



OPERATIONS/PLANNING COMMITTEE MEETING AGENDA

February 13, 2023 at 5:00 PM

City Hall Conf. Room 224/Zoom Webinar

<https://juneau.zoom.us> or 1-253-215-8782 Webinar ID: 871 1665 0227 Passcode: 577217

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

B. ROLL CALL: (James Becker, Don Etheridge, Paul Grant, Debbie Hart, David Larkin, Matthew Leither, Annette Smith, and Mark Ridgway)

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. January 18th, 2023 Meeting Minutes

F. UNFINISHED BUSINESS

2. UAS Property & Potential Lease Extension

Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO ACCEPT (OR REJECT) AN UNIVERSITY OF ALASKA OFFER TO ENTER INTO A NEW LEASE AGREEMENT FOR \$100,000 PER YEAR FOR THE EXISTING 2.77 ACRE LEASED PROPERTY.

G. NEW BUSINESS

3. Docks & Harbors Use Area - ABLF

Presentation by the Harbormaster

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TBD

4. Aurora Harbor Phase III Funds Transfer Request

Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO RECOMMEND THE BOARD APPROVE THE FUND TRANSFER REQUEST FOR AURORA HARBOR PHASE III IN MEMO DATED FEBRUARY 10TH, 2023.

5. ADOT Harbor Facility Grant Acceptance - Aurora Harbor Phase III

Presentation by the Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO RECOMMEND THE BOARD ACCEPT A \$2M ADOT HARBOR FACILITY GRANT FOR AURORA HARBOR.

H. ITEMS FOR INFORMATION/DISCUSSION

6. Vessel Insurance

Presentation by Rick Shattuck (Shattuck & Grummet Insurance)

Committee Discussion/Public Comment

7. Urban Alaska Consumer Price Index - 2022

Presentation by the Port Director

Committee Discussion/Public Comment

8. Harbor Rate Study - Next Steps

Presentation by the Port Director

Committee Discussion/Public Comment

9. Community Development Department Request for Comments - Huna Totem Corp

Presentation by the Port Director

Committee Discussion/Public Comment

I. COMMITTEE AND MEMBER REPORTS

J. COMMITTEE ADMINISTRATIVE MATTERS

Next Operations/Planning Meeting - Wednesday, March 22nd, 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

For Wednesday, January 18th, 2023

CBJ Room 224 and via Zoom

A. Call to Order – Mr. Ridgway called the meeting to order at 5:00 p.m. at CBJ Room 224 and via Zoom.

B. Roll Call – The following members attended in person: Jim Becker, Don Etheridge, Paul Grant, Debbie Hart, David Larkin, Annette Smith and Mark Ridgway.

Absent – Matthew Leither

Also Present – Carl Uchytel – Port Director, Matthew Creswell – Harbormaster, Jeremy Norbryhn – Deputy Harbormaster, Teena Larson – Administrative Officer, Benjamin Brown – City Attorney and Nichole Benedict – Administrative Assistant.

C. Port Director Request for Agenda Changes – None
(Short statement saying Ms. Lacey Derr has resigned from the Docks & Harbors Board)

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. December 21st, 2022 Meeting Minutes – Hearing no objection, the December 21st, 2022 minutes were approved as presented.

F. Consent Agenda – None

G. Unfinished Business

2. By-Law Changes

Mr. Grant shared a presentation regarding proposed Docks & Harbors Board and committee By-Law changes. He has been working on this with the Law Department. He reviewed the highlighted changes starting on page sixteen in the packet. He would like the Board's input on membership requirements for committees and voting.

Committee Questions

Mr. Etheridge said he thought this language was designed for committees of the whole and not sub-committees. He would like to separate out the Board, committees and sub-committees in the By-Laws.

Mr. Brown said it is not currently set up that way, but we could definitely change it to have sub-committees follow a different set of rules. He would like these By-Laws to be easy to read and understand for new members and the public. He is hoping to have these changes completed and ready for review by the next Regular Board meeting.

Mr. Larkin asked if we could change voting to two thirds of the committee.

Mr. Grant said the current language says for all committee meetings. It could be changed to exclude sub-committees and only require the majority of the quorum. He fears there is some inconsistencies with special committee member requirements. Voting members of a special committee can be non-Board members.

Ms. Smith said you could change a quorum to consist of fifty percent plus one. She would like to know why we would hinder ourselves by defining committees in the first place.

