppression system and new fire extinguishers and life rings

See Block 4 for a proposed project site plan, scope of work, project schedule and cost estimate.

The new dock system will be designed to provide maximum service life and long-term value. In addition to replacement of the floating docks, all of the utilities are being replaced and modernized to provide maximum service life. CBJ has several decades of experience levying fees sufficient to pay for the operating and maintenance costs of the harbors in Juneau. Once completed, operation and robust maintenance of the new harbor will be self-supporting. With proper maintenance, CBJ expects the new harbor to provide service for more than 50 years.

CBJ plans to complete the next phase of work under a US Army Corps of Engineers Nationwide Permit 3 (NWP 3)-Maintenance. The CBJ Docks & Harbors and Finance departments have worked with the State of Alaska on many grants. CBJ is committed to executing the grant on a timely and accurate basis, strictly in accordance with the DOT&PF's specifications and requirements.



APPENDIX B

Block 4: Scope, Schedule, and Cost Estimate

The following pages contain a detailed project scope, schedule, and cost estimate, as well as supporting documentation showing the existing condition of the harbor facilities.



SCOPE, SCHEDULE, AND COST ESTIMATE

Scope

The purpose of this project is to renovate an existing, heavily used municipal boat harbor to extend its life, improve safety, and increase harbor efficiency. Work included for Phase IV includes:

- One new 10'x384' headwalk float
- Five new 6'x48' finger floats and a new 10'x117' tee float at Main Float H
- One new 10'x280' Main Float I, including six new 6'x42' and six new 6'x38' finger floats
- One new 10'x280' Main Float J, including seven 4'x32' finger piers
- Seven new 12.75"-diameter piles
- Thirty eight new 16"-diameter piles
- Gangway landing platform
- Refurbished gangway
- New domestic water system
- Dry line fire suppression
- GFCI-protected electrical systems
- LED fixtures
- Safety ladders
- Other miscellaneous fire and safety improvements

A more detailed explanation of proposed improvements can be seen on Figure 5 on the following page.

Federal, State, and Local Permits

Replacement of the existing float system will likely fall under a Nationwide Permit (NWP) 3-Maintenance, which allows for the 'repair, rehabilitation, or replacement of any previously authorized, currently serviceable, structure or fill'. No additional State permits are anticipated.

Schedule

The construction schedule will depend on the CBJ's ability to acquire DOT&PF matching grant funds. Match funding has been obtained and is appropriated into the project account. If grant funding is obtained, construction will take place from November 2024 to November 2025, as demonstrated in Figure 6.

Cost Estimate

The enclosed project cost estimate provides cost summaries for estimated construction bids, indirect costs, and total recommended project budgets.

