



DOCKS AND HARBORS OPERATIONS MEETING AGENDA

September 18, 2024 at 5:00 PM

Port Office Conference Room/Zoom Webinar

<https://juneau.zoom.us/j/83517434739> or (253)215-8782 Webinar ID: 835 1743 4739 Passcode: 131347

A. CALL TO ORDER: (5:00pm in Port Office Conference Room and via Zoom)

B. ROLL CALL: (James Becker, Tyler Emerson, Don Etheridge, Clayton Hamilton, Debbie Hart, Matthew Leither, Annette Smith and Shem Sooter).

C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES

MOTION: TO APPROVE THE AGENDA 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

1. August 21st, 2024 Minutes

F. UNFINISHED BUSINESS

2. Proposed Regulations Changes
Presentation by Harbormaster

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: THAT THE BOARD APPROVE PROPOSED REGULATION CHANGES AND TO SCHEDULE PUBLIC NOTICE AHEAD OF A PUBLIC HEARING.

3. Seadrome Building Development Property Request
Presentation by Goldbelt, Inc

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TBD

G. NEW BUSINESS

4. Direct Lease Negotiation with Franklin Dock Enterprises
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: THAT THE BOARD RECOMMEND THE ASSEMBLY ALLOW DIRECT NEGOTIATIONS WITH FRANKLIN DOCK ENTERPRISES FOR A LEASE FOR THE NATIONAL GUARD DOCK.

- [5.](#) Direct Lease Negotiation with Goldbelt, Inc
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: THAT THE BOARD RECOMMEND THE ASSEMBLY ALLOW DIRECT NEGOTIATIONS WITH GOLDBELT TO EXECUTE A LEASE OR PURCHASE & SALES AGREEMENT FOR PROPERTY ASSOCIATED WITH SEADROME BUILDING AND DOCK.

H. ITEMS FOR INFORMATION/DISCUSSION

- [6.](#) Aurora Harbor Phase IV - New Layout
Presentation by Port Engineer

Committee Discussion/Public Comment
- [7.](#) Potential Statter Harbor Business Opportunity
Presentation by Port Director

Committee Discussion/Public Comment
- [8.](#) Legislative Priority List
Presentation by Port Director

Committee Discussion/Public Comment
- 9. Planning for Docks & Harbor Board Retreat
Presentation by Port Director

Committee Discussion/Public Comment

I. STAFF, COMMITTEE AND MEMBER REPORTS

J. COMMITTEE ADMINISTRATIVE MATTERS

Next Operations/Planning Committee Meeting - Wednesday, October 23rd, 2024.

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.gov.



DOCKS AND HARBORS OPERATIONS MEETING MINUTES

August 21, 2024 at 5:00 PM

Port Director's Conference Room/Zoom Webinar

<https://juneau.zoom.us/j/86272087941> or (253)215-8782 Webinar ID: 862 7208 7941 Passcode: 817283

- A. CALL TO ORDER:** Mr. Sooter called the meeting to order at 5:00 pm in Port Director's Conference Room & via Zoom
- B. ROLL CALL:** James Becker, Don Etheridge, Debbie Hart, Clayton Hamilton, Matthew Leither, Annette Smith, and Shem Sooter.

Absent: Tyler Emerson and Nicholas Orr.

Also in attendance: Carl Uchtyl – Port Director, Matthew Sill – Port Engineer, Matthew Creswell – Harbormaster, Jeremiah Cryts- Interim Harbor Operations Supervisor, Melody Musick—Administrative Officer, David Harmon, Elias Hastings, Steve Sahlender, James Bibb, Karla Hart, Todd Miller, and Kirby Day.

- C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES- none.**

MOTION BY MR. ETHERIDGE TO APPROVE THE AGENDA AS PRESENTED OR AMENDED.

- D. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS**

David Harmon, Mendenhall Valley, Juneau

Mr. Harmon proposed a floating coffee bar in Statter Harbor. The coffee bar would be run by Mr. Harmon.

Ms. Smith asked Mr. Harmon if he had a slip and proposal for the coffee bar.

Mr. Harmon said that he did not have a slip or any additional information at this time.

Mr. Sooter said that Mr. Harmons proposal would have to be put on the Ops Agenda and to contact either the Harbor Board or Port Director.

- E. APPROVAL OF MINUTES**

1. April 17th, 2024, Meeting Minutes

Meeting minutes approved unanimously.

- F. ITEMS FOR INFORMATION/DISCUSSION**

2. Proposed Regulations Changes-

Mr. Creswell referenced page 13 of the agenda packet. Observations performed by Docks and Harbors staff have led to the proposed regulation changes. On pages 13-16 of the agenda packet there are five total proposed changes. The first regulation change is 05 CBJAC 10.040 which addresses the permits issue to the waterfront vendors on the sea-walk. There are nine waterfront vendors this season, with the availability to have 11 vendors each season. Currently the minimum bid for the waterfront vendors is \$30,000 or an out-cry auction.

Mr. Uchtyl said that last year when rates were reviewed, the Board elected to not increase the rate to spread out the impact of rate increases. Mr. Uchtyl said that CBJ Law has reviewed the regulation changes proposed in the agenda packet, the regulation changes have not been socialized to the waterfront vendors. Mr. Uchtyl said that his only concern with raising the waterfront vendor booth rate to \$35,000, would be if the "No Cruise Ship Saturdays" (Proposition 2) were to pass, it would be an 1/7 reduction in business to the waterfront vendors with a 15% rate increase for the waterfront vendors.

Committee Discussion/Public Comment

Ms. Smith asked when the last time the rate was increased for waterfront vendors?

Mr. Uchytel said that the last rate increase was in 2015, when the rate increased from \$5,000 to \$30,000. When outcry actions were occurring for the waterfront vendor booths, it was not uncommon for them to go for \$60,000.

Mr. Leither asked if there is public feedback stating that the existing rate of \$30,000 is too expensive?

Mr. Uchytel said that the Board historically has wanted to maintain an affordable rate that allows for new vendors to participate.

Ms. Smith said she would support the rate increase since it has been 9 years since the last increase. Inflation in the last 9 years has increased more than the proposed 15% increase for the waterfront vendor booth rate.

Mr. Creswell said that the next two proposed regulations fall under 05 CBJAC 20.010, which include language changes to the existing regulation to improve enforcement for payment on accounts that have a history of being sent to collections or impound due to lack of payment. Section R of the proposed regulation change states that if a patron has an account that has been sent to collections, they must pay the account in full before being allowed to moor a vessel in a CBJ harbor. Should the patron refuse to pay their account in full the vessel will be impounded under regulation 85.25.130. The next proposed regulation change addresses patrons and accounts that have been subjected to impoundment proceedings or have been sent to collections within the last 24 months, stating they must pre-pay for harbor moorage. These changes will help staff address challenges associated with patrons who are habitual offenders of harbor regulations.

Mr. Hamilton asked if these proposed regulations would evict patrons.

Mr. Sooter said that they would not evict patrons.

Mr. Hamilton asked for clarification as to how a vessel would be impounded if being used as a liveaboard.

Mr. Sooter said that these regulations are aimed at addressing patrons who are trying to open new accounts or reopen accounts that have outstanding balances. If they are out of compliance with harbor regulations, Docks and Harbors would like to ensure that they are compliant before the patron moors a new vessel or reopens an account.

Mr. Hamilton asked what would enforcement for the regulations look like?

Mr. Sooter said that the vessel would be impounded and follow regulatory procedures associated with impoundment.

Mr. Hamilton asked if accounts are tied to people or to vessels.

Mr. Creswell said that accounts are tied to vessels. The account balance stays with the vessel and the account itself attached to the person as the managing agent.

Ms. Smith asked if the regulations proposed would conflict with maritime law that preserves the right of the mariner to seek safe harbor.

Mr. Creswell said that Docks and Harbors works with patrons and their circumstances under a reasonable time frame and would not deny a patron the ability to seek safe harbor.

Mr. Leither asked if the Harbor has an eviction process separate from the impoundment process.

Mr. Creswell said that he has twice experienced the circumstance of Docks and Harbors impounding a vessel and the patron remaining on board. Mr. Creswell and the hearing officer are very generous and try to provide as many opportunities as possible for patrons in those circumstances.

Mr. Uchytel said that impounding a vessel is a financial liability for Docks and Harbors. In the past, Docks and Harbors has towed vessels out of the harbor to help both the department and the patron.

Mr. Hamilton asked for clarification on the definition of pre-pay.

Mr. Creswell said that the patron would come into the office and pay for moorage. Pre-payment would be at the monthly rate, paying for moorage at the beginning of each month.

Mr. Creswell said the next proposed regulation change is under 05 CBJAC 35.060 and 05 CBJAC 40.010 which is known as the vessel disposal surcharge. This charge is currently assessed to reserved moorage stall holders who are uninsured at \$0.35 per foot. The proposed change would apply to any vessel that is not paying the daily moorage rate. The name would change to uninsured vessel surcharge, this would not be a substitute for insurance. The surcharge would help cover the costs associated with disposing of vessels that are assumed by the harbors. When vessels are raised and disposed of the invoice is sent to the patron which has a low rate of collection. This would help shield Docks and Harbors from the financial risk of raising and disposing of vessels. The rate in the agenda packet states it would be \$1.00, however, to cover the current cost rate it would be closer to \$1.50. Under section ii (B) "As of January 1, of each year, should vessel disposal costs exceed the annual amount collected, Docks and Harbors will adjust the rate not to exceed \$3.00 per foot per month. The new rate must be approved by the Board no less than 30 days prior to implementation." This stipulation is to make sure that the rate is not open ended. If no one new gets insurance Docks and Harbors will collect \$90,000 from the uninsured vessel disposal surcharge. This year Docks and Harbors has assumed \$70,000 in vessel disposal costs and Mr. Creswell projects that by the end of this year it will be approximately \$110,000. The Coast Guard often helps via opening Old Spill Liability Trust Fund to pay for the cost of raising the vessel. If the Coast Guard were to not offer the aid in covering the cost of raising the vessel, then the cost to Docks and Harbors would increase dramatically. Title 85 regulations will still apply in conjunction with the new regulations.

Ms. Smith asked if it is wise to include the cost stipulation in the regulation.

Mr. Creswell said that it is in the purview of the Board to decide whether the three-dollar limit is reasonable.

Mr. Leither asked if there is a mechanism to decrease the rate of the uninsured vessel disposal surcharge if the average cost of disposal to Docks and Harbors decreases.

Mr. Creswell said that there is no existing language in the proposed regulation, however, could be introduced by Board action.

Mr. Creswell said that the final proposed regulation is regarding the Auke Bay Loading Facility (ABLF), which is a 180' drive down float. The dock is reservation only and it is free for two hours with a reservation. Boat owners have shown up at the dock without a reservation and take the space of those who had called ahead and made a reservation. In 2018, Mr. Creswell implemented a policy wherein if a

vessel arrived at the ABLF without a reservation they would be charged a full day of moorage. This policy has increased compliance and Mr. Creswell wanted the policy to be codified.

Committee Discussion/Public Comment

Mr. Uchytel asked if the Board would like these regulations to come back as an action item.

Mr. Etheridge said that he would like all the regulations to come before the Board as an action item at the next meeting.

3. Goldbelt Seadrome Building Land Needs

Mr. Uchytel said that Seadrome Building considerations have been an ongoing topic lead by Goldbelt and Mr. Sahlender. In May Mr. Sahlender gave his original presentation.

Mr. Sahlender presented a slide presentation that begins on page 18 of the agenda packet. Mr. Sahlender said that he took into consideration the Board's feedback from May and has two alternative plans along with the original. The most beneficial proposal for Goldbelt in a ranked order relative to most preferable would be: alternative 2, the original, and the alternative 1. In the original and alternative 1 proposal no money would be exchanged between Goldbelt and Docks and Harbors. In alternative 2, Goldbelt would purchase the tidelands from Docks and Harbors for approximately \$630,903. Goldbelt's goal with these proposals is to create a better facility for tourist activities and to extend the sea-walk environment. The designs would improve the configuration and use of the land, while providing an Alaskan Native facility to visitors. The action plan would be to demolish the existing Seadrome building, enter in a property exchange with Docks and Harbors, then build a mixed-use facility in compliance with Waterfront Design guidelines, Land Management Plan, Subport Revitalization Plan, and Small Cruise Ship Master Plan. The site improvements would provide benefits via the efficient use of space, expansion of the sea-walk, and providing a cultural experience to honor Alaskan Natives.

Committee Discussion/Public Comment

Mr. Leither asked how Title 85 impacts the Docks and Harbors Board's ability to inform the decision regarding the Goldbelt Seadrome property?