Mr. Ridgway would like it differentiated between a committee of the whole, a standing committee and sub-committee. He also likes Ms. Smith's suggestion for the fifty percent plus one. He asked Mr. Brown to look at how other boards handle these situations within the City and Borough of Juneau (CBJ). He thinks the Operations/Planning Committee should be the only standing committee for Docks & Harbors (D&H).

Mr. Becker said he has been a part of committees that only had one board member and the rest of the committee was comprised of knowledgeable people in that area.

Mr. Grant received suggestions from two Board members regarding Zoom and telephonic participation. He revised the By-Laws to show it as electronic participation if a Board member is unable to attend in person. He wanted to hear the Board's opinion if electronic participation should be regularized or if we should encourage in-person attendance.

Mr. Uchytel said he thinks the Assembly will always require virtual participation as an option.

Public Comment – None

Committee Discussion/Action

Mr. Becker would like wording encouraging members to attend in person.

Ms. Smith thinks electronic participation should be acceptable if it works best for them. Attendance is more important than which way a member attends.

Ms. Hart thinks the Board is more productive when the meetings are in-person and that should be encouraged. She is very happy with the electronic attendance wording. She does not want to limit members with telephone or Zoom requirements.

Mr. Larkin likes that members are able to attend electronically. He is also a fan of encouraging in-person attendance so the public can speak with members, not a screen.

Mr. Grant asked the Committee if electronic participation at the annual Board Retreat should be allowed.

Mr. Ridgway would like to strongly encourage in-person attendance for the retreats, but not require it.

Ms. Smith would like to encourage but not require in-person attendance for the retreats.

Mr. Grant would like to know what the Committee members thoughts on the public stating their name and organization affiliation when speaking. He also asked if changing the By-Laws needed Assembly approval.

Mr. Brown said it would be better for Board/Committee members to ask if a person is speaking on behalf of an organization or group. He feels most people will give a disclaimer if they are a member of an organization, yet not speaking on its behalf. Mr. Uchytel said there is an error in the resolution that accompanies the Title 40 code provision. The last change to the By-Laws was approved by the Assembly and he strongly suggests this revision also goes before the Assembly.

MOTION By MR. LARKIN: TO RECCOMEND THE BOARD APPROVE THE BY-LAW CHANGES AS PRESENTED AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

3. FY23/FY24 Budget

Ms. Larson shared an overview of the Docks Enterprise and Harbors Enterprise budgets. She said there is very little difference from the last time it was shared with the Board. The Board did not vote to put a cap on the CPI rate adjustment. Credit card fees were discussed and CBJ cannot charge a convenience fee for using a credit card as payment. Other departments do put a dollar amount cap where a credit card can no longer be accepted. The Finance Department made a small change to show the accurate Harbor Enterprise fund balance. Ms. Larson also shared a graph showing the increase in insurance costs over the years. Insurance costs increased from \$114K in FY13 to \$538K in FY23 and \$661K in FY24.

Ms. Larson spoke about the Admin Restructure FTE Changes memo on page twenty-five in the packet. D&H is increasing the administrative needs by a .62 FTE for the Harbor Enterprise and a .04 FTE for the Docks Enterprise. The Statter Harbor office will have two full-time Administrative Assistants now. It was also thought to keep the seasonal Administrative Assistant as the Aurora Harbor office so we would be able to have it open on Saturday's during the summer.

Committee Questions

Ms. Smith asked if we are trying to fill the vacant positions and if they are included in the budget.

Ms. Larson said we are actively trying to fill all positions and they are all included in this budget.

Public Comment – None

Committee Discussion/Action

MOTION By MR. ETHERIDGE: TO FORWARD THE BUDGET AS PRESENTED TO THE FULL BOARD FOR ACTION AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

4. Appraisal Instructions – Hansen Gress

Mr. Uchtyl spoke about the memo on page twenty-seven in the packet and read the previous motion by the Board regarding the Hansen Gress property. He is negotiating with the appraisal company and an issue came up regarding the easement. On page twenty-eight of the packet is a photo of the property. The yellow lines are the property lines and to the right is the Alaska Department of Transportation (DOT) right-of-way. If the intent of the Board was to keep an easement to build a seawalk, we already have that because we own the tidelands in front of the building.

Committee Questions

Mr. Ridgway asked what piece of property Hansen Gress was asking to purchase.

Mr. Uchtyl said it was the blue piece of property shown on page twenty-nine of the packet.

Ms. Smith said when the Board made the original motion it was to protect the public's ability to use the area.

Mr. Larkin said we are selling eight feet in front of the building, which is unusable to us. This would allow them to put in a deck.