Figure 6: Project Schedule

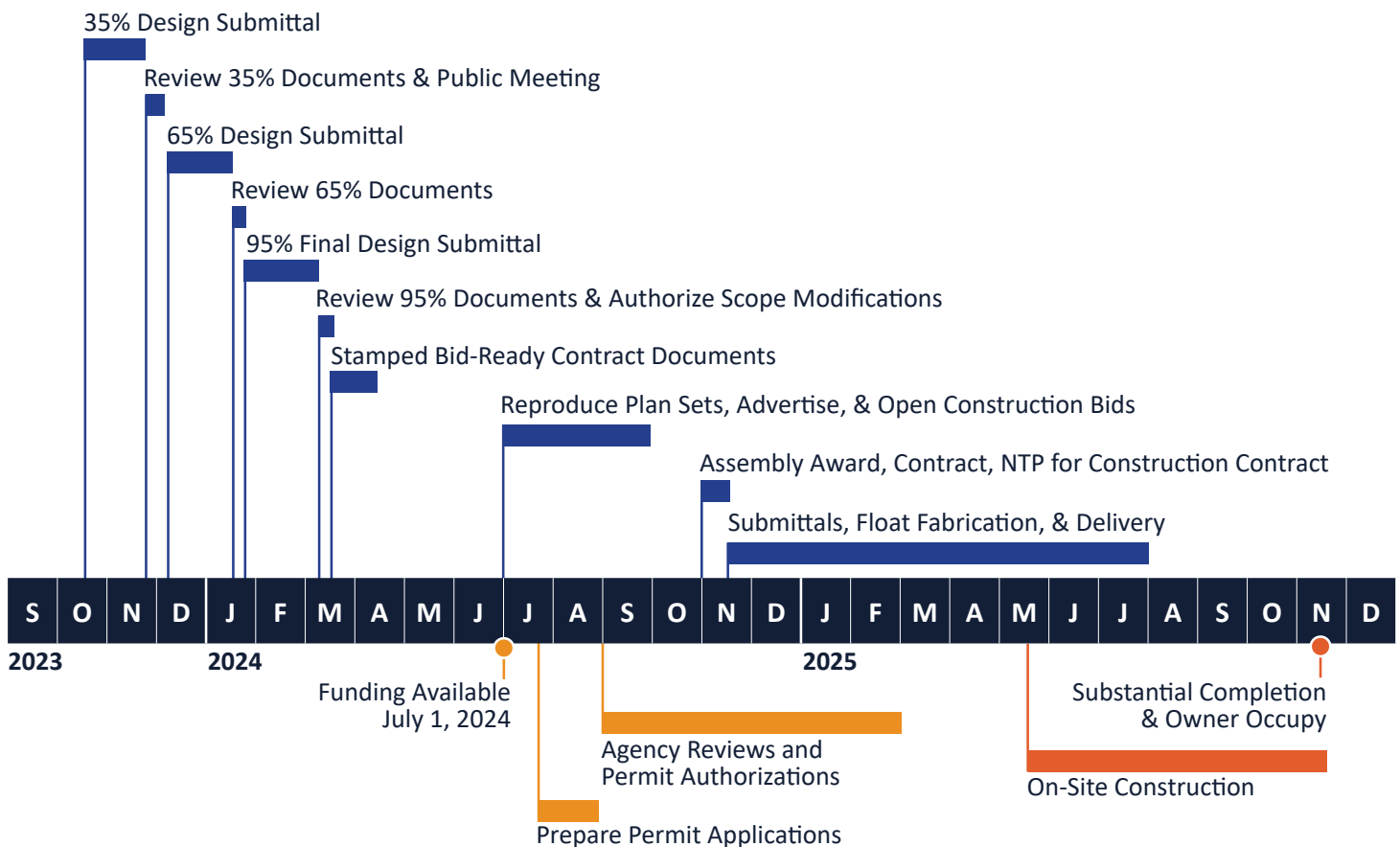
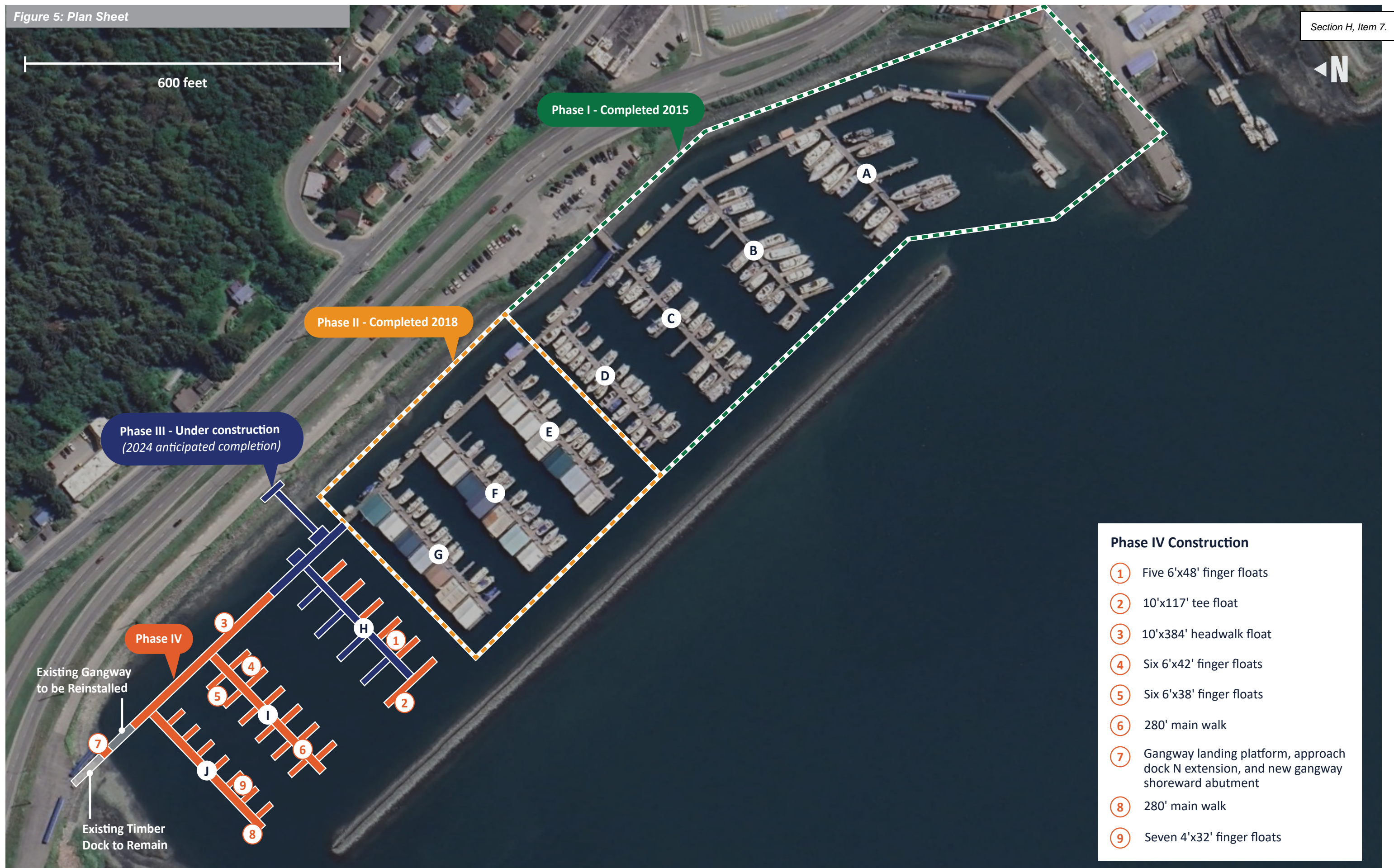


Figure 5: Plan Sheet

Section H, Item 7.