Mr. Uchytel said that the Tourism Manager and City Manager directed the Port Director to move forward with the tideland projects.

Mr. Becker asked if Docks and Harbors had any idea where the department offices located in the Seadrome building would move to?

Mr. Sahlender said that before planning for the new mixed-use facility Goldbelt would like to receive the land to build before engaging in more in-depth planning.

Mr. Uchytel said that the City Manager is looking into creating a cohesive CBJ facility in the wake of the new City Hall being voted down. There could be a possibility for the Docks and Harbors offices to be moved to in the future, if CBJ creates a cohesive working space. In the past Mr. Sahlender had expressed the possibility of Docks and Harbors being a tenant in the new Seadrome building. Another issue that the Board should be aware of is creating a new Aurora Harbor office which could be another potential to move the Port Director's office.

Ms. Hart asked what the next steps would be and if there would be a cohesive proposal in the future.

Mr. Uchytel said that he would like Goldbelt to come back with proposal as an action item with exactly what they would want from Docks and Harbors. Once the Board has an approved motion, Mr. Uchytel would take the proposal to CBJ Lands, CCD, and then to the Assembly. According to the Lands Use Master Plan CBJ has been directed to retain as much of the land as possible. However, Docks and Harbors could make a compelling argument to the Assembly who will have the final decision of approval.

Mr. Etheridge proposed that Goldbelt come back with a proposal to move forward.

Mr. Sooter asked what is a reasonable timeline to expect a proposal from Goldbelt?

Mr. Sahlender said that he could put the proposal together for the next Ops meeting.

Mr. Uchytel said that within the city code there is a requirement that an appraisal be done within 60 days of the Assembly approval. Additionally, there are other city level approvals that must be obtained if the land were to be conveyed to Goldbelt.

4. National Guard Tide Land Lease

Mr. Uchytel said that on page 32 of the agenda packet there is a memo from the Visitor Industry Director brought to the Assembly on May 30th. At the Assembly meeting, the Tourism Director obtained approval to enter a land swap with Franklin Dock to do a trade for the National Guard Dock for a Seawalk easement. On page 35 of the agenda packet, there are images of the geographical area referenced. The National Guard Dock was given to CBJ around 2002 from the State of Alaska. Docks and Harbors currently has an application that has been accepted for the submerged tidelands surrounding Franklin Dock which would allow for Docks and Harbors to lease the land to Franklin Dock Enterprises to build a floating dock at a future date. Docks and Harbors has submitted an additional application to the State of Alaska to obtain adjacent submerged tidelands under the direction of the City Manager. This would be in preparation for an expansion of the existing sea-walk and future development from Franklin Dock Enterprises and Petro Marine. If Docks and Harbors is successful in the application for additional tidelands from the Department of Natural Resources, then Docks and Harbors would be able to collect revenue from vessels moored out from the Petro Marine property. The City Manager has directed Docks and Harbors to support the owner of Franklin Dock Enterprises, Mr. Stoop, in the land swap of the Nation Guard Dock for the easement for the sea-walk through Franklin Dock property. Mr. Uchytel asked what the Board would like to convey to the Assembly after reviewing the proposed plans.

Committee Discussion/Public Comment

Ms. Smith asked if this would eliminate community access to the waterfront.

Mr. Uchytel said that most of the sea walk would go through private property and therefore, does not reduce public access to the waterfront.

Ms. Smith asked if locals would have the ability to swim and fish off the sea walk. Ms. Smith said that over the years the city has taken away public access to the downtown waterfront area for recreational use by locals.

Mr. Uchytel said that the sea walk will most likely be 20' off the ground and that there are no plans for there to be a public float associated with the sea walk.

Mr. Leither asked if the Assembly is asking for the Board's feedback and ideas. Mr. Leither said that based on the presentation he would like to know what the intended future action item would be.

Mr. Uchytel said that the City Manager said that they value the input of the Docks and Harbors Board and would appreciate feedback.

Ms. Smith said that if the City Manager values the input of the Board, then they should work with Parks and Recreation to implement a community aspect of the Seawalk that would give locals access to the waterfront downtown.

Mr. Stoops said that he would like to clarify that currently there is no public access to the water downtown in the proposed project area because of it being private property. The Seawalk project would provide public access through the existing private property. Mr. Stoop said that in exchange Franklin Dock Enterprises would obtain the National Guard Dock and still pay the city to lease the land under the dock. Mr. Uchytel estimated that it would bring an additional \$25,000 in revenue to the city. The reason Franklin Dock Enterprises wants the Nation Guard Dock is because there are existing easements that come from Thane Rd. through Franklin Dock property and interfere with their ability to further develop the property. By obtaining the National Guard Dock, Franklin Dock Enterprises would be able to begin new development and would most likely remove the Nation Guard Dock as it is currently in poor condition. The drawing provided in the agenda packet is conceptual, however would provide the possibility for a new dock.

Ms. Smith said that the city has systematically taken away the locals' ability to access the water and the proposed project should include a plan to give locals the ability to fish and access to the waterfront.

Mr. Sooter said that the area of the proposed project is very rocky and steep. Therefore, it would not be a very good location for locals to visit for the purpose of fishing or swimming.

Public Comment

James Bibb, Douglas Island, AK

Mr. Bibb said that the Seawalk has been an asset to the community. Mr. Bibb stated that he has witnessed the transformation of downtown Juneau with the increase in tourism and believes that the Seawalk is used and enjoyed by both locals and visitors. The Seawalk serves the community in a safe manner and historically the land surrounding the proposed project area has been inaccessible due to being private property.

Kirby Day, Juneau AK

Mr. Day said that he works for Princess and Holland America Cruise lines and interacts frequently with Franklin Dock. Mr. Day's office faces the sea walk and experiences the benefits and use of the Seawalk year-round. This land swap would extend the benefits of the sea walk to the south side of the downtown area. Mr. Day said that he has lived in Juneau for a long time and has experienced the changes mentioned by Ms. Smith; however, he believes that extension of the sea walk would be a benefit and extend public access to area that is currently inaccessible due to being privately owned.

Ms. Smith said that she wanted to clarify that she is not opposed to the Seawalk, however, she would like to see an effort made to provide additional access for locals to the waterfront.

Mr. Uchytel said that Mr. Sooter could direct the Port Director to draft a letter to the City Manager's Office to convey the feedback from the Board regarding the National Guard Dock land swap for the facilitation of the sea walk.

Mr. Etheridge said that it would be a benefit to Docks and Harbors to swap the land as the National Guard Dock will soon become a liability due to the state of disrepair.

Mr. Sooter said that he would like Mr. Uchytel to draft a letter that voices the approval of the Board and voice the appreciation of seeking the Board's consideration.

5. Huna-Totem Corp Dock - Update

Mr. Uchytel referenced page 36 of the agenda packet. On July 29th the Assembly accepted the recommendation of the hearing officer of an appeal by Ms. Karla Hart versus the CBJ Planning Commission with Huna-Totem Corp as an intervener. This action means that Huna-Totem Corp is free to move forward with the conditional use permit and construction of a new dock. The caveat is that the Assembly still must approve the tideland leases. The documents in the agenda packet include the hearing officers' statement after the appeal. The Assembly still needs to determine whether they intend to lease property to Huna-Totem Corp. Page 52 of the agenda packet shows the tideland leases in ATS 3, which are all CBJ owned. If the Assembly does not approve the tideland leases, then Huna-Totem will be unable to build the dock. Mr. Uchytel said that after discussions with the Tourism Manager and the City Manager, Docks and Harbors applied for the submerged tideland property from the Alaska Department of Natural Resources where the proposed dock will be located. The application process takes years and the amount of submerged land asked for in the application is approximately 10 acres. The City Manager will be informing Huma-Totem of the actions taken. It is uncertain whether the Alaska Department of Natural Resources will accept the application.

Committee Discussion/Public Comment

Mr. Becker asked about the ruling made by the Assembly that if there are to be five ships in port then there should be five docks.

Mr. Uchytel said that it was a recommendation from the Tourism Task Force that there would be no lightering or hot berthing. However, it is a recommendation. The application submitted is not an action to indicate whether Docks and Harbors is in support or against the construction of the dock; it is to be prepared in the circumstance that the dock is built. The Assembly has the final say in determining whether Huna-Totem will be able to build a new cruise ship dock.

Mr. Leither asked what is the risk associated with submitting the application for the tidelands from the Department of Natural Resources?

Mr. Uchytel said that risk associated is the time put into the application by Docks and Harbors. An additional risk is if Huna-Totem changes that angle or design of the dock outside of the tideland area encompassed by the application. If Huna-Totem changes the dock design outside of the requested tidelands, Mr. Uchytel will go back to the Department of Natural Resources and alter the application to request the tidelands within the scope of the project. The application for the Franklin Dock tidelands was submitted pre-covid, therefore Mr. Uchytel is submitting this application to be proactive in the long tideland acquisition process. Part of the conditional use permit issued to Huna-Totem is the requirement to conduct a navigational study which must be completed before submitting a building permit.

6. Aurora Harbor G-Float Shelter Options

Mr. Uchytel referenced page 53 of the agenda packet. Mr. Uchytel said that during the January 2024 snowstorm the G float boat shelter 22-23 was damaged and that Docks and Harbors is seeking interested parties in building a new boat shelter. Mr. Uchytel said that it will be advertised through October 1st and then options will be evaluated.

Committee Discussion/Public Comment

Mr. Etheridge said that he does not see a need to advertise for an extended period.

Mr. Becker asked if this is a request for interest in building a new boat shelter or request for use of the space?

Mr. Uchytel said that it is a request for interest in building a new boat shelter.

Ms. Smith said that the catamaran using the space should be made aware of the request for interest.

7. Taku Harbor Repair Options

Mr. Sill referenced page 54 of the agenda packet. Mr. Sill said that the float that connects the Taku Harbor floats to the beach are quite old, built in 1984. PND Engineers has designed three concepts and cost estimates for replacements of the floats. Concept 1 would cost \$1.6 million, concept 2 would cost \$1.8 million and concept 3 would cost \$1.6 million. Mr. Sill said that this project would be completed with funding from the 1% sales tax and the designs are something that Mr. Sill would like to consider. Docks and Harbors would be matching the 1% sales tax funds leveraged with the Alaska Department of Fish and Game funds at 25% to 75% match.

Committee Discussion/Public Comment

Ms. Smith asked how much of the floats sit on land at a higher tide?

Mr. Sill said that in the drawing shows the comparison of where the old floats would sit on the beach at low tide and how the new floats would sit in comparison.

Ms. Smith said that she would like the new floats to allow individuals to work on their boats at low tide. Ms. Smith said that the only design that would allow this would be concept 3.

Mr. Sill said that the gangway option in concept 1 would most likely last the longest.

Mr. Leither asked if there is a design that would be more beneficial from the perspective of staff maintenance.

Mr. Sill said that the aluminum option would require the least amount of maintenance. Maintenance is done by staff twice a year via pressure washing.

Mr. Leither asked if there are any pitfalls associated with the aluminum design.

Mr. Sill said that due to the location of the float and the pedestrian load, the designs created by PND are optimal. Additionally, Mr. Sill said that they are researching ways to reduce the number of piles.

Mr. Etheridge recommended that it be placed on the agenda for the upcoming Board meeting as an action item.

Public Comment

James Bibb, Juneau, AK

Mr. Bibb said that he is the commodore for the Juneau Yacht club and the Taku float project is of interest to the yacht club. Mr. Bibb asked if the engineers from PND would be able to give a presentation to the Yacht Club. The Yacht Club represents many the individuals who use the Taku Harbors floats.

8. Statter Harbor NOAA Art Project

Mr. Sill said referenced page 60 of the agenda packet. Mr. Sill said that as part of the 1% sales tax initiative, the Assembly granted money to NOAA to install informational signs and artwork about whales out at Statter Harbor. An artist was selected to paint a whale tale on red cedar with the help of the University of Alaska Southeast. The artist approached Docks and Harbors for help attaching the artwork

to the Statter Harbor restrooms. The art has been installed with the help of Docks and Harbors and has been very well received by the public.

Committee Discussion/Public Comment

Mr. Becker asked if it was a specific whale tale.

Mr. Sill said the unique markings on the tale are associated with the whale named Flame.

G. STAFF, COMMITTEE AND MEMBER REPORTS

Mr. Uchytel reported-

- The Army Corps of Engineers will be coming to Juneau the week of the 23rd of September for the design charette for the Statter Harbor Breakwater. The charette will be held at the Juneau Yacht Club.