Public Comment – None

Committee Discussion/Action

Mr. Ridgway said the building was allowed to be built over property lines and it is causing an issue and now they want to add a deck and are asking to buy this small amount of land to accomplish this. He said staff is recommending us to remove the easement language, which could cost us money and does not give us much in the end. Mr. Ridgway said he is ok with removing the easement request. He asked about the

master plan and if it shows a seawalk. He wanted to know if the Board would have further say on how this will play out.

Mr. Uchytel said the piece of property they are trying to buy is 5,205 square feet. There was no plan for a seawalk in this area on the master plan. The value of our piece of property is \$73K, which is low because the building is built on pilings. Mr. Uchytel will have Mr. Horan come to the next Board meeting to discuss the appraisal process and answer any questions.

Mr. Grant said he thinks Mr. Uchytel is right, we would have tideland property in front of the building if we wanted to add a seawalk. He is concerned about a seawalk if it is constructed on the uplands of the property. He would like to table this item until the Board can meet with the appraiser.

Ms. Larson read the meeting minutes from the August 25th, 2022 Board meeting where this property was originally discussed.

Mr. Ridgway would like to remove the easement language and meet with the appraiser to ask questions.

Mr. Grant would like the motion in this packet to be on the agenda for next week's Board meeting following the discussion with Mr. Horan.

5. Harbor Rate Study – Next Steps

Mr. Uchytel said Ms. Derr was taking the lead on this before she resigned from the Board. He wanted to keep the momentum going on this issue and make sure we know what our next steps are. If the Committee would like him to start the process to raise all rates by nine percent he can do that.

Committee Questions – None

Public Comment

Kirby Day – Juneau, Alaska

Mr. Day spoke on behalf of Princess Cruises. He is trying to get a sense of when the Board and Port Director will set fees for 2024. He is concerned about the budget process because his fiscal year ends in November.

Committee Discussion/Action

Mr. Etheridge commented that he thought the next step should be opening it up to the public process.

Mr. Uchytel said Ms. Derr wanted the Board to do the community outreach and he wanted to know if that was still the plan.

Mr. Etheridge recommended he work with Mr. Uchytel to come up with a plan.

Mr. Ridgway thought that was a good idea. He would like this topic on next week's Board meeting agenda.

Mr. Grant would like staff to come up with meeting dates and times for the public outreach.

H. New Business – None

I. Items for Information/Discussion

6. Auke Bay Loading Facility (ABLF) – Operational & Authorization Use

Mr. Creswell said this facility leases the left side of the property to Karl's Auto and Marine. The right side of the property and drive-down float are managed by D&H. We recently received word from the State of Alaska Department of Environmental Conservation (DEC) that some of the activities taking place at the D&H managed property at the ABLF are not authorized. He shared the map on page thirty-three of the packet and pointed out the DOT right-of-way. Mr. Creswell said the ABLF has several uses now. It is a commercial boatyard, haul-out facility, commercial use drive-down float and property storage. Karl's Auto and Marine has the lease and all of the Multi-Sectional General Permits required by the DEC. D&H does not have these permits or the equipment needed to obtain them. We are not allowed to do any pressure washing, tank storage or vessel repairs. He would like to discuss how we move forward with this location and serve our customers. Vessels will now need to do maintenance with Karl's Auto and Marine or be hauled offsite by someone that is permitted by DEC. Mr. Creswell also spoke about the self-propelled boatlift that was sold in 2022. The replacement boatlift is required to be made in the USA and that is causing difficulty.

Committee Questions

Ms. Smith asked how long it takes to get a permit and the cost. She also wanted to know if we currently charge for use of our facility. She wonders if we should even attempt to replace the boatlift or if we should renegotiate the lease with Karl's Auto and Marine.

Mr. Creswell said getting the permit is not the hard part. The difficulty will be in the routine inspections, installing equipment and infrastructure, staffing the facility and shouldering the liability. D&H charges a commercial ramp permit fee, staging fees and charge for use of the drive-down float.

Mr. Uchytel said when we managed the boatyard it cost about \$10K to pay a firm to help them acquire the permit. We transferred the permit when we started leasing the facility. The first business D&H leased the boatyard to was fined considerably for violations. There is a clause in the boatyard lease that it must be appraised every five years. The lease amount might go down now that the boatlift is not an included piece of equipment. Mr. Uchytel said D&H pays ADOT \$18K annually for commercial use of their right-of-way at this location.

Mr. Ridgway said the maintenance of the permit in addition to the infrastructure would be a significant cost.