Documentation of Existing Conditions

In 2003, a condition assessment of the harbor found that the infrastructure is generally in “fair to poor” condition. Most of the timber construction elements were reported to have met or exceeded their design life and many of the floats were beginning to lose flotation and list. The electrical systems were reported to have 5 to 10 years of remaining service life, the original fire suppression system was removed in 1989 and never replaced, and the existing water system was reported to be in “fair” condition. Subsequent to the 2003 report, CBJ Docks & Harbors maintained the facility for 16 years until it was unsafe to use.

Phase IV of the harbor rebuild is scoped to continue reconstruction efforts from previous phases of work. In 2019, the remaining existing floating dock system and piling was removed after it had been condemned for safety reasons. The following photos show the future location of Phase III and Phase IV.



Section H, Item 7.

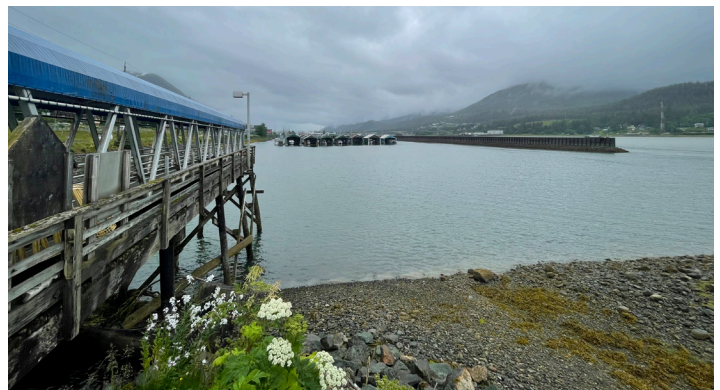
The north approach gangway is currently stockpiled and will be reinstalled as part of Phase IV.



New head walk and gangway landing Float C installed as part of Phase I work.

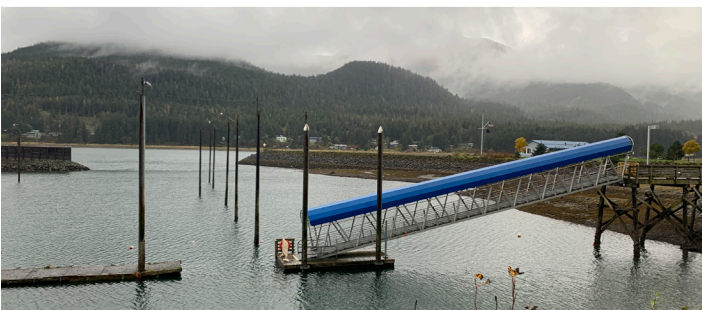


Deteriorated Phase IV floats prior to demolition.



The north end of Aurora Harbor in October 2020.

All existing floats that are part of Phases III and IV work were demolished as a result of safety concerns from deteriorated floats.



The north approach gangway, as seen in October 2020. The gangway will be refurbished as part of Phase IV, supported by a new concrete approach dock extension and landing float.



Existing approach dock H with gangway and floats removed.





AURORA HARBOR REBUILD - PHASE IV ENGINEER'S ESTIMATE

Proposed Layout "A"

Prepared by: Matthew Sill, P.E.

July 28, 2023

BASE BID

Item	Item Description	Units	Quantity	Unit Cost	Amount
1	Mobilization	LS	All Req'd	\$1,000,000	\$1,000,000
2	Domestic Water System	LF	944	\$395	\$372,880
3	Dry Fire Suppression Line	LF	944	\$245	\$231,280
4	Construction Surveying	LS	All Req'd	\$10,000	\$10,000
5	Refurbish Existing H Dock Gangway	LS	All Req'd	\$40,000	\$40,000
6	Approach Dock Expansion, 12'x20'	LS	All Req'd	\$134,720	\$134,720
7	Headwalk Float 10'x384'	SF	3,840	\$300	\$1,152,000
8	Main Float I, 10'x280'	SF	2,800	\$300	\$840,000
9	Main Float J, 10'x280'	SF	2,800	\$300	\$840,000
10	6x48 Finger Float	EA	5	\$81,650	\$408,250
11	6x42 Finger Float	EA	6	\$71,568	\$429,408
12	6x38 Finger Float	EA	6	\$64,752	\$388,512
13	4x32 Finger Float	EA	7	\$36,352	\$254,464
14	Tee Float on Mainwalk H 10x117	SF	1,170	\$300	\$351,000
15	Furnish Steel Pipe Pile, 12.75" dia. x 0.500" thick	EA	7	\$9,600	\$67,200
16	Install Steel Pipe Pile, 12.75" dia. x 0.500" thick	EA	7	\$7,000	\$49,000
17	Furnish Steel Pipe Pile, 16" dia. x 0.500" thick	EA	38	\$11,200	\$425,600
18	Install Steel Pipe Pile, 16" dia. x 0.500" thick	EA	38	\$7,000	\$266,000
19	Contingent Work Item: Marine Mammal Work Suspension	HR	20	\$750	\$15,000
20	Contingent Work Item: Pile Sockets	EA	10	\$7,000	\$70,000
21	Supply Flotation Billet	EA	20	\$460	\$9,200
22	Install Flotation Billet	EA	20	\$500	\$10,000
23	Life Ring Cabinet and Base	EA	10	\$2,000	\$20,000
24	Fire Extinguisher Cabinet and Base	EA	10	\$2,000	\$20,000
25	Hose Mount and Base	EA	12	\$900	\$10,800
26	Electrical Support Assemblies	LS	All Req'd	\$125,000	\$125,000
27	Electrical System	LS	All Req'd	\$2,000,000	\$2,000,000
ESTIMATED CONSTRUCTION BASE BID PRICE					\$9,540,314
CONSTRUCTION CONTINGENCY (10%)					\$954,031.40
CONSTRUCTION ADMINISTRATION / CONSTRUCTION INSPECTION (10%)					\$954,031.40
TOTAL RECOMMENDED PROJECT BUDGET					\$11,448,377