Mr. Creswell reported-

- The Salmon derby was successful this year.
- The harbors are currently busy with the king crab opener.

Mr. Sill reported-

- The Wayside Park dredging is being advertised. The permits are submitted for the project. The plan is to complete the project this fall.
- The permits for Aurora Harbor Phase IV are submitted. The design for Aurora Harbor Phase IV is in process. An electrical engineer is under contract for the electrical components of the design. PND Engineering has done a condition assessment of the timber gangway located at the far side of Aurora Harbor near the yacht club, which will most likely need to be torn down.
- Harris Harbor Gate is still ongoing. The strike plate for the gate is jamming due to the door being slammed, which causes the fob to not be functional. Modifications will be made to the gate hinges and the manner in which the gate shuts in order to resolve the issue.

Mr. Etheridge asked if there is something that is going to be done about people using rocks to prop open the gate after locking hours.

Mr. Sill said that work is going to be done to find a solution to people using rocks to keep the gate open.

H. COMMITTEE ADMINISTRATIVE MATTERS

Next Operations/Planning Committee Meeting - Wednesday, September 18th, 2024

I. ADJOURNMENT

ADA accommodation 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.gov.

A REGULATION OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

ADOPTION OF REGULATION AMENDMENTS

Title 05 Chapter 10 – Waterfront Sales Permits, Tour Sales Permits

Title 05 Chapter 20 – Small Boat Harbor, Reserved Moorage Waitlist Fee

Title 05 Chapter 20 – Small Boat Harbor, Harbor Fee Policy

Title 05 Chapter 35 – Small Boat Harbor, Transient Moorage Management Fees

Title 05 Chapter 40 – Small Boat Harbor, Moorage Management Regulations

Title 05 Chapter 45 – Small Boat Harbor, Auke Bay Loading Facility

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:

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

Section 2. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 10 Waterfront Sales Permits to read:

05 CBJAC 10.040 Tour sales permits.

(a) Application process and permit award.

...

(3) *How the permits are awarded.* The port director will manage and award the permits by public outcry auction. The minimum bid for a permit is ~~\$30,000.00~~ \$35,000. Applicants meeting the permit eligibility requirements set out in 05 CBJAC 10.030(f) will be allowed to bid on a permit provided the applicant posts a ~~\$30,000.00~~ \$35,000 bid bond payable to CBJ. The applicant must agree to forfeit the bid bond in the event the applicant does not honor a winning bid on a permit.

Section 3. Amendment of Regulation. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 20 Small Boat Harbor Fees and Charges, to read:

05 CBJAC 20.010 Small boat harbor fee policy.

...

(r) Collection accounts. If a person has had a previous account with Docks and Harbors sent to collections, the person shall not be able to moor a vessel until the collection account has been paid in full. Should the person moor their vessel without settling all accounts, the vessel is deemed abandoned and immediately subject to the impound process under CBJ 85.25.130.

- (s) Habitual Offenders. Any person who has been subject to impoundment proceedings or had an account sent to collections in the previous 24 months, shall be required to pre-pay for their moorage.

Section 4. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 35 Small Boat Harbor Transient Moorage Management, to read:

05 CBJAC 35.060 Fees.

Persons using transient moorage must pay fees in accordance with CBJ Administrative Code Title 05, Chapter 20 and as set forth below.

(a) Uninsured Vessel Surcharge.

- (1) Prior to obtaining a moorage assignment, CBJAC 40.035, 050, 055, or 065, the owner of a vessel must:
 - (i) provide the Harbormaster with proof of current marine insurance showing, at a minimum, the owner's name, information identifying the vessel, and the dates of insurance coverage; or
 - (ii) pay a non-refundable moorage surcharge of \$1.50 per foot per month.
 - A. As of January 1, of each year, should the actual vessel disposal costs vary more than 20% from the annual amount collected, Docks and Harbors will adjust the rate to no less than \$1.00 per foot per month and no more than \$3.00 per month to make up for the difference. The new rate must be approved by the Board no less than 30 days prior to implementation.
 - (iii) Vessels paying the daily moorage rate are exempt from paying this surcharge.
- (2) The funds collected from the moorage surcharge under this regulation will be used to pay for the unrecoverable costs attributable to vessel salvage and disposal activities in the small boat harbors.
- (3) This regulation does not relieve an owner from the responsibility to pay fees as set out in CBJ Ordinance Title 85 or regulations adopted thereunder and does not constitute marine insurance.

Section 5. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 40 Small Boat Harbor Moorage Management Regulations, to read:

05 CBJAC 40.010 General moorage management policy.

(g) ~~Vessel salvage and disposal.~~ Uninsured Vessel Surcharge.

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

...

- (ii) pay a non-refundable moorage surcharge of ~~\$.031~~ \$1.50 per foot per month.

- A. As of January 1, of each year, should the actual vessel disposal costs vary more than 20% from the annual amount collected, Docks and Harbors will adjust the rate to no less than \$1.00 per foot per month and no more than \$3.00 per month to make

up for the difference. The new rate must be approved by the Board no less than 30 days prior to implementation.

(iii) Vessels paying the daily moorage rate are exempt from paying this surcharge.

...

Section 6. Amendment of Regulations. The City and Borough of Juneau Administrative Code is amended at 05 CBJAC 45 Small Boat Harbor and Port Facilities Use Regulations, to read:

05 CBJAC 45.050 Auke Bay Loading Facility.

(k) *Drive-Down Use Fees.* Notwithstanding any fee provision listed in 05 CBJAC 15 and 20, and 30, operators shall pay fees for use of the drive-down gangway and float as follows:

- (1) The owner of a vessel that ties up to the float shall pay daily moorage fees for each calendar day or portion thereof that the vessel remains affixed to the float, except that an owner may use the facility for up to two hours on any calendar day without incurring moorage. Vessels wanting to use the float will need to schedule in advance with the Harbormaster. Mooring a vessel without first contacting the harbor office constitutes unauthorized moorage and the vessel will be assessed the full daily moorage fee in accordance with 05 CBJAC 20.210.

Section 7. Notice of Proposed Adoption of a Regulation. The notice requirements of CBJC 01.60.200 were followed by the agency. The notice period began on **XXXX, 2024**, 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 adopts these regulations as set forth above. The agency will next seek Assembly review and approval.

Date:_____

Carl Uchtyl, P.E.
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) Consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) Existence of code authority and the correctness of the required citation of code authority; and
- (3) Clarity, simplicity of expression, and absence of possibility of misapplication.

Regulations of Docks & Harbors

Amending 05 CBJAC 10; 05 CBJAC 20; 05 CBJAC 35; CBJAC 40; and 05 CBJAC 45

Date: _____

Emily 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



**Seadrome Marina Proposal for
Docks & Harbors – Goldbelt,
Inc.**

Introduction:

- CBJ Docks & Harbors (D&H) and Goldbelt have an opportunity to create better space for a new Seadrome facility.
- The first step is a property purchase agreement between Goldbelt and CBJ D&H to create a more useful and unified property, not infringed upon by setback codes.
- Improved property configurations will support multiple small cruise ship companies' operations.
- New property layout will plan for a Seawalk that leads to the Egan Drive crosswalk.
- Goldbelt will rebuild the Seadrome building on the expanded site, establishing an iconic Alaskan Native facility on the waterfront to better support visitors.



Actions:

1. Goldbelt and D&H enter direct negotiations, ultimately resulting in a property purchase agreement to optimize land for an expanded Goldbelt-owned property.
2. Goldbelt demolishes the existing building and builds an improved facility on the newly consolidated parcels.
 - Meets Waterfront Design guidelines, Lands Management Plan, Subport Revitalization Plan, and Small Cruise Ship Master Plan.
 - The facility will host mixed-use spaces that are complimentary to the waterfront.



Property Purchase Proposal

Section F, Item 3.



CBJ DH To Goldbelt	Exchange Parcel	SF Area	Unit Value	Total Value
Parcel B	CX3A Upland	4,900	\$65	\$318,500
Parcel B	CX3B Sloping/Tideland	2,098	\$26	\$54,548
Part Parcel C+Cone	CX4 Sloping/Tideland	6,650	\$26	\$172,900
Parcel A	CXA Upland	1,307	\$65	\$84,955
Total to CBJ D&H				\$630,903

- Goldbelt is requesting that the Docks & Harbors Planning Commission enter direct negotiations for the sale of these parcels to move this process to the next steps.
- This expanded footprint would allow Goldbelt the opportunity and authority to build a facility to the size that is profitable.
- In this option, Goldbelt would purchase the CBJ owned parcels for \$630,903*.

*Pending an updated appraisal.

Site Plan Proposal

Section F, Item 3.



SHEET TITLE:
SITE PLAN CONCEPT
SHEET NO.:
A04
09.12.2024

CONCEPT PHASE
New Seadrome Marina Building
GOLDBELT

MRV
ARCHITECTS
ARCHITECTURE PLANNING INTERIORS

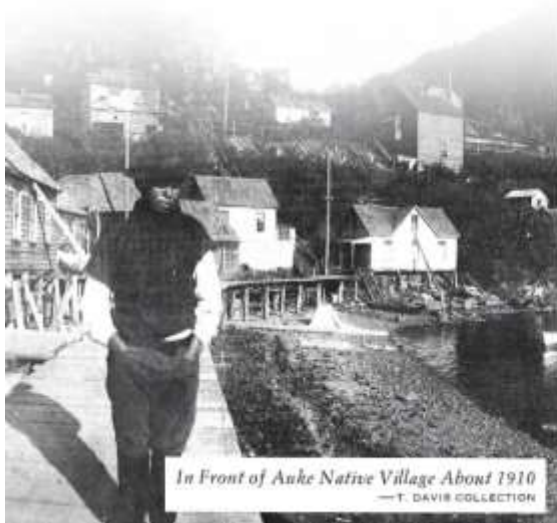
Improved Site Benefits:

- Efficiency of space for the new Goldbelt building footprint.
- Meets CBJ's various Plans and Guidelines
- Future improvements can be added efficiently – Seawalk construction and upland expansion will funnel visitors to the Egan Drive crosswalk



Cultural and City Planning Benefits:

- The new Seadrome building will be a cultural centerpiece, featuring prominent Alaska Native art.
 - This space will serve to educate visitors on aspects of local native history
 - Arriving ships will be able to view the building and accompanying local art in a way that will provide pride for the native community and Juneau residents
- The improved facility will provide an ideal arrival point to Juneau, with links to the Seawalk, the Áak'w Kwáan District, the SLAM, expanded Centennial Hall, hotels, and shopping centers.
- The new building will also feature an attractive mix of offices, a restaurant, and other amenities.





**Seadrome Marina Proposal for
Docks & Harbors – Goldbelt,
Inc.**



Port of Juneau

155 Heritage Way • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Port Director

To: Assembly

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

Date: September 14th, 2024

Re: DIRECT NEGOTIATION LAND SALES, LEASES & EXCHANGES - NATIONAL GUARD DOCK

Franklin Dock Enterprises is requesting, in consideration for an easement along the Franklin Dock area, a lease of the National Guard Dock property, owned by CBJ and managed by Docks & Harbors. This property exchange would facilitate CBJ Engineering advancing its efforts to construct a Seawalk from the AJ Dock to the South Franklin Street Dock. The Assembly has previously considered and agreed with this plan at its May 30th COW and at the September 9th LHED Committee meetings.

In order to develop a lease, the Assembly must authorize the manager to commence negotiations: *Title 53.09.260(a) – Negotiated Sales, Leases and Exchanges states that “the proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations...”*

If supported by Assembly motion, negotiations with Franklin Dock Enterprises will commence and a new lease will be returned to the Assembly for adoption by ordinance via the Docks & Harbors Board. There are no monetary commitments by CBJ with this motion for direct negotiations with Franklin Dock Enterprises.

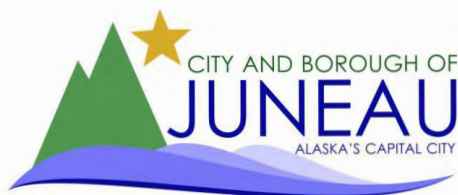
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Encl:

- (1) Property map
- (2) Memo to LHED dated September 5th, 2024
- (3) Memo to COW dated May 30th, 2024
- (4) Proposed Seawalk Extension Plans



The City and Borough of Juneau is not responsible and shall not be liable to the user for damages of any kind arising out of the use of data or information provided by the City and Borough of Juneau, including the installation of the data or information, its use, or the results obtained from its use. ANY DATA OR INFORMATION PROVIDED BY THE City Borough of Juneau IS PROVIDED "AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE. Data or information provided by the City Borough of Juneau shall be used and relied upon only at the user's sole risk, and the user agrees to indemnify and hold harmless the City Borough of Juneau, its officials, officers and employees from any liability arising out of the use of the data/information provided. NOT FOR ENGINEERING PURPOSES.