Mr. Grant wanted to know if the activities we were allowing differ from the permitted boatyard. He asked if Karl's Auto and Marine is lacking the space needed to provide services.

Mr. Larkin thinks the D&H managed section is critical for the community. He believes containment can be as easy as a berm and the required covering could be a sturdy awning.

Mr. Becker is concerned about containment. He would like to either provide a full-service boatyard and be careful of contamination, or get out of this type of use.

Ms. Hart asked if the footprint of the boatyard comes up with each lease appraisal.

Mr. Uchytel said the current boatyard lease to Karl's Auto and Marine went through the Assembly for approval. Any changes would also need to be approved by the Assembly.

Public Comment

Karl Leis – Juneau, Alaska

Mr. Leis said Karl's Auto and Marine does have a boatlift but it cannot haul as large of vessels as the old D&H boatlift. He is trying to make do with what he has. He also said the grade of the ramp is always a challenge. When Mr. Leis signed the lease with D&H for the boatyard he was under the impression that all of the discussed work would be done at his facility because he is permitted and has the infrastructure to accommodate it. He runs a standard boatyard where you are able to rent space and do any maintenance; he even has forklifts for engine swaps and water systems. He understands the scheduling issues and is willing to work with everyone to get things done. Mr. Leis thinks his current permit extends to the entrance gate. He will check the permit and get back to the Board. Mr. Leis said he is fully prepared to accommodate everyone this summer.

Bob Janes – Juneau, Alaska

Mr. Janes said he is very thankful for the ABLF. His business, Gastineau Guiding is growing and in the beginning he thought the ABLF was perfect. Now he feels the facility is too small for the community's needs. His company performs about 250 oil changes in four months. Each oil change takes about two hours to complete. His company is very careful doing the oil changes and has not had any issues. He would like D&H to continue to provide a place for these services. He would like to bring Karl's Auto and Marine, all the operators and D&H staff together to find a solution. Many times the necessary oil changes come up spur of the moment when there is two hours between tours. Currently he is able to call D&H staff and get things done right away or leave a voicemail if done in the evening. Mr. Janes said he has no problem working with Karl's Auto and Marine if it is necessary.

Ken DiMarzio – Juneau, Alaska

Mr. DiMarzio is representing Juneau Tours and Juneau Whale Watch. He is at Statter Harbor seven days a week during the tourist season and uses the ABLF five days a week. Juneau Tours, Gastineau Guiding and Paul Weltzin are the big users of the facility. Most

of the other companies/vessels might use the facility once a week. These three companies are self-sufficient and do all of their own work, it would be out of their nature to use someone else's boatyard. He is worried about having to rely on a contractor and fitting things into their timetables. His vessels are much bigger than Gastineau Guiding and he does not even know if Karl's would be able to haul his vessels. He owns his own truck and trailer and usually pulls his boats out, performs maintenance at the top of the ramp and puts the boat right back in the water.

Kirby Day – Juneau, Alaska

Mr. Day is considering Tourism Best Management Practices (TBMP) and hopes the operators have plans for this summer. It would be ideal for everyone to have a plan before this all goes public. This is a very environmentally cognizant community. The first cruise ship is three months away and we need to figure out a way for them to work with Mr. Leis very fast. He is also concerned about issues with the public with so many boats doing oil changes in a parking lot.

Jacob Hotch – Juneau, Alaska

Mr. Hotch said Gastineau Guiding does an oil change every 100 hours. The season starts this year on April 17th and he will need to do the first oil changes within a week. The boats all need an oil change about the same time, which is ten boats a week.

Sky Bonnell – Juneau, Alaska

Mr. Bonnell said he has fewer boats but with higher capacity. It takes a little longer to perform oil changes on his vessels.

Committee Discussion/Action

Mr. Grant asked about the DEC notice. Mr. Grant said he sees so much need maybe we should build some infrastructure. He asked if there is anything we can do for one season to appease the DEC while we figure this out.

Mr. Creswell said all correspondence from DEC has been through professional curtesy and phone conversations so far. We have been able to keep all of this informal up to this point with no regulatory action. The way it was explained to him, a permit is needed to do the oil changes and power washing without exception.

Mr. Larkin asked about the piece of property on the left side of the facility's entrance. He would also like to know if we are able to move what is there to expand the boatyard. He would like to expand the capabilities of the D&H side of the ABLF. We might be able to contract the management of the facility.

Mr. Creswell said the left side of the entrance is D&H storage and there are some crab pots and excess lumber. He thinks that could be relocated if needed.