APPENDIX C

Block 5: Prior Grant Closeout Waiver

Two of the prior grants for Phase I and Phase II of the Aurora Harbor Improvements project (13-HG-007 and 17-HG-005, respectively) have been closed out. The prior grant for Phase III (23-HG-004) has not been closed out due to pandemic-related delays and extremely long lead times on critical components. Phase III will be closed out prior to Phase IV grant award. CBJ has requested a waiver for this requirement. A similar waiver was requested and approved for the 2018 matching grant application. The following pages contain our request and the 2018 waiver.





Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

May 10th, 2023

James L. Marks
Director, Division of Planning & Program Development
Alaska Department of Transportation & Public Works
PO Box 112500
Juneau, AK 99811-2500

Dear Mr. Marks,

As you may have been briefed, the City & Borough of Juneau (CBJ) - Docks & Harbors has been dutifully pursuing the recapitalization of our largest harbor facility, Aurora Harbor, since the first phase was constructed in 2013. Aurora Harbor Phase III bids opened on April 12th and thanks to a \$2M - FY2023 ADOT Harbor Facility Grant, a \$4.3M construction project will be awarded to Trucano Construction in the coming days. Unfortunately, due to supply chain limitations, we have made the decision to extend the performance period to May 2024. Specifically, this decision was made after consulting the four major, Pacific NW manufactures of floats who each indicated lack of capacity to supply a finished product within a six-month period. This recalibration of our schedule was necessary to ensure reasonable and competitive bids could be achieved.

Docks & Harbors is already looking to the next, and hopefully the final, Phase IV of Aurora Harbor. We have secured sufficient local match (up to \$5M) for this phase, which is estimated to be \$10M. Docks & Harbors is prepared to submit a FY25 ADOT Harbor Facility Grant. I formally request consideration to allow CBJ Docks & Harbors to compete for the FY25 Harbor Facility Grant, even though an existing grant (Aurora Harbor Phase III) will not be closed out until the end of FY24.

Assuming the FY25 grant process follows previous [Instructions for completing the Harbor Facility Grant Application](#), Docks & Harbors would be disqualified from consideration due to C.9 which reads:

Prior harbor grants must be completed and closed-out before another harbor grant application will be accepted for the same harbor facility.

As Docks & Harbors frequently leverages this grant opportunity, we appreciate the intent of ADOT to discourage bundling grants into a larger project. However, this is not our circumstance and supply chain challenges have created a situation which merits flexibility to the grant application process. I offer the following:

- Docks & Harbors is confident we will have Aurora Phase III closed out by July 2024.
- Docks & Harbors has secured necessary match funding for Phase IV and will be able to submit an application to ADOT by the August 2023 deadline.
- I have reviewed the Harbor Facility Grant Program ([AS 29.60.800](#)) and see nothing in the legislation (or even legislative intent) which would disenfranchise our request in this particular situation.
- The ADOT Facility Grant Program is only strengthened by having more qualified applications for consideration.

I fully understand that there is no guarantee that funding would be available for Aurora Phase IV. My request is only to be allowed to compete along with all other municipal harbors for FY25 grant opportunities.

Sincerely,

Carl Uchytel

Carl Uchytel, PE
Port Director
City & Borough of Juneau

Copy: Marie Heidemann
Julie Chapman



THE STATE
of **ALASKA**
GOVERNOR BILL WALKER

Department of Transportation and Public Facilities

OFFICE OF THE COMMISSIONER
Marc Luiken, Commissioner

3132 Channel Drive
P.O. Box 112500
Juneau, Alaska 99811-2500
Main: 907.465.3900
dot.state.ak.us

7/11/2018

Mr. Carl Uchytel, PE, Port Director
City and Borough of Juneau
155 S. Seward St
Juneau, AK 99801

Re: CBJ Harbor Facility Grant: Aurora Small Boat Harbor Phase II (17-HG-005) waiver request

Dear Mr. Uchytel:

In keeping with the true spirit of the Harbor Facility Grant Program, your request for a waiver to Article 48 of the grant agreement, Future Harbor Facility Grant Applications close-out restrictions, is approved. You may submit a grant application for Aurora Harbor Phase III by close of business on August 01, 2018.

In your letter of June 12, 2018, you offered, and we agree, that if the Aurora Phase II project is not completed and closed out by 4:00 PM, October 1, 2018, your application for Phase III will be denied consideration in the 2018 Harbor Facility Grant Program. Your final close-out request must be received by the Juneau Field Office by 4:00 PM, October 1, 2018. Submission may be by hard-copy to the office or by email to the grants officer at dot.harbor.grants@alaska.gov and electronically dated no later than Monday, October 01, 2018 at 4:00 PM. The close-out process is contained in "Article 45, Close-Out". Please contact Jim Potdevin in the Juneau Field Office if you need any assistance with the process.

I appreciate the effort the CBJ has made to make its small boat harbors something to be proud of.

Sincerely,

A handwritten signature in black ink, appearing to read "Marc Luiken".