MEMORANDUM

DATE: September 5, 2024
TO: Assembly Lands, Housing and Economic Development Committee
FROM: Alexandra Pierce, Visitor Industry Director
SUBJECT: Franklin Dock Land Exchange

Reed Stoops, representing the Franklin Dock, has requested to trade the National Guard Dock for an easement on Franklin Dock property. The easement is valued at \$164,500, and the National Guard Dock is valued at \$306,000. Both appraisals are included in the packet. Both parties accept the appraised value of the properties. Mr. Stoops is motivated to complete the land exchange because will allow the Franklin Dock group to clear up encumbrances on the land caused by the access to the National Guard Dock and facilitate development. For CBJ, the easement through Franklin Dock property is critical for Seawalk construction.

The National Guard Dock has a very small uplands footprint. Mr. Stoops is also interested in leasing the adjoining tidelands from CBJ. He proposes to make up the difference in property values in credit towards lease payments. The National Guard Dock is the property between the Franklin Dock and the Petro Marine property, it has difficult access through the Franklin Dock property. The dock is in disrepair and is a liability to CBJ - the only recent uses are the Tagish, which sank at the dock, and the Sea Pro spill response boats. Docks & Harbors is able to relocate Sea Pro.

Petro Marine and Franklin Dock Enterprises have a shared interest in constructing a float that could accommodate a small number of yachts or other mid-size vessels, as represented in Attachment A.

The Docks & Harbors Board discussed the proposal on August 21 and did not object to the proposal. The Docks & Harbors Board will submit a letter to the Assembly asking for a Negotiated Sale/Lease/Exchange per §53.09.260.

Recommended action: Forward the proposed land exchange to the full Assembly for approval.

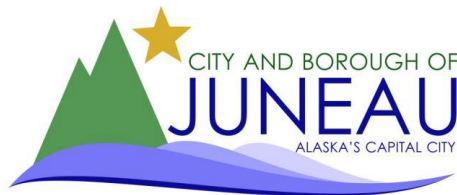
Attachments:

Attachment A – Labeled Seawalk Rendering

Attachment B – Aerial View of Property

Attachment C – Appraisal of Franklin Dock Property

Attachment D – Appraisal of National Guard Dock Property



MEMORANDUM

DATE: May 30, 2024
TO: Assembly Committee of the Whole
FROM: Alexandra Pierce, Visitor Industry Director
SUBJECT: Seawalk Update

The Assembly has not received a formal update on the seawalk in over a year, and the body will need to make several key decisions on this important community project over the coming months. At this juncture, staff is looking for guidance on some key questions around financing options and for Assembly direction to start work on a land swap with the Franklin Dock. The project components are outlined below.

Franklin to A.J. Dock Connection

This is a complex project with multiple stakeholders. All relevant parties have hired PND Engineers to develop a design that accounts for our mutual needs (Attachment A – note that this plan is the latest iteration and is not yet finalized).

Franklin Dock

Reed Stoops, representing the Franklin Dock, has requested to trade the National Guard Dock for an easement on Franklin Dock property. The easement is valued at \$164,500, and the National Guard Dock is valued at \$306,000. The trade would clear up encumbrances on Franklin Dock property and facilitate construction of the seawalk. The National Guard Dock has a very small uplands footprint. Mr. Stoops is also interested in leasing the adjoining tidelands from CBJ. He proposes to make up the difference in property values in credit towards lease payments. The National Guard Dock is the property between the Franklin Dock and the Petro Marine property, it has difficult access through the Franklin Dock property. Mr. Stoops is very motivated to complete the land trade because it will allow the Franklin Dock group to clear up encumbrances on the land caused by the access to the National Guard Dock and facilitate development. The dock is in disrepair and is a liability to CBJ - the only recent uses are the Tagish, which sank at the dock, and the Sea Pro spill response boats. Docks & Harbors is able to relocate Sea Pro.

Petro Marine and Franklin Dock Enterprises have a shared interest in constructing a float that could accommodate a small number of yachts or other mid-size vessels, as represented in Attachment A.

Pending Assembly direction, the next step is to begin work on the land swap.

Petro Marine

Petro Marine also has redevelopment plans for its property. There are plans to replace the fuel dock. The challenge of the seawalk development has long been how we get past the fuel dock, due to security concerns with cruise ship passengers and active fueling. We believe we have reached a solution with a gate that would close off the seawalk for approximately 30 minutes at a time while crews connect and disconnect the fuel lines. Petro Marine is interested in coordinating with the city on common needs

including permitting efficiencies and other creative solutions that make this project a good deal for both CBJ and Petro Marine.

The next step is to meet with the Coast Guard to discuss safety requirements and to discuss and determine what both parties need to proceed with 30% design and with initial permitting.

A.J. Dock

The only A.J. Dock property affected by the project is a small triangle of land at the property line. CBJ proposes to purchase that land at appraised value of \$23/square foot.

The next step is to finalize the design and determine the exact value of the land required for construction.

Project Cost:

The most recent estimate for the work was prepared in August 2019 for approximately \$18 million (about \$25 million at today's construction costs). The scope was slightly different and more complicated, but the Assembly should think of this as a \$20-25 million project.

Deck-overs

These are the seawalk "holes" between the Marine Park Garage and the Tram. CBJ is currently working with a rough estimate of \$4 million to complete the deck over projects. The next steps are to determine the exact scope of the project and get an updated estimate, including revisiting the Assembly discussion of which areas should be decked over.

Fishermen's Memorial

The Fishermen's Memorial is slowly falling into the water and the supporting structure needs repair. There are no recent cost estimates for this work, but we can anticipate needing to fund this work within the next few years. The next steps are to determine the exact scope and get a cost estimate.

Financing:

We currently have \$5,692,481 in the Seawalk CIP. I recommend that we pursue debt financing using Marine Passenger Fees to complete all of the above projects or just the Franklin to A.J. connection. This will come back to the Assembly for final review and approval.

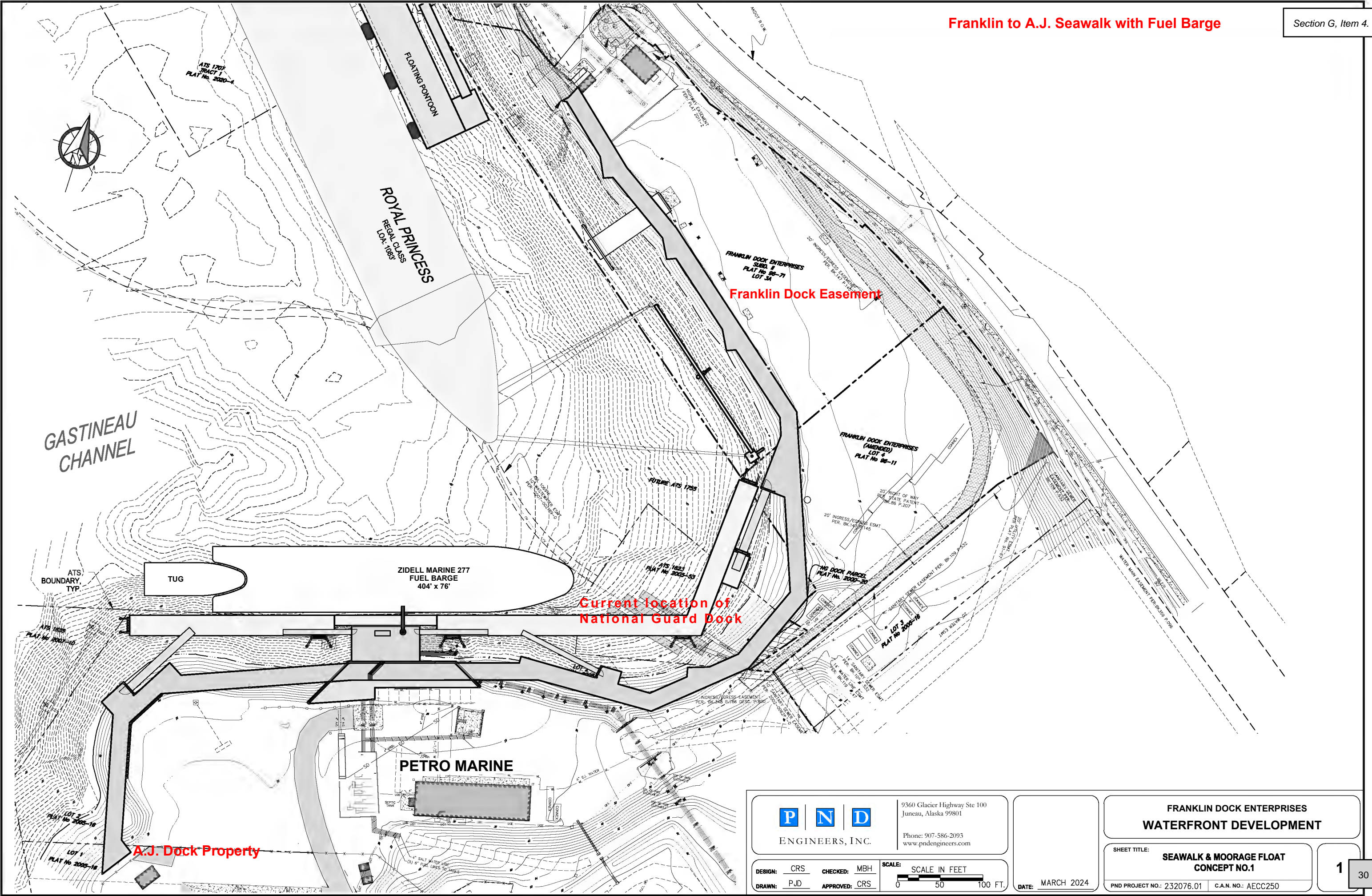
Assembly Action:

Staff recommends that the Assembly direct staff to begin work on a land swap with the Franklin Dock that trades the National Guard Dock for the seawalk easement.

Provide the following guidance of debt financing: direct the Finance Director to research one large debt package for all Seawalk projects or for the Franklin to A.J. connection only.

Attachments:

A – Current Iteration, Franklin Dock to A.J. Dock Seawalk Connection Plan



P

N

D

ENGINEERS, INC.

9360 Glacier Highway Ste 100
Juneau, Alaska 99801

Phone: 907-586-2093
www.pndengineers.com

DESIGN: CRS
DRAWN: PJD

CHECKED: MBH
APPROVED: CRS

SCALE: SCALE IN FEET
0 50 100 FT.