Mr. Ridgway said he thinks we might be able to limit the use of the D&H side to only oil changes, with no power washing or painting. He hopes this will be ok without obtaining a permit.

Ms. Smith asked about ABLF use by patrons other than tour companies. She also wanted to know if there is need in the winter months as well.

Mr. Creswell said 98% of the D&H side of the ABLF is used by Gastineau Guiding and Juneau Tours. Most of the other operators already use Karl's Auto and Marine.

Mr. Grant does not feel we have enough information from this discussion to come up with Committee action. He thinks Mr. Janes suggestion of getting everyone together is a good one, although, he is concerned if it can be settled in 90 days before the start of the season. He would also support expanding Karl's Auto and Marine footprint if that will help.

7. Request for Proposal (RFP) Juneau Port Master Planning

Mr. Uchytel wanted to inform the Board that the January 30th Assembly meeting will be important. They will discuss cruise ships and cruise ship related things. He drafted an RFP per the City Manager's request and was asked not to make it public until after that meeting. The direction he was given was to draft a comprehensive master plan to include the new cruise ship dock at the Subport property. D&H would take the lead for synchronizing the efforts between Huna Totem, U.S. Coast Guard, Goldbelt and D&H's desire for small cruise ship infrastructure. It will also include AEL&P regarding dock electrification. This RFP is designed to steer local interest and find solutions by bringing these different entities together. We are striving for harmony between all of our projects. The Assembly will appropriate \$300K to fund this RFP. The counter argument is the city should not be dictating what private companies do with their property. In the national omnibus bill that was recently signed it states the 2.4 acre NOAA property gives first right of refusal to the U.S. Coast Guard. It also requires them to make an offer within 180 days or CBJ gets the next right of first refusal at fair market value.

Committee Questions

Mr. Ridgway said the RFP would contract with a design firm to coordinate multiple million-dollar projects.

Mr. Grant asked if the RFP would give legal planning authority to impose design requirements, or would it be more advisory.

Mr. Uchytel said the Huna Totem presentation to the Assembly was more about the uplands than the dock itself. The dock was not to scale or in the correct place. He thinks it would be best to have all of the piers perpendicular and an overall pleasing aesthetic.

Public Comment – None

Committee Discussion/Action – None

J. Staff and Member Reports

Mr. Creswell started interviewing for the Aurora Harbor Operations Supervisor position. He will select his candidate by next week.

Mr. Uchytel said the reason Ms. Derr resigned from the Board was because her husband applied for the Harbor Operations Supervisor job. Her resignation was not required but she did not want any type of impropriety. Next Wednesday will be the bid opening for \$300K in electrical equipment for Aurora Harbor Phase III. Mr. Uchytel wanted to know if the Board would like to attend the Assembly meeting next week on January 26th. It starts at 5:00 p.m. but we could move our Board meeting to 6:00 p.m. to facilitate attending.

K. Committee Administrative Matters

Next Operations/Planning Committee Meeting – Wednesday, February 15th, 2023.

L. Adjournment – The meeting adjourned at 8:11 p.m.



Port of Juneau

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

From: *Carl J. Uchytel*
Carl Uchytel, Port Director

To: Docks & Harbors Board

Via: Docks & Harbors Operations & Planning Committee

Date: February 10th, 2023

Re: UAS PROPERTY – FUTURE LEASE AGREEMENT

1. The lease agreement between CBJ and the University is set to expire on May 5th. Under the existing lease extension, Docks & Harbors could renew the lease for 33-years at fair market value, which is determined to be \$230,400/year. Existing revenue sources generated within the leased area by Docks & Harbors would cover less than 20% of the fair market lease rent payment to the University.
2. Over the past two years, numerous ideas to secure this property for harbor use have been considered by the Docks & Harbors Board and others, including the Assembly appropriating \$2M towards the purchase of the 2.77 acre property currently under lease. The Board of Regents, through the UA Land Management Office, is firm on its position not to entertain a fee simple sale of the land; however, they remain open to negotiating a lease at less than fair market value, if “educational benefits” can be presented.
3. The Port Director, Board Chair and CBJ Manager has met on multiple occasions with the UA Land Management Director, UAS Chancellor and UAS Vice-Chancellor. The most recent negotiations have centered on opportunities and services which the City & Borough of Juneau can offer to UAS. After consulting with CBJ Directors, the following in-kind educational benefits are proposed:
 - A. Eaglecrest:
 - (a) offers deep discounts or free services for lift tickets and gear rental;
 - (b) offers entering into an internship with UAS students pursuing outdoor recreation degrees;
 - B. CBJ Transit: offers free CBJ bus passes to UAS students.
 - C. CBJ Parks & Recreation:
 - (a) offers free access for Treadwell Area Rink to UAS students;
 - (b) offers free access for CBJ Pools to UAS students;
 - (c) offers free access for CBJ Dimond Park Fieldhouse to UAS students.
 - D. CBJ Docks & Harbors:
 - (a) offers kayak storage and no cost launch use at Statter Harbor for UAS students;
 - (b) offers entering into paid internships with UAS students desiring to work in the maritime industry including harbor operations, harbor marketing or harbor administration;
 - (c) offers active and engaged relationship within the UAS/CG CSPI program;
 - (d) offers snow removal at the 5.34 acre downtown facility.