Marc Luiken
Commissioner

cc: Lance Mearig, Director, Southcoast Region
Verne Skagerberg, Chief, Juneau Field Office

APPENDIX D

Block 6 and Block 12: Bill of Sale

The following pages contain supporting documentation detailing CBJ's ownership of Aurora Harbor, which includes the executed Bill of Sale and Transfer Agreement, signed on April 3, 2003.



STATE OF ALASKA

DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES

FRANK H. MURKOWSKI Section H, Item 7.

3132 CHANNEL DRIVE
JUNEAU, ALASKA 99801-7898
PHONE: (907) 465-3979
TEXT TELEPHONE: (907) 465-3652
FAX: (907) 586-8365

STATEWIDE DESIGN & ENGINEERING SERVICES DIVISION
Ports and Harbors Engineer

June 9, 2003

U.S. Army Corps of Engineers
Southeast Alaska Area District
P.O. Box 898
Anchorage, AK 99506

Mr. John Klutz:

Please be advised that the Department of Transportation and Public Facilities has transferred all State interests in Juneau Harbors to the City and Borough of Juneau. Enclosed for your information is the Bill of Sale with exhibits and related U.S. Army Corps of Engineers Construction permits from our files.

Please feel free to call me at (907) 465-3979 if you have any questions.

Sincerely,



Victor Winters, P.E.
State Harbors Engineer

Enclosures

1. Bill of Sale with exhibits
2. Inventory of USACE Construction permits
3. USACE Construction permits

cc: John Stone, Port Director, City and Borough of Juneau, 155 S. Seward St., Juneau, AK 99801
w/ enclosures

BILL OF SALE

THIS SALE, is made this 28 day of MARCH 2003, by and between the STATE OF ALASKA, DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES, hereinafter referred to as the STATE, whose mailing address is 6860 Glacier Avenue, Juneau AK 99801, and the City and Borough of Juneau, a Municipal Corporation, incorporated under A.S. 29.05.011 et seq., hereinafter referred to as the Municipality, whose mailing address is 155 South Seward Street, Juneau, AK 99801.

NOW THEREFORE, in consideration of one dollar (\$1.00) and other valuable consideration paid, the receipt of which is hereby acknowledged, the STATE does hereby sell, transfer and deliver to the MUNICIPALITY, for continued use as a public facility, all the STATE'S interest, if any, in the following personal property:

ANY and ALL personal property that the STATE owns or has interest in including, but not limited to docks, flotation devices, dolphins, piers, approaches and approach ramps, gridirons, launching ramps, bulkheads, walkways, and any and all other related personal property whatsoever located in: the Harris Small Boat Harbor, excluding the Fish & Game Dock, all within Alaska Tidelands Survey 3, located within the exterior boundaries of Section 22, Township 41 South, Range 67 East, Copper River Meridian, Juneau Recording District, 1st Judicial District, Alaska; the Aurora Small Boat Harbor, all within Alaska Tidelands Survey 180, located within the exterior boundaries of Section 22, Township 41 South, Range 67 East, Copper River Meridian, Juneau Recording District, 1st Judicial District, Alaska; the Douglas City Dock and Douglas Small Boat Harbor, all within Alaska Tidelands Survey 14, located within the exterior boundaries of Section 36, Township 41 South, Range 67 East, Copper River Meridian, Juneau Recording District, 1st Judicial District, Alaska; the Don Statter Small Boat Harbor, all within Alaska Tidelands Survey 1251 and Alaska Tidelands Survey 739, within the exterior boundaries of Sections 22 & 23, Township 40 South, Range 65 East, Copper River Meridian, Juneau Recording District, 1st Judicial District, Alaska; the Taku Harbor Dock, all within Alaska Tidelands Survey 682, within the exterior boundaries of Section 8, Township 44 South, Range 70 East, Copper River Meridian, Juneau Recording District, 1st Judicial District, Alaska; the North Douglas Launching Ramp, all within unsurveyed tidelands, within the exterior boundaries of Section 9, Township 41 South, Range 66 East, Copper River Meridian, Juneau Recording District, 1st Judicial District, Alaska ("the harbor facilities"), as shown on Attachments A thru G:

TO HAVE, and to hold all the facilities and aforesaid items to the MUNICIPALITY, its executors, administrators, heirs and assigns to its use and administration as a public facility forever.

The STATE makes no covenant, representation, or warrantee as to the suitability of the personal property or as to the physical condition of the personal property for any purpose. The MUNICIPALITY acknowledges that it has inspected the property, observed its physical characteristics and existing conditions, and has been afforded the opportunity to conduct such investigation and study on and of the personal property as it deems necessary for the purpose of acquiring the personal property for the MUNICIPALITY'S intended use. The MUNICIPALITY hereby waives all objections to or claims with respect to the physical characteristics and existing conditions of the personal property including hazardous materials in, at, on or under or related to the personal property. The MUNICIPALITY further acknowledges and agrees that the personal property is sold and conveyed to, and purchased and accepted by, the MUNICIPALITY in its present condition "as is" with all its faults, and the MUNICIPALITY hereby assumes the risk that