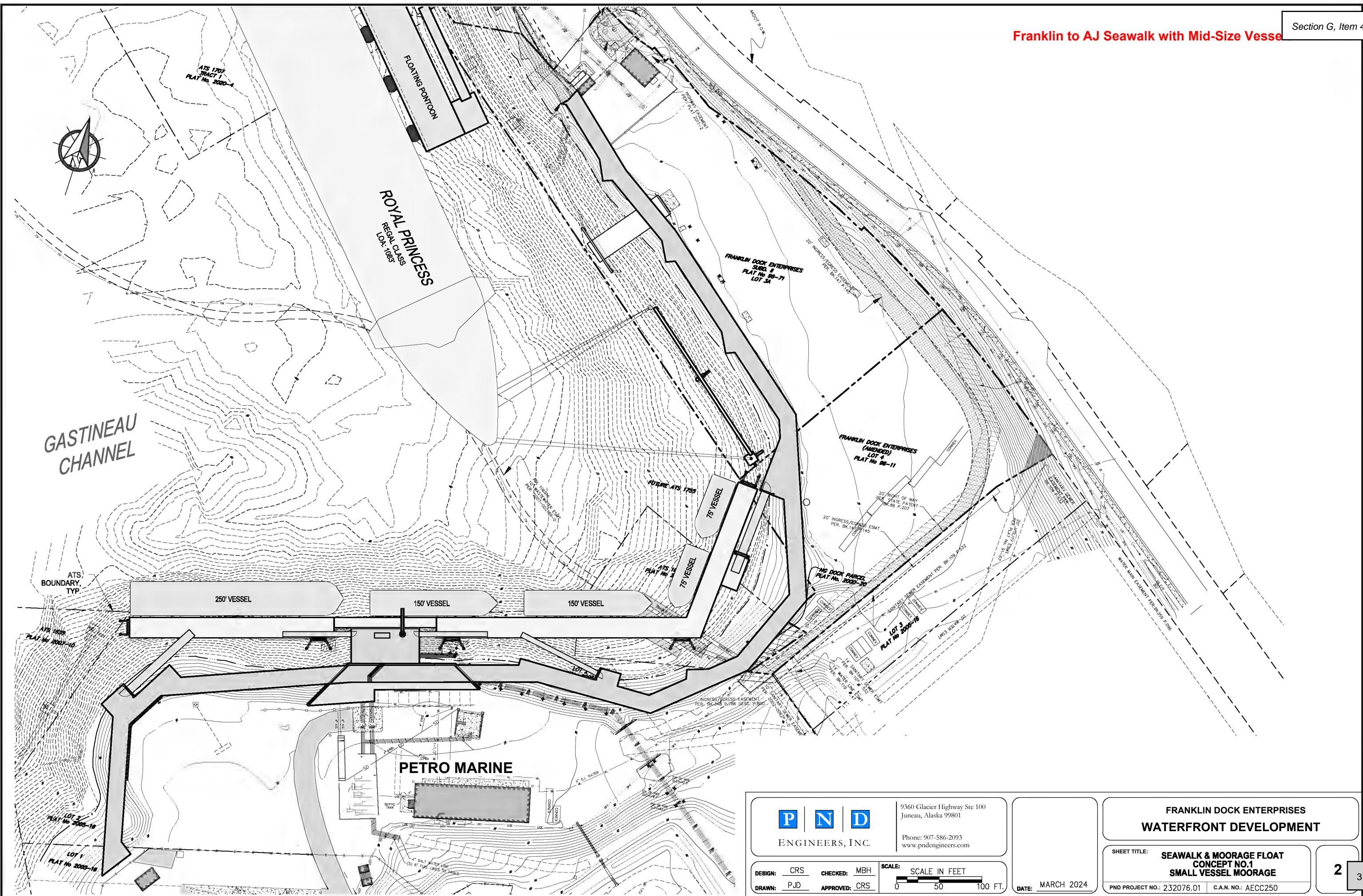
DATE: MARCH 2024

FRANKLIN DOCK ENTERPRISES
WATERFRONT DEVELOPMENT

SHEET TITLE: SEAWALK & MOORAGE FLOAT
CONCEPT NO.1

PND PROJECT NO.: 232076.01 C.A.N. NO.: AECC250

130



P

N

D

ENGINEERS, INC.

9360 Glacier Highway Ste 100
Juneau, Alaska 99801

Phone: 907-586-2093
www.pndengineers.com

DESIGN: CRS
DRAWN: PJD

CHECKED: MBH
APPROVED: CRS

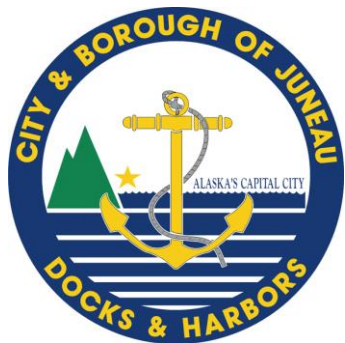
SCALE: SCALE IN FEET
0 50 100 FT.

DATE: MARCH 2024

FRANKLIN DOCK ENTERPRISES
WATERFRONT DEVELOPMENT

SHEET TITLE: SEAWALK & MOORAGE FLOAT
CONCEPT NO.1
SMALL VESSEL MOORAGE

PND PROJECT NO.: 232076.01 C.A.N. NO.: AECC250



Port of Juneau

155 Heritage Way • Juneau, AK 99801
(907) 586-0292 Phone • (907) 586-0295 Fax

From: Port Director
To: Assembly
Via: (1) Docks & Harbor Board
 (2) City Manager
Date: September 13th, 2024
Re: DIRECT NEGOTIATION LAND SALES, LEASES & EXCHANGES - GOLDBELT

The ownership for the uplands property of the Seadrome Building (76 Egan Drive) is a quilt work of small parcels owned by Goldbelt (dba Cultural Preservation, Inc.) and by CBJ (managed by Docks & Harbors). Encl (1) illustrates a few visual challenges, both to CBJ and Goldbelt, in providing the highest and best use for this valuable waterfront area. A couple of examples include CBJ not having access from Egan Drive to our property; and, Goldbelt, owner of the Seadrome Building, stymied in developing meaningful improvements due to the layout of the multiple parcels, each requiring setbacks.

Goldbelt is proposing an land exchange, potentially including purchase & sale of CBJ property, with Docks & Harbors for re-development of the Seadrome Building. Goldbelt's preliminary plans would be to raze and replace the existing building with a facility suited for the downtown waterfront.

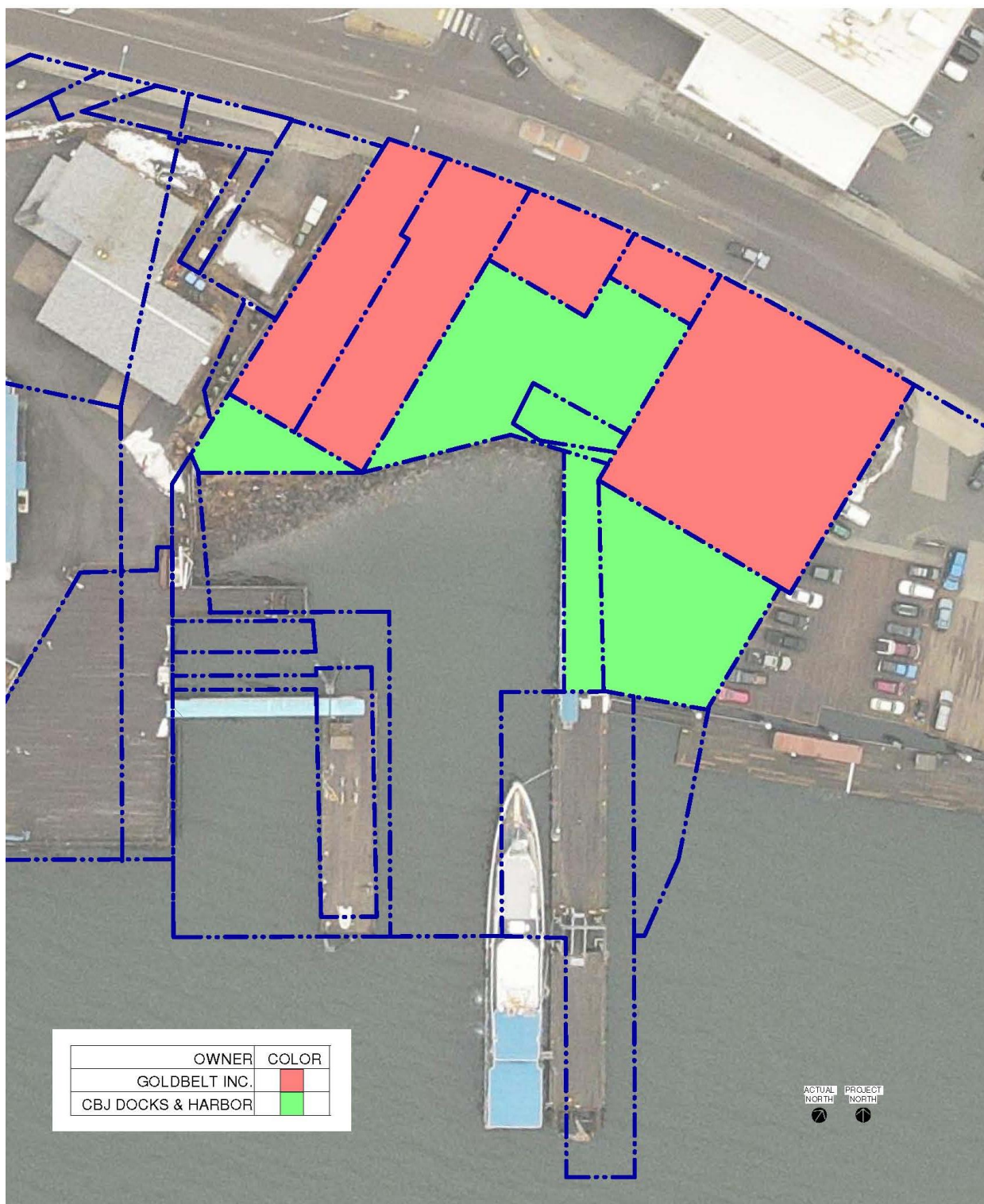
In order to develop a Purchase and Sale Agreement, the Assembly must authorize the manager to commence negotiations:

Title 53.09.260(a) – Negotiated Sales, Leases and Exchanges states that “the proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations...”

If supported by Assembly motion, negotiations with Goldbelt will commence and a purchase & sales agreement or new lease will be returned to the Assembly for adoption by ordinance via the Docks & Harbors Board. There is no monetary commitments by CBJ with this motion for direct negotiations with Goldbelt.

#

Encl (1): Seadrome Property map



MEMORANDUM

CITY/BOROUGH OF JUNEAU

Lands and Resources Office
155 S. Seward St., Juneau, Alaska 99801
Dan.Bleidorn@juneau.org
(907) 586-5252

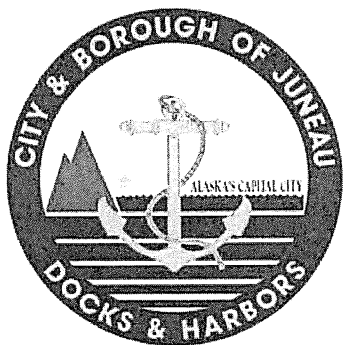
TO: Alicia Hughes-Skandijs, Chair of the Assembly LHED Committee
FROM: Dan Bleidorn, Lands and Resources Manager *Daniel Bleidorn*
SUBJECT: Goldbelt and CP Marine Application for a Land Trade
DATE: December 14, 2022

Goldbelt, Inc. and CP Marine Inc. completed an application proposing a land trade near the Seadrome Building to develop a new visitor oriented building in support of the Juneau tourism market. This property is managed by the Docks & Harbors Department. According to Port Director Uchytel, "the patchwork of CBJ owned versus Goldbelt owned property is readily apparent. The existing parcels are limiting to both CBJ and to Goldbelt for future development. The proposal to consolidate parcels in a coherent fashion will benefit both parties." On August 25th, 2022, the Docks & Harbors Board supported Goldbelt's request with the following motion: "Direct staff to initiate an appraisal and establish a process to coordinate Docks & Harbors interests with Goldbelt's efforts to develop the Seadrome property."

The Land Management Plan designates this property and all waterfront property and tidelands as properties to retain but the Plan also states, "Parcels under their jurisdiction will not be discussed in detail in this plan because money generated from those properties is directed back to the respective enterprise funds. Additionally, specific master plans for these departments will guide their disposal methods and timing." Even still, in order for this land trade to move forward the Assembly will be required to update the Land Management Plan to reflect this property as available for disposal.

If the Committee provides a positive motion this application will be reviewed by the Assembly as New Business. There will also be a Planning Commission review for both the land trade and the Plan amendment will be included. The intention is to move forward with investigating the land trade and for the remaining large parcel to continue to be designated as retain. If a land trade moves forward, terms and conditions would be approved by the Assembly by an ordinance.

Staff requests that the Lands, Housing, and Economic Development Committee provide a motion of support to negotiate with Goldbelt and CP Marine on a land trade.



Port of Juneau

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

From: Port Director

To: Docks & Harbors Board

Via: Docks & Harbors Operations-Planning Committee

Date: November 4th, 2022

Re: ASSEMBLY AUTHORITY FOR NEGOTIATED LAND SALE

1. Docks & Harbors has been approached by two separate private entities requesting consideration to acquire CBJ owned land which is managed under Docks & Harbors. The next steps are to conduct appraisals and begin negotiations allowing the transitions to be considered and acted upon.
 - a. Goldbelt, Inc is proposing an exchange of parcels near the Seadrome Building to develop a new visitor oriented building in support of the Juneau tourism market. On August 25th, 2022 the Board approved Goldbelt's request with the following motion: "Direct staff to initiate an appraisal and establish a process to coordinate Docks & Harbors interests with Goldbelt's efforts to develop the Seadrome property."
 - b. Hansen-Gress has applied to the CBJ Lands & Resources Office to purchase CBJ owned tide lands which are managed by Docks & Harbors. On August 25th, 2022 the Board approved Hansen-Gress request with the following motion: "To advance the Hansen-Gress proposal that includes easements for future Docks & Harbors development as well as first right of refusal on the consolidated land and building sale as well as the evaluation of property by Docks & Harbors contracted appraiser that assumes the property as a single lot." At the September 26th Assembly LHED meeting, that Committee recommended the Assembly to "work with the original proposer in accordance with city Code 53.09.260."
2. The Hansen-Gress application has progressed through the Assembly and does not require action from the Board at this time. Goldbelt's request does require Board and Assembly authorization to move forward. Title 53 allow several options in disposing of CBJ lands: (1) auction sale, (2) over-the-counter sales, (3) sealed competitive bids or (4) by negotiated sale. 53.09.260 outlines the requirements for direct negotiated sale and specifies that the Assembly

approve that option by motion.