4. The University leadership team has reviewed the proposed “educational benefits” with a general consensus to support the reduction of the lease rate to \$100,000/year for a lease term not exceeding five years. This would provide the University time to explore solutions on a broader scale that may involve relocation of UA programs from the Vo-Tech Building and adjoining 5.34 acre facility.
5. In the cursory discussion with the University, they indicated a new lease would be required and that their General Counsel would initiate the lease. Most likely, the terms of the educational benefits would be negotiated and included in the new lease. CBJ Law would also be involved in the crafting of the terms of the lease. The proposed lease terms of less than five years will hamper Docks & Harbors competitiveness in federal grant opportunities for the Juneau Fisheries Terminal.
6. Docks & Harbors also sub-leases to three sub-lessees (Harri Commercial Marine, Juneau Hydraulics & Alaska Memories). CBJ Law has been consulted and is exploring whether “preference privilege” exists to the three existing sub-lessees pursuant to CBJ Code 53.23.100. This privilege is available to a lessee under an existing lease which expires or terminates is to re-lease the same lands as long as all other factors are substantially equivalent. If Law determines preference privilege exists, this would allow Docks & Harbors to continue the sub-lease relationships without further competition.
7. The question before the Docks & Harbors Board is to determine whether to accept a proposed less than fair market value of \$100,000 per year for continued lease of 2.77 acres with the University of Alaska? This decision, if affirmed, will place into motion drafting of a new lease agreement which will require future Board and Assembly approvals. A decision not to accept the proposal most likely would result in the termination of the lease on May 5th.

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Encl: Aerial Photo of Leased Area