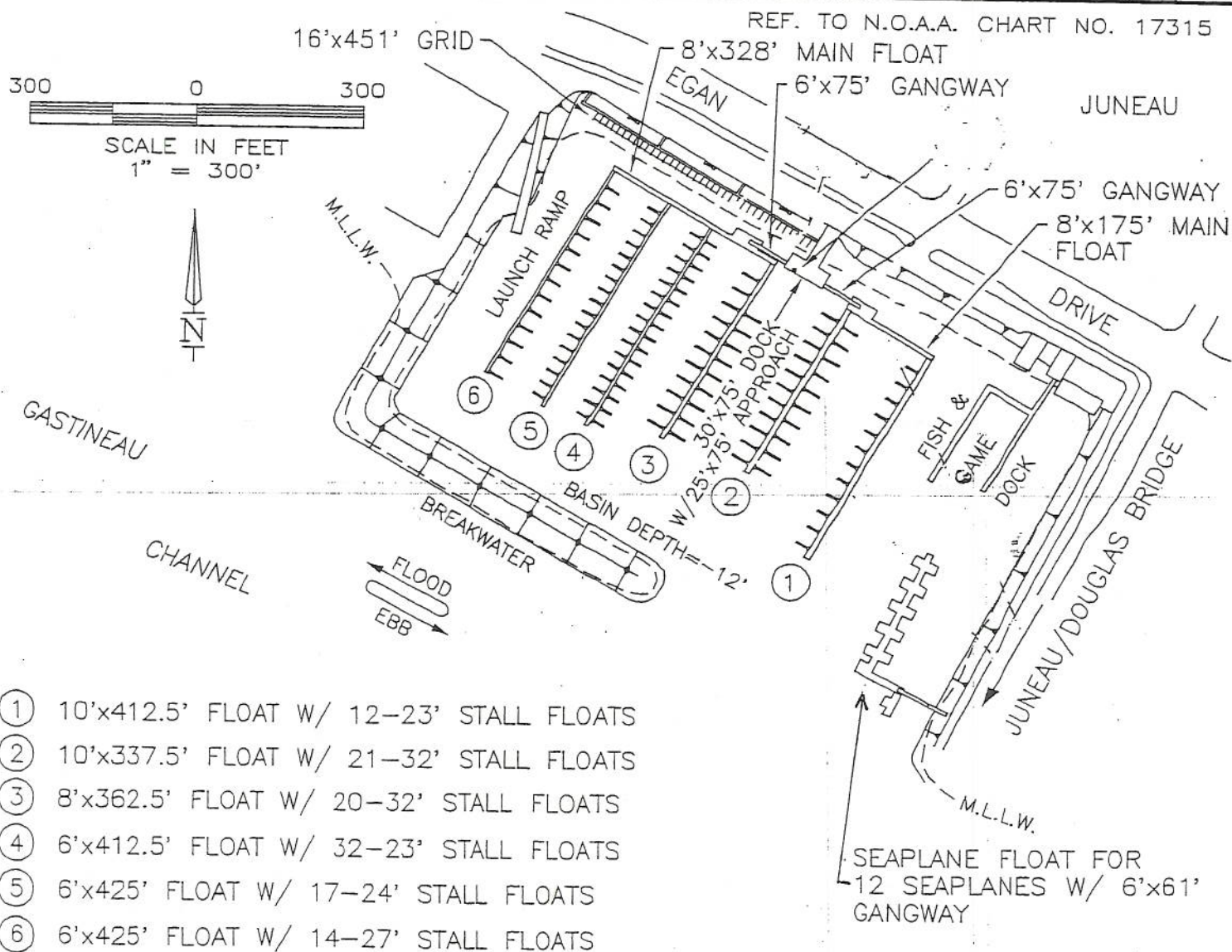
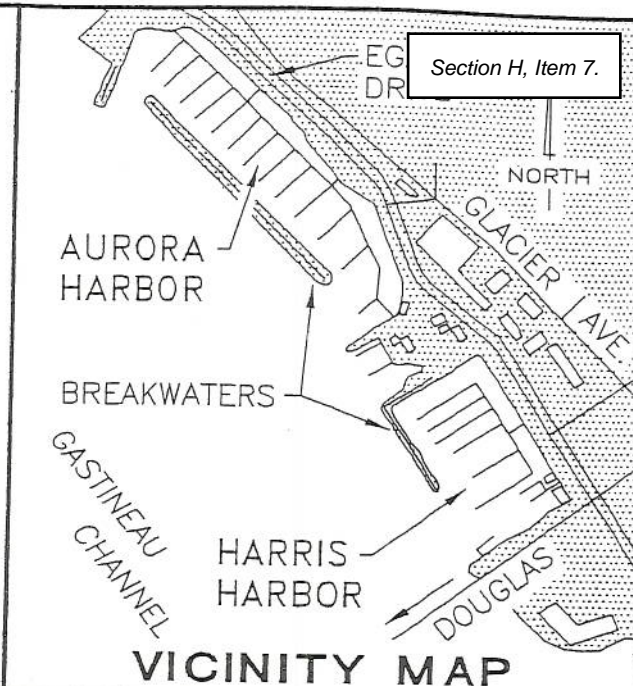
an adverse past, present, or future physical characteristics and conditions may not have been revealed by the MUNICIPALITY'S inspection or investigation. The MUNICIPALITY shall indemnify and hold harmless the STATE from and against all claims, damages, or liabilities (whether or not caused by negligence), including civil or criminal fines, arising out of or relating to the physical characteristics and existing conditions of the personal property from the date of the sale forward.