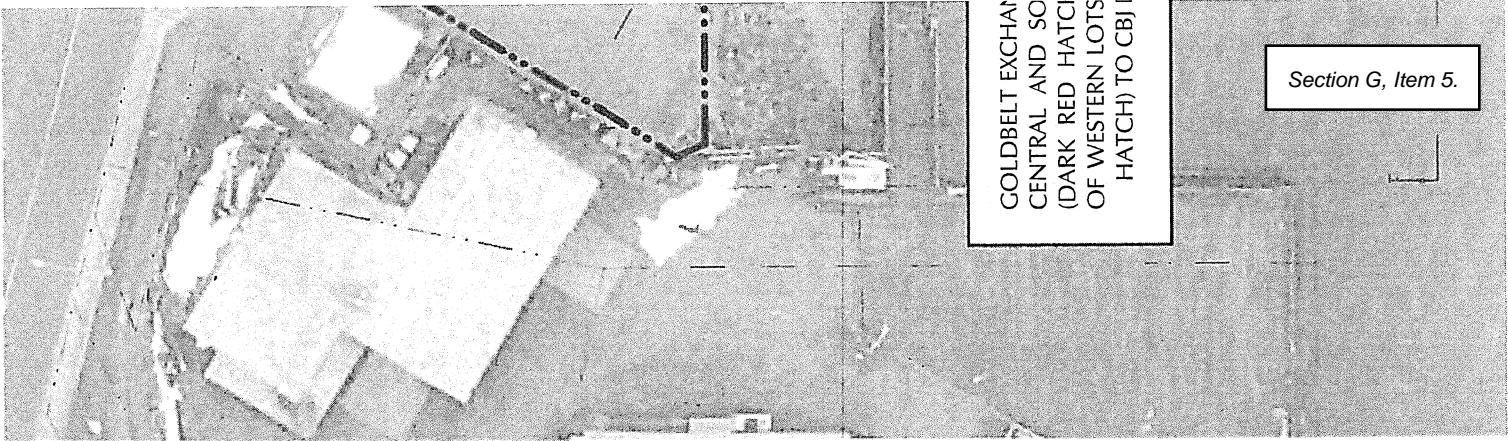
53.09.260 - Negotiated sales, leases, and exchanges.

(a) Application, initial review, assembly authority to negotiate. Upon application, approval by the manager, and payment of a \$500.00 fee, a person or business entity may submit a written proposal to lease, purchase, exchange, or otherwise acquire City and Borough land for a specified purpose. The proposal shall be reviewed by the assembly for a determination of whether the proposal should be further considered and, if so, whether by direct negotiation with the original proposer or by competition after an invitation for further proposals. Upon direction of the assembly by motion, the manager may commence negotiations for the lease, sale, exchange, or other disposal of City and Borough land.

3. Enclosure (1) was provided in the Goldbelt presentation on August 25th. The patchwork of CBJ owned versus Goldbelt owned property is readily apparent. The existing parcels are limiting to both CBJ and to Goldbelt for future development. The proposal to consolidate parcels in a coherent fashion will benefit both parties. It is appropriate that the land exchange discussions be continued with Goldbelt exclusively and that direct negotiations be authorized in accordance with 53.09.260.
4. I propose the Board make the following motion: To recommend the Assembly authorize direct negotiations with Goldbelt in accordance with 53.09.260 for a potential land exchange at the Seadrome property.

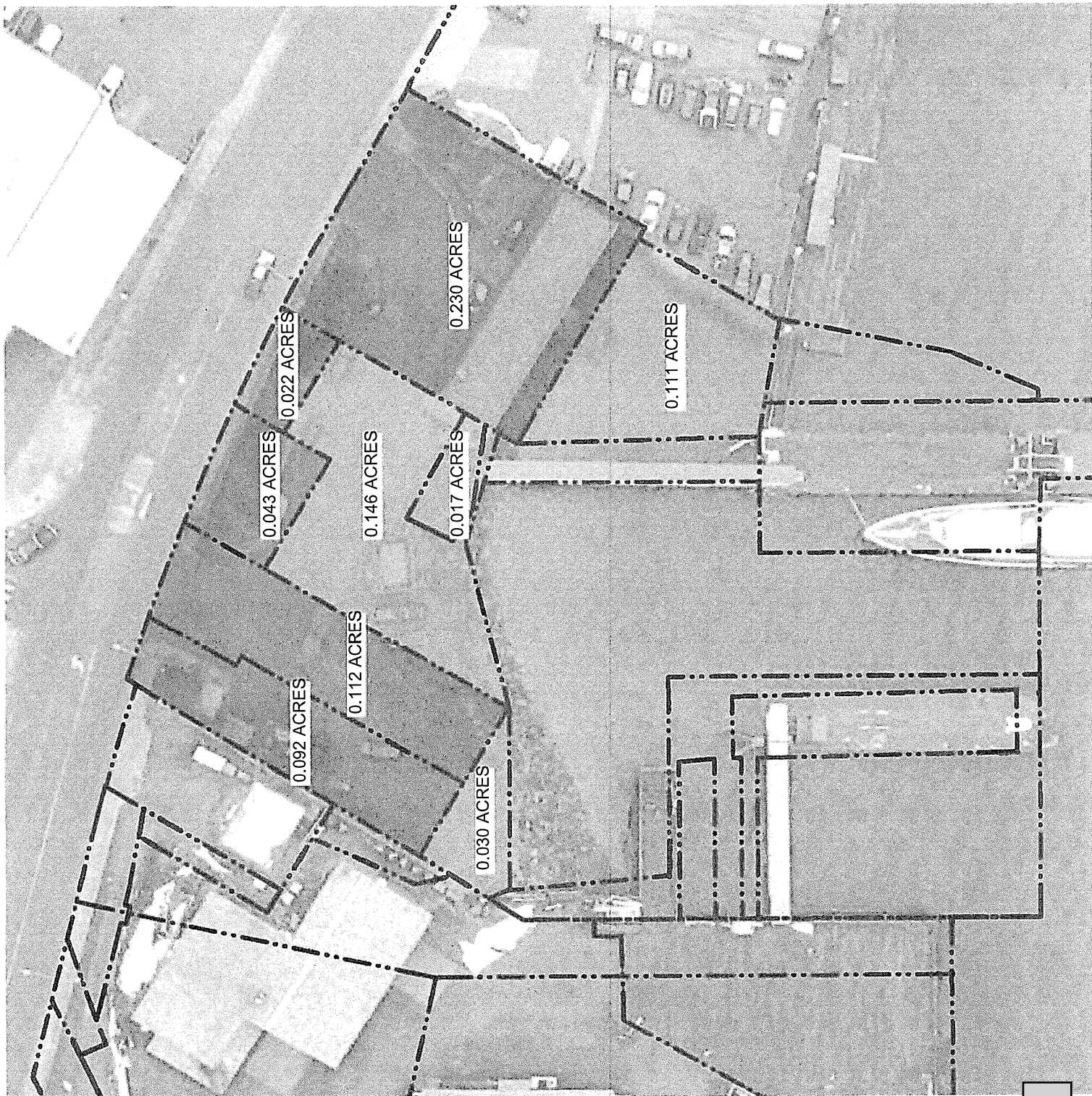
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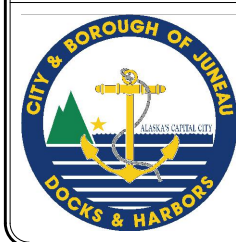
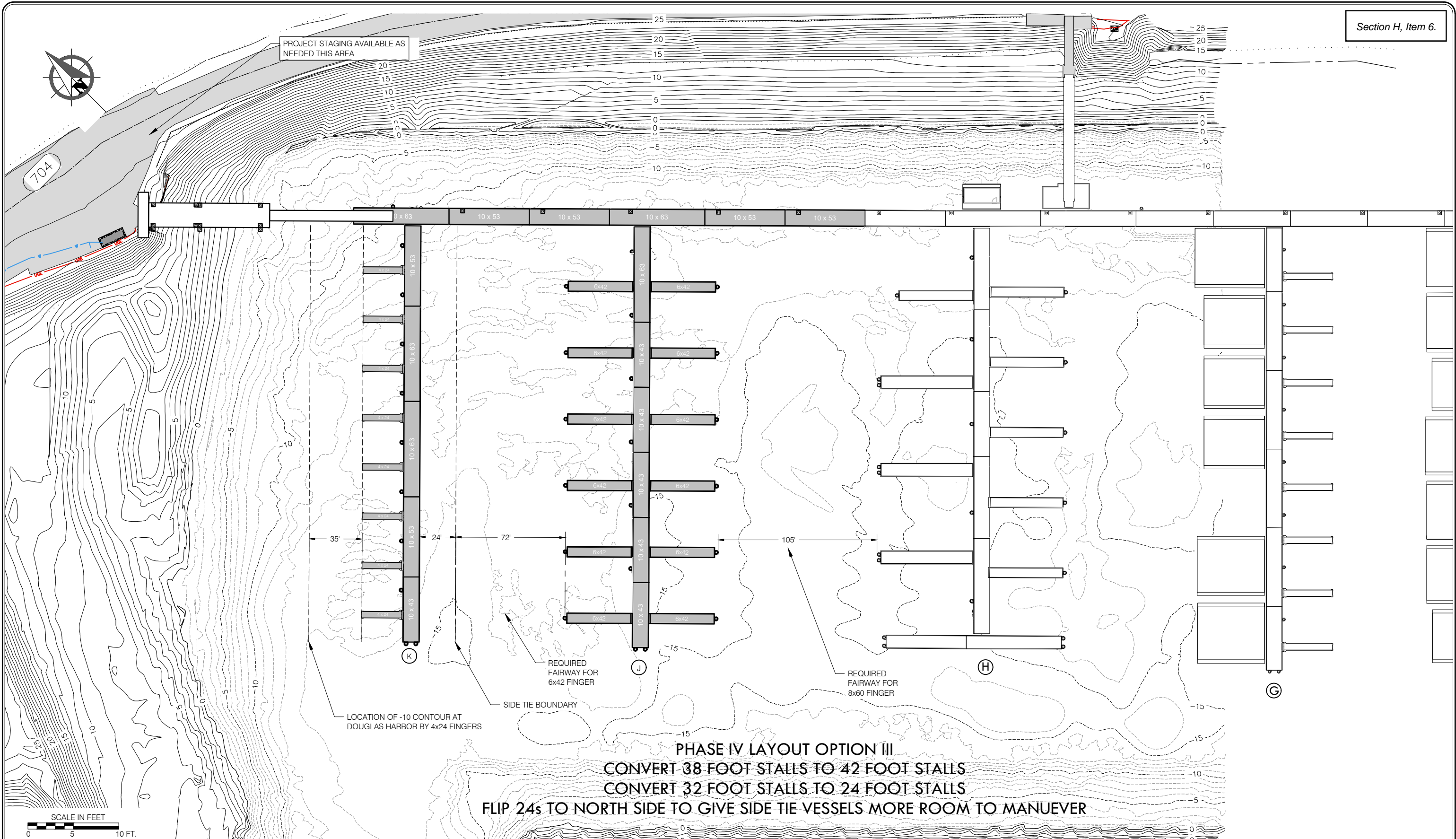
Encl: (1) Seadrome Property Map



GOLDBELT EXCHAI
CENTRAL AND SO
(DARK RED HATCH
OF WESTERN LOTS
HATCH) TO CB11

Section G, Item 5.