Copy: CBJ Manager

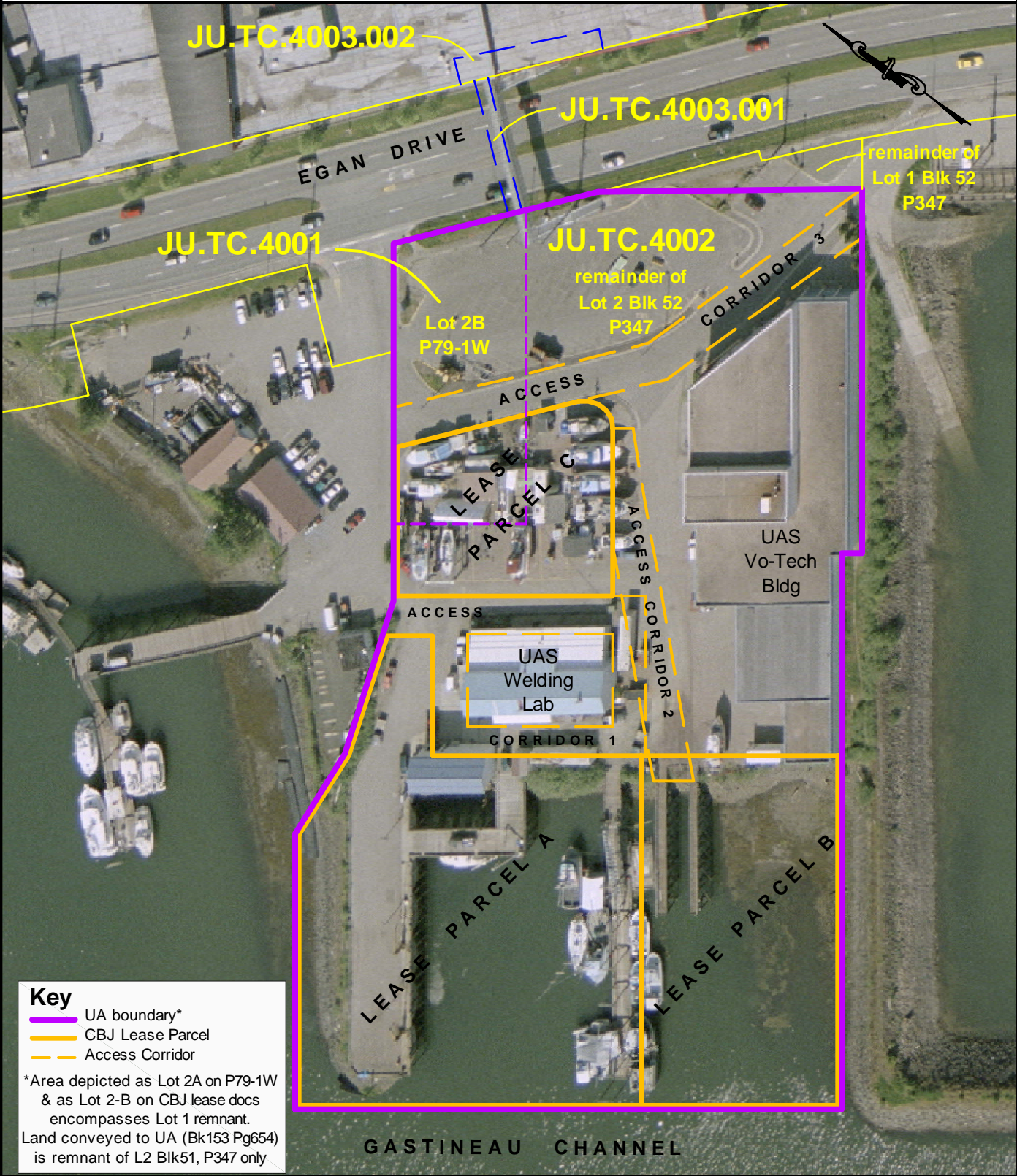
Eaglecrest Manager

CBJ Engineering & Public Works Director

CBJ Parks & Recreation Director

Juneau Tech Center

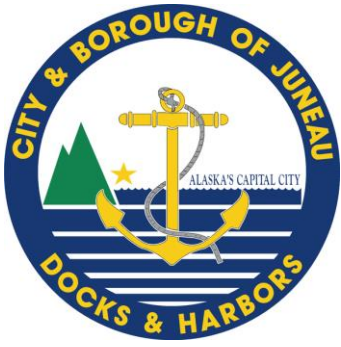
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UA LAND MANAGEMENT
March 2009



Meridian C.R. Township 41S Range 67E
Date of photo: 6-09-06 Source: Aero-Metric Anchorage
(Photography is unrectified; Distortions exist.)



Port of Juneau

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

From: *Carl J. Uchytel*
Carl Uchytel, Port Director

To: City & Borough of Juneau Assembly

Via: (1) Docks & Harbors Operations & Planning Committee
(2) Docks & Harbors Board

Date: February 10th, 2023

Re: Funds Transfer Request – Housekeeping & Aurora Harbor Phase III

1. Docks & Harbors, working in collaboration with the Finance Department, needs to execute administrative actions to advertise and award a contract for the Aurora Harbor Phase III project in a timely manner. We are anticipating a \$4M construction project by leveraging \$2M in local match with \$2M from an ADOT Harbor Facility Grant. We were formally notified on July 13th, 2022 that we were the recipient of the \$2M ADOT grant and that we had six months to complete a grant agreement contract. We requested and received an extension to July 31st which requires Docks & Harbors to award a construction contract for the project. We are on track for the Assembly to approve a bid award on March 20th for the Aurora Harbor Phase III project.

2. The local match will be achieved through \$1M from the Harbor Fund Balance, which has already been transferred into the Capital Improvement Project (CIP H51-125); and, \$1.5M from the voter approved 2017 One-Percent Sales Tax Initiative. The challenge with the funding from the 1% Sales Tax is that, due to annual apportioning, these funds will not be available until July 1st, 2023. In order to meet our desire for a bid award in March, I am recommending that funds be temporarily transferred from another harbor CIP and then refreshed with the funds in FY24 when the funds are made available from the CBJ Treasury. The governing philosophy is that we cannot award a project without sufficient funds even though funds will be available prior to the contractor mobilizing on site. There is no risk that the \$1.5M will not be available to Docks & Harbors on July 1st, 2023 – at the start of FY24.