All terms and conditions contained in the cooperative agreements between the City and Borough of Juneau and the Alaska Department of Fish & Game (ADF&G Coop 01-018 – Douglas Harbor Ramp Facility, ADF&G Coop 92-040 – North Douglas Ramp Improvements) remain in full effect and are not changed by this bill of sale.

STATE OF ALASKA Department of
Transportation and Public Facilities
By: [Signature]
Title: DIR., S.E. REGION
Date: 4/2/03

ACCEPTED By [Signature]
For the MUNICIPALITY
Title: PORT DIRECTOR
Date: MARCH 20, 2003

OPERATED BY: CITY AND BOROUGH OF JUNEAU
HARBORMASTER: MONITOR CHANNEL 16 VHF, WORKING CHANNEL 73 VHF,
PHONE 586-5255
DISTANCE FROM CITY CENTER: 1 MILE
BERTHING FEES: CONTACT HARBORMASTER FOR FEE SCHEDULE
TRANSIENT MOORAGE: FEE REQUIRED, NO TIME LIMIT
LIGHTING ON FLOAT: YES
POWER ON FLOAT: YES, 110 V METERED
POTABLE WATER ON FLOAT: YES, YEAR ROUND SERVICE
GRID FACILITIES: MAXIMUM ALLOWABLE LOAD = 5 TON PER BENT
GRID BENT SPACING = 8'-0" ON CENTER
MARINE WAYS: CRANE AND TRAVEL LIFT HAUL OUT AVAILABLE IN THE
JUNEAU AREA. TRAILER LAUNCH RAMP ALSO AVAILABLE.
REPAIR FACILITIES: SHIPWRIGHT, WELDING, MACHINE SHOPS, AND LIGHT
MARINE REPAIR AVAILABLE IN THE JUNEAU AREA.
LODGING AVAILABLE: YES, HOTELS AND MOTELS IN JUNEAU AREA
GROCERY/RESTAURANT: GROCERY-6 BLOCKS, RESTAURANT-3 BLOCKS
FUEL AVAILABLE: ALL TYPES AT AURORA FUEL DOCK
COMMUNICATIONS: TELEPHONES AT GANGWAYS
REMARKS: NIGHT EMERGENCIES PHONE 586-5334, QUARANTINE: LOCAL,
1 TON HOIST AVAILABLE AT PIER, CAPACITY: 275 VESSELS



HARRIS HARBOR

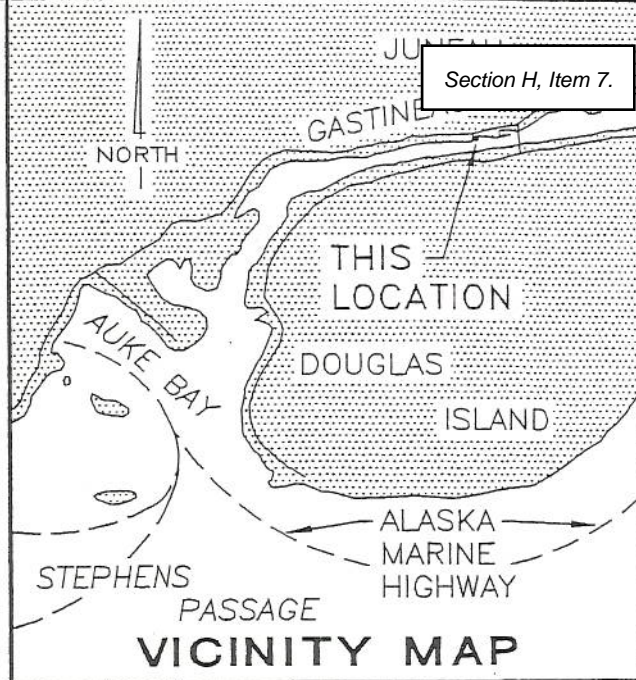
300 0 300

SCALE IN FEET

1" = 300'