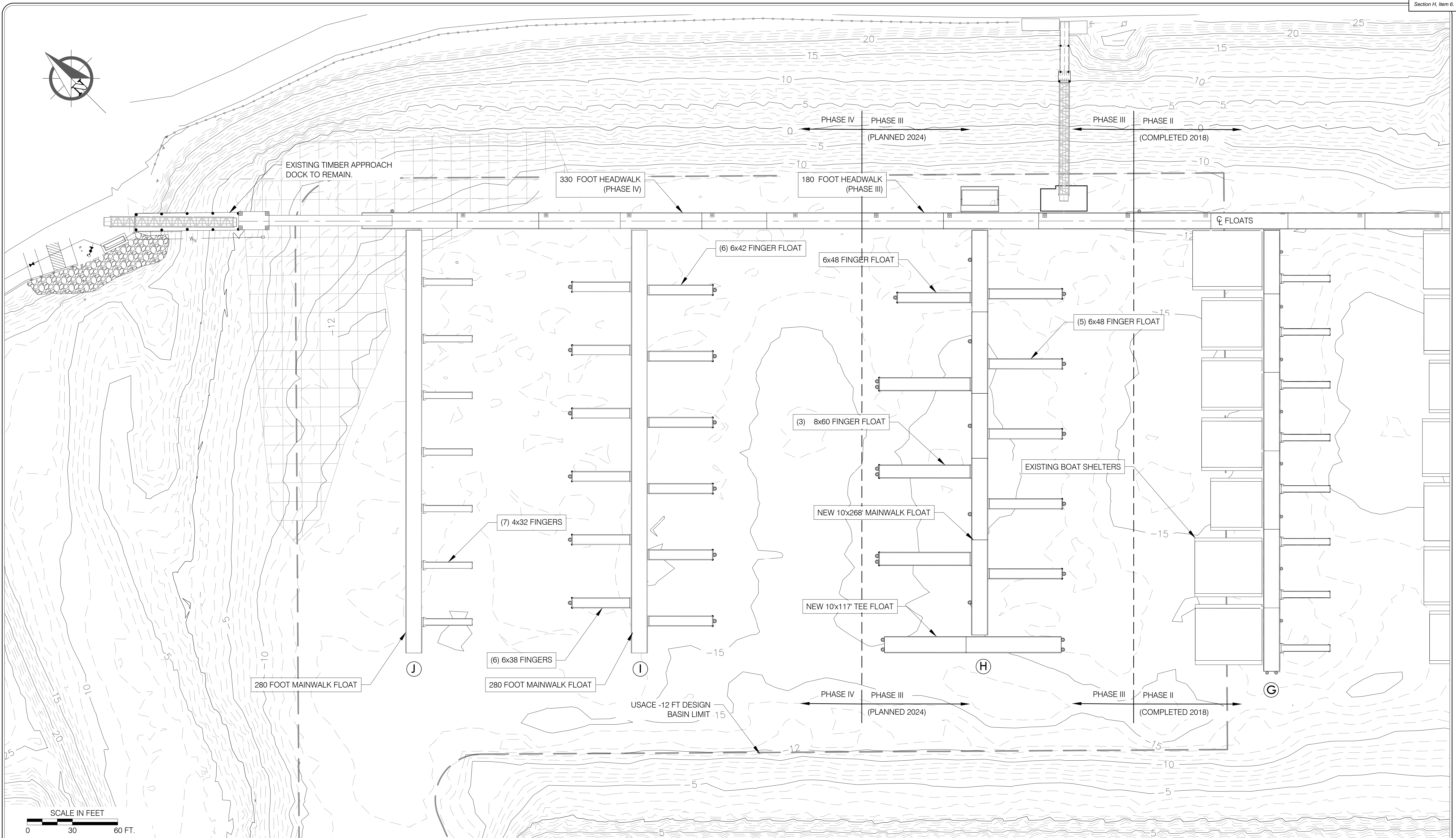
REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

CITY AND BOROUGH OF JUNEAU
DOCKS & HARBORS
155 HERITAGE WAY
JUNEAU, ALASKA 99801
PHONE: 907-586-0292

GENERAL SITE PLAN

AURORA HARBOR REBUILD - PHASE IV

DESIGN:	MS	DATE:	SEPTEMBER 30, 2024
CHECKED:	CU	CONTRACT NO.:	DH24-0XX
APPROVED:	CU	FILE NO.	SHEET: 4 of 72



A - PHASE IV SITE PLAN



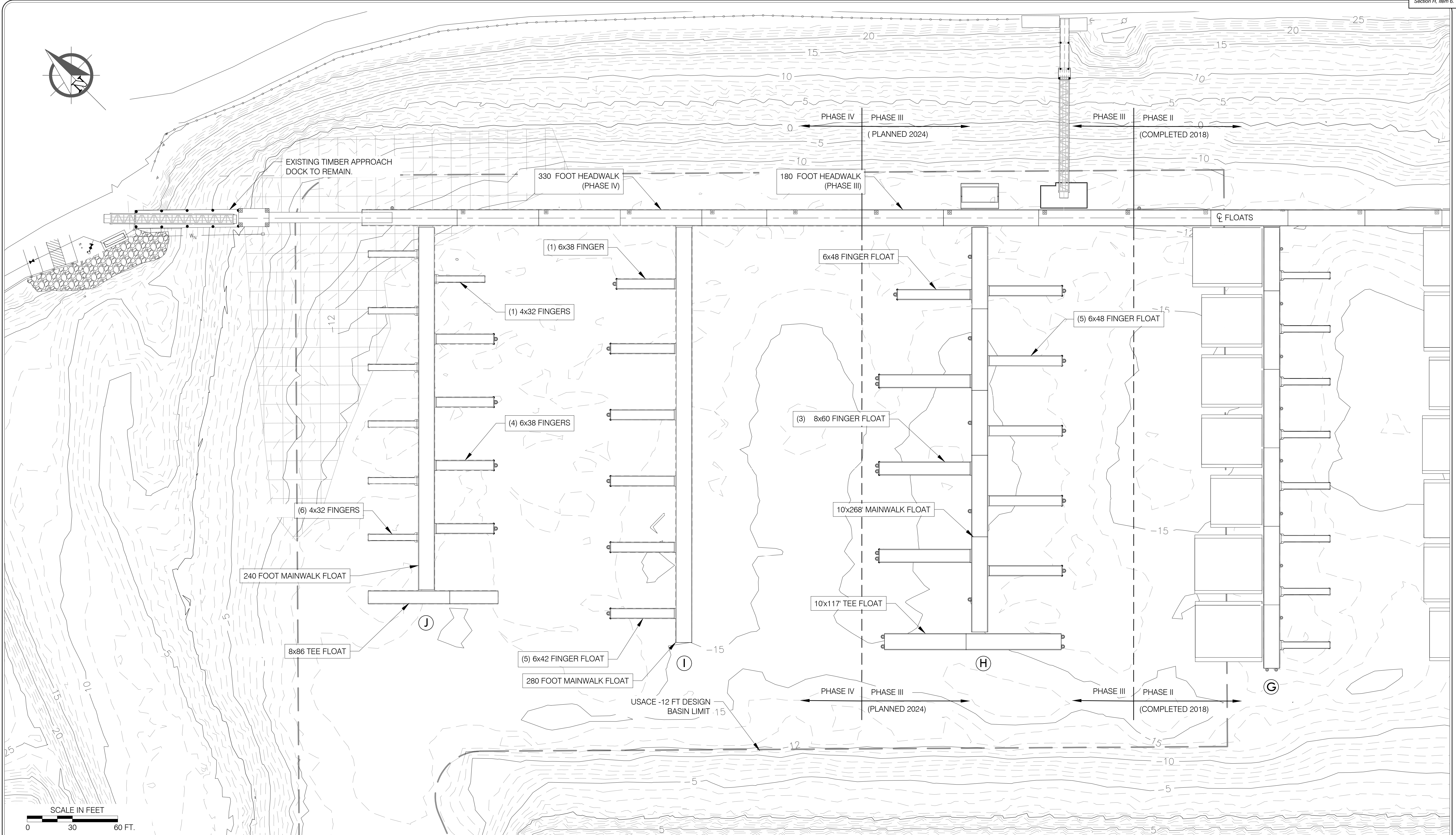
REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

CITY AND BOROUGH OF JUNEAU
DOCKS & HARBORS
155 SOUTH SEWARD STREET
JUNEAU, ALASKA 99801
PHONE: 907-586-0292

PHASE IV - LAYOUT OPTION A
AURORA HARBOR REBUILD - PHASE IV

DESIGN:	MS	DATE:	APRIL 4, 2024
CHECKED:	CU	CONTRACT NO.:	DH24-0XX
APPROVED:	CU	FILE NO.	XXX
		SHEET:	1 of 2

A



B - PHASE IV SITE PLAN



REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

CITY AND BOROUGH OF JUNEAU
DOCKS & HARBORS
155 SOUTH SEWARD STREET
JUNEAU, ALASKA 99801
PHONE: 907-586-0292

PHASE IV - LAYOUT OPTION B
AURORA HARBOR REBUILD - PHASE IV

DESIGN:	MS	DATE:	APRIL 4, 2024
CHECKED:	CU	CONTRACT NO.:	DH24-0XX
APPROVED:	CU	FILE NO.	XXX
		SHEET:	2 of 2

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Port of Juneau

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From: Carl Uchytel
Port Director

To: Docks & Harbor Board

Via: Operations-Planning Committee

Date: September 16th, 2024

Re: POTENTIAL COMMERCIAL USE WITHIN STATTER HARBOR

At a recent Docks & Harbors board meeting, a member of the public spoke on a non-agenda item asking for permission to operate a commercial business within the boundaries of Statter Harbors. I am redacting the specifics of his request for proprietary reasons. He indicated a desire to operate a floating business on which he would cater to pedestrians passing by enroute to their vessels. The consensus of the board was positive and directed me to meet and discuss with the individual.

Myself, Harbormaster Creswell and Deputy Harbormaster Norbryhn met with the individual at Statter Harbor on September 3rd. The individual explained his seasonal business plan and we asked him questions. Here is a bulletized summary of that conversation:

- Individual would build 16 foot by 16 foot to be moored within the skiff zone of Statter Harbor
- The float would support a small building structure for his envisioned business
- After checking with the USCG, individual indicated that the float does not require Coast Guard inspection or approval because it would never leave the harbor
- Individual would like power and water but could provide small generator and hand carry water, if need be.
- After individual checked with ADEC, there are no sanitary requirement needing special attention.

After code review, the following are relevant to the discussion:

85.25.050 - Commercial operations.

No moorage space shall be sublet or rented to any firm or individual for the purpose of conducting any commercially oriented business enterprises at the facilities unless specifically authorized by the state and by the terms of the lease of the facilities from the state to the City and Borough, except that charter vessels, including aircraft, may pick up and discharge passengers at any space rented to such vessel or aircraft, but may not pick up or discharge cargo at any space or any other part of the facilities of the boat harbor, except as authorized by the port director pursuant to section [85.15.010](#).

05 CBJAC 01.030 - Permit required.

(a) No person may conduct commercial activities on docks and harbors department lands and facilities subject to these regulations except as authorized by a permit issued by the director. A permit under this

chapter is not required for activities conducted under a permit issued pursuant to other chapter title.

(b) The director may issue a permit for commercial activities within a docks and harbors department land or facility as subject to such conditions as the director may impose and only upon a determination that the use as proposed:

- (1) Will not unreasonably impact the resources and facilities of the docks and harbors department;
- (2) Will not endanger the public health, safety, and welfare; and
- (3) Is not inconsistent with the docks and harbors department master plan and all subsidiary plans.

(c) A permit may contain conditions reasonably required for the protection and use of the docks and harbors department land or facility for which the permit is granted, including limitations as to time, area, equipment, user loading, traffic, parking, discharges, noise, and other factors.

(d) The director may deny a proposed use upon a reasonable determination that the use, alone or in combination with other uses, would exceed the carrying capacity of the area. The director shall determine the carrying capacity of an area taking into account the nature and extent of the use, the number of users, and the impacts likely to result from the use, including traffic, noise, public access, loading, the availability of parking and other factors. The director shall find that the carrying capacity of an area would be exceeded if it were more likely than not that the proposed use would unreasonably impact the resources and facilities of the docks and harbors department.

If the cumulative impact of proposed uses would exceed the carrying capacity of the area, the director shall not award any permits for that area until the following procedure is followed:

- (1) The director shall notify all members of any group of applicants whose applications, taken together, propose uses in excess of the carrying capacity of an area. The notice shall identify the nature and extent of the impacts exceeding the carrying capacity, and shall invite the applicants to confer among themselves for the purpose of negotiating a resolution to the excess impacts issues.
 - (2) The applicants may re-submit their applications which shall be granted if the director finds that the excess impact issues have been resolved and the applications otherwise meet the requirements of this section. If excess use issues remain unresolved, the director shall grant permits by lottery to the extent that such uses do not exceed the carrying capacity of the area.
- (e) A permit is transferable only with the permittee's entire business interest in activities conducted under the permit and only to a person who has successfully completed the permit application process. No credit will be given for any permit payments made by the previous holder of the permit.