3. CBJ protocol allows projects with a balance to administratively transfer fund to another project via Assembly action. To achieve the necessary cash flow, Docks & Harbors staff is recommending closing our completed CIP for Pile Anode Installation and then transferring those funds into the Statter Improvement Phase III. We then transfer \$1.5M from the Statter Improvement to the Aurora Harbor CIP. In July 2023, \$1.5M of 1% Sales Tax will be made available to the Aurora Harbor Phase III project, and \$1.5M that was temporarily transferred from Statter Improvement Phase III will be transferred back to support remaining project work. Even though the Statter Improvement Phase III project is currently under construction, I am confident we can manage through substantial completion (May 15th) even with the funds transferred as proposed. In tabular form these are the desired administrative actions:

<i>Action</i>	<i>Amount</i>	<i>From</i>	<i>To</i>
Transfer	\$54,731.48	H51-121 Pile Anode Installation [Close out due to successful project completion]	H51-108 Statter Improvement Ph III [Funds Available after transfer \$1,579,898]
Transfer	\$1,500,000	H51-108 Statter Improvement Ph III [Funds Available \$79,898]	H51-125 Aurora Harbor Improvements [Funds Available after transfer \$2,135,869]
Appropriation FY24	\$1,500,000	CBJ Treasury - 1 July 2023	H51-125 Aurora Harbor Improvements [Funds Available after transfer \$3,635,869]
Transfer	\$1,500,000	H51-125 Aurora Harbor Improvements [Fund Available after transfer \$2,135,869]	H51-108 Statter Improvements Ph III [Funds Available after transfer \$1,579,898]

2. I recommend the Docks & Harbors Board approve the above transfer and recommend the Assembly adopt the appropriate ordinance.

#

Copy: CBJ Finance Department



Port of Juneau

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

From: *Carl J. Uchytel*
Carl Uchytel, Port Director

To: City & Borough of Juneau Assembly

Via: (1) Docks & Harbors Operations & Planning Committee
(2) Docks & Harbors Board

Date: February 10th, 2023

Re: ADOT Harbor Facility Matching Grant – Aurora Phase III - Acceptance

1. Every year beginning in 2018, Docks & Harbors submitted ADOT Harbor Facility Grant applications for the next phase of the Aurora Harbor rebuild project. On July 13th, 2022 we were notified that the Governor had signed the FY23 budget that included \$2M in state matching grant funding for Aurora Harbor Phase III. The local match for this grant will come from \$1M of Harbor Fund Balance and \$1.5M from the 2017 voter approved one-percent sales tax initiative.
2. Docks & Harbors is actively designing this \$4M construction project, primarily with in-house resources, and anticipates an award in March 2023. The project will construct one main float sufficient for 48 foot and 60 foot vessels in the Aurora Harbor basin.
3. I recommend accepting the FY23 \$2M ADOT Harbor Facility grant award and ask the Assembly adopt the appropriate ordinance.

#

Encl: ADOT Letter of Award dated July 13th, 2022

Copy: CBJ Finance Department



THE STATE
of **ALASKA**
GOVERNOR MIKE DUNLEAVY

Department of Transportation and
Public Facilities

DIVISION of PROGRAM DEVELOPMENT and STATEWIDE PLANNING
Juneau Field Office

P.O. Box 112500
Juneau, Alaska 99811-2500
Main: (907) 465-4070
Fax number: (907) 465-6984
dot.alaska.gov

July 13, 2022

City and Borough of Juneau
Attn: Carl Uchtyl, P.E., Port Director
155 S Seward Street
Juneau, AK 99801

Subject: Letter of Award, FY23 Harbor Facility Grant Funds

Dear Mr. Uchtyl:

Congratulations on successful funding of your application for the Department of Transportation and Public Facilities' Harbor Facility Grant Program. Upon execution of a harbor grant agreement with the department, the City and Borough of Juneau will receive a Tier II 50/50 matching harbor grant in the amount of \$2,000,000 for construction of the City and Borough of Juneau's Aurora Harbor Phase 2 Project. These funds are 100% state general funds.

As a reminder, and as explained in the harbor grant instructions, the municipality will have six (6) months from the date of this Letter of Award to properly ratify and execute a mutually agreeable grant agreement with the department. Note if there is a change in your harbor project that affects the nature of the municipality's original application, then that could prevent us from executing a harbor grant agreement. If a grant agreement cannot be completed within that six month period, the department may deny the award and select the next highest scoring proposal or award the funds in subsequent years. After the grant agreement is signed, the City and Borough of Juneau will have eighteen (18) months to complete the construction phase of the project.

Please contact me at your earliest convenience to discuss the grant agreement and the timing for your harbor project. I look forward