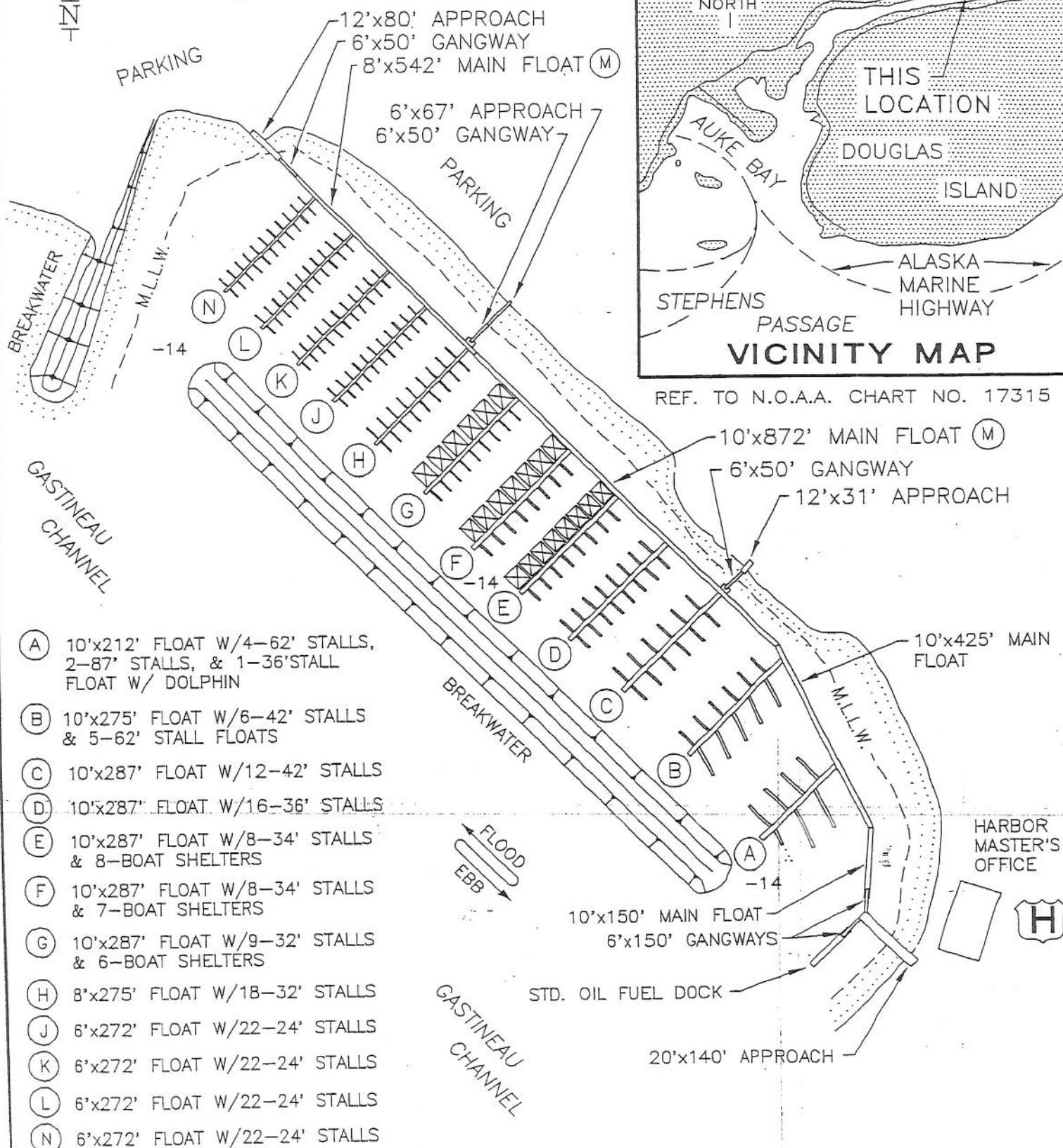


Section H, Item 7.



VICINITY MAP

REF. TO N.O.A.A. CHART NO. 17315



- (A) 10'x212' FLOAT W/4-62' STALLS, 2-87' STALLS, & 1-36' STALL FLOAT W/ DOLPHIN
- (B) 10'x275' FLOAT W/6-42' STALLS & 5-62' STALL FLOATS
- (C) 10'x287' FLOAT W/12-42' STALLS
- (D) 10'x287' FLOAT W/16-36' STALLS
- (E) 10'x287' FLOAT W/8-34' STALLS & 8-BOAT SHELTERS
- (F) 10'x287' FLOAT W/8-34' STALLS & 7-BOAT SHELTERS
- (G) 10'x287' FLOAT W/9-32' STALLS & 6-BOAT SHELTERS
- (H) 8'x275' FLOAT W/18-32' STALLS
- (J) 6'x272' FLOAT W/22-24' STALLS
- (K) 6'x272' FLOAT W/22-24' STALLS
- (L) 6'x272' FLOAT W/22-24' STALLS
- (N) 6'x272' FLOAT W/22-24' STALLS

AURORA HARBOR



Port of Juneau

155 S. Seward Street • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Docks & Harbors Board
To: City & Borough of Juneau Assembly
Date: July 27th, 2023
Re: Downtown Safety Railings

The Docks & Harbors Board is concerned that CBJ is exposed to unnecessary risks due to the Seawalk not fitted with safety railings from the CT Dock to Marine Park. Prior to construction of the new cruise ship berths in 2017, the face of the dock was a working waterfront in which vessels moored tightly to the bollards along the Seawalk. This created an impractical situation to install and maintain guard/safety railings. With the new pontoon float design and the vessels moved well-off the timber wharf, there is no justification to leave the Seawalk unprotected from potential pedestrian falls of 30+ feet into Juneau Harbor.

Since the completion of the new cruise ship berths, Docks & Harbors has submitted annual Marine Passenger Fee requests for safety railing as a need along the downtown waterfront. As we experience more cruise passengers with greater concentration along the Seawalk, Board members are becoming more apprehensive that this is an exposure which should be mitigated soonest. There is also bona fide need to protect Juneauites who frequent the docks at all hours and during the off-season when weather is less forgiving.

The Board understands a desire to maintain the historic aesthetics of the existing bull rail. However, we encourage examination of the newly constructed safety rails near Marine Park and consider that guardrails provide a good public safety benefit (particularly for elderly and mentally impaired). This design adds a visually pleasant safety element that functionally allows visitors to lean on the top rail and watch the active waterfront. Docks & Harbors staff estimates that 1300 linear feet of safety rail is needed at a cost of \$2M. The Board is contemplating directing staff to execute \$500K of Dock Enterprise Fund Balance to construct a phase prior to the CY24 cruise ship season.

This photo was taken on July 3rd. A member of the public attempted to awake this individual, then notifications were made to the Port Staff, JPD and CCFR. The individual was eventually assisted by CARES.