05 CBJAC 10.020 - Prohibitions.

(a) A person shall not conduct any commercial activity within the downtown waterfront area except as authorized by a permit issued under this chapter by the director. Except as authorized by a permit, a person shall not within the downtown waterfront area:

- (1) Sell or offer to sell goods or services,
- (2) Construct, maintain, or use any structure, or
- (3) Use any loading zone.

(b) Solicitation, advertisement, sales, use of loading zones or any other commercial activities without a permit issued pursuant to this chapter is a violation of CBJ 85.25.090 (11).

(c) A person delinquent in the payment of fines, taxes, judgments or other monies owed to the city may not receive a permit.

(d) No permit may be issued or reissued to any person whose prior permit hereunder was revoked.

My staff and I are generally very support of enterprises which drive economic development within the City & Borough; however, we are also very prescriptive to the use of our facilities when it impacts primary users.

Pros:

- Opportunity for private entrepreneur to open new business

- Provided service may be well received by harbor patrons

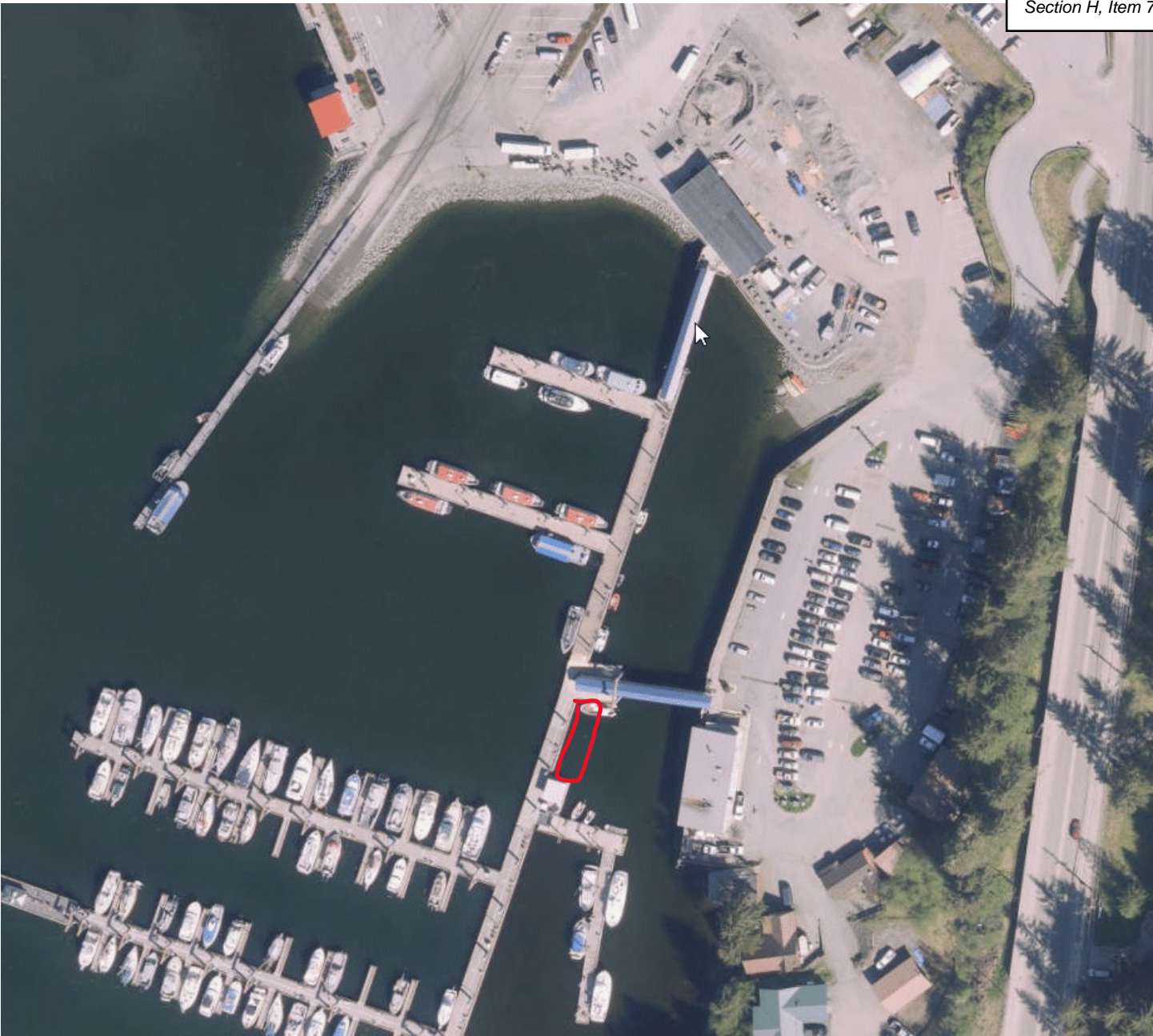
Cons:

- Precedent setting
- Loss of moorage
- Potential pedestrian congestion
- Inability to provide power & water to business
- Should provide open & fair opportunity for other businesses to compete (i.e. not sole source)
- Need to determine methodology for permit fee

In summary, Docks & Harbors staff sees more challenges in the management of Statter Harbor than the net benefit to the Harbor Enterprise or benefit to harbor patrons.

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Encl (1): Statter Harbor map



Everything You Always Wanted to Know About the CBJ Legislative Capital Priorities List

by Katie Koester, City Manager

Q: What are the Legislative Capital Priorities?

A: The CBJ Legislative Capital Priorities (LCP) is a document that lays out community priorities for capital projects, including a project description, rationale for why it's needed (benefits to the community), description of progress to date (money raised, plans drawn up, etc.), and estimated total cost. For CBJ projects, additional information is provided on the timeline for completion. Facilities that have alternative funding streams are not included on this list: for example, the Airport, or projects that can be funded through Passenger Fees. See graphic on the following page for a diagram of how the different plans and lists relate to each other.

NOTE: Inclusion on the Legislative Capital Priorities is not a funding request. From CBJ's standpoint, it is a mechanism to prioritize projects and raise awareness of a needed project to increase chances of funding from various sources. Nominating a project for inclusion in the LCP should not be thought of as a request for municipal funding.

Q: Are the "legislative priorities" the same as the Capital Improvement Plan?

A: No, they are a prioritized list of projects that are pulled from various CBJ plans, including the Comprehensive Plan, Area Plans, and the Six-year Capital Improvement Plan. The Legislative Priorities are "short list" of projects on which CBJ will focus particular attention during the upcoming legislative session and with the federal delegation. (The goal is to get at least partial funding for a project included in the state capital budget or federal earmark.)

CBJ's "short list" of Legislative Priorities should have a limited number of projects on it. An attempt is made to phase projects so that funding requests range in size depending on available funds and objective. For the State Legislature, project descriptions are inputted into an online system lawmakers use to prioritize funding requests (CAPSIS). These are due in February. Federal priorities are also solicited by the delegation through an online platform. The Assembly will designate projects that have a nexus with federal funding opportunities for submission to the delegation through the Legislative Priority process.

Q: What is a capital project?

A: A capital project is a major, non-recurring budget item that results in a fixed asset (like a building, road, parcel of land, or major piece of equipment) with a useful life of 20-50 years. Designing and building a new library is a capital project. Planning and implementing an after-school reading program is not a capital project. Most of the projects in the LCP are CBJ projects, but some are community projects spearheaded by a non-profit organization or state or federal agency (e.g., Alaska DOT). To be included on the LCP projects must have an estimated total project cost of at least \$1,000,000.

Q: Is the Legislative Capital Priorities list just “wish list,” and if so, what’s the point of writing one?

A: The Legislative Priorities list does include projects that are aspirational, and as such may have items that are so large or expensive, that it is hard to imagine completion in the near future. However, articulating these priorities helps guide the Assembly and the community through small steps that lead up to the larger goal and advocate towards a common goal. It will take time and discipline to keep the list an accurate and living document.

There are several reasons to include longer term projects on the Legislative Priority List, even when it seems like little progress is being made in accomplishing projects: 1) It helps focus attention on community needs. 2) It helps groups raise money for projects if the sponsor can say that the project has been identified as a community priority in the CIP. 3) Typically the more priority a municipality places on a project, the greater the chances it for a legislative appropriation.

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~~12. Aurora Harbor Rebuild Phase IV~~

~~**AMOUNT REQUESTED: \$1M TOTAL PROJECT COST: \$11.5M**~~

~~**PROJECT DESCRIPTION & UPDATE:**~~

~~Request for funding to continue the reconstruction of the Aurora Harbor Facility. Past work has been divided into segments. This request would continue preliminary design and begin permitting tasks.~~

~~**PUBLIC PROCESS:** The project has been through a long-term planning process with community outreach. It is the fourth phase of the larger reconstruction plans. Docks & Harbors has submitted a \$5M ADOT Harbor Facilities grant for FY25 Legislative consideration. If successful it will be locally matched with \$5M and nearly complete the rebuild of Aurora Harbor.~~

~~**TIMELINE:** Once funding is secured, 18-24 month design and construction timeline.~~

~~**WHO WILL MAINTAIN AND OPERATE?** CBJ~~

~~**PROJECT GOAL:** Replace critical infrastructure and support maritime economy.~~

14. Shore Power at Dock 16B

AMOUNT REQUESTED: \$20M

AMOUNT SECURED: \$10M Marine Passenger Fees TOTAL PROJECT COST: \$54.25M

PROJECT DESCRIPTION & UPDATE:

The project would provide the final design and construct the electrical infrastructure (substation, feeder cables, batteries, etc.) and shore power infrastructure (submarine cables, power connection floats, cable positioning devices) at the two CBJ-owned cruise ship docks. The electrical infrastructure could also service ground transportation as it transitions to electric vehicles. The project benefits the community by improving air quality and reducing noise pollution from cruise ships that connect to shore power while hoteling in port, and by upgrading the electrical infrastructure at Juneau's waterfront. The elimination of ship GHG emissions furthers the community's climate action goals of switching from fossil fuels to renewable hydropower as well as enables the cruise lines to better meet their sustainability goals. The project benefits the tourism sector of the community.

While the full project includes two docks, the amount requested this year with the amount secured would fund the completion of one dock. CBJ plans to pursue additional grant funding for the project. CBJ submitted an EPA Clean Port Grant for consideration in 2024, if successful no legislative assistance will be necessary. Grant awardees are expected to be notified in September 2024.

TIMELINE: Preconstruction phase to be completed by 2025. Construction phase to be completed by 2027.

WHO WILL MAINTAIN AND OPERATE? CBJ

PROJECT GOAL: Reduce emissions, improve air quality and economic development.

18. Auke Bay New Breakwater

AMOUNT REQUESTED: \$5M

AMOUNT SECURED: \$1.8M (CBJ commitment)

TOTAL PROJECT COST: TBD (\$50M placeholder)

PROJECT DESCRIPTION & UPDATE:

The requested funding would allow for the preliminary planning and design phases, including permit acquisition. This opens the opportunity for the construction of a new breakwater at the end of Statter Harbor. The current facility has reached it's useful life and needs to be replaced. The new facility would allow for more moorage and provide economic stimulus to the community. CBJ would be the local sponsor for the US Army Corps of Engineers, who is federally responsible for the feasibility analysis, design and construction of the breakwater.

Local match is required under federal law and is available through Docks & Harbors. Senator Murkowski has added \$500K as Congressionally Designated Spending in the FY24 appropriation bill and is awaiting Congressional action. The US Army Corps of Engineering feasibility study kicked off in September 2024. This will be a three-year planning effort which requires federal funding each year. Senator Murkowski has submitted a \$600K CDS in the FY25 Budget to continue supporting the project. CBJ Docks & Harbors has sufficient in-house match.

PUBLIC PROCESS: Identified as a Legislative Priority for FY2023.

TIMELINE: Once funding is secured, 3 year design and construction timeline.

WHO WILL MAINTAIN AND OPERATE? CBJ

PROJECT GOAL: Increase moorage and recapitalization of aging infrastructure.

20. North Douglas Boat Ramp Expansion

AMOUNT REQUESTED: \$250,000 TOTAL PROJECT COST: \$20M

PROJECT DESCRIPTION & UPDATE:

Requested funding would accomplish the first steps to expanding the North Douglas Launch Ramp Facility. These include planning, research and permitting to initiate the project.

PUBLIC PROCESS: Docks and Harbors has solicited public input on the concept. **TIMELINE:**

Once funding is secured, 18-24 month design and construction timeline.

WHO WILL MAINTAIN AND OPERATE? CBJ

PROJECT GOAL: Improve safety and expand boating access & transportation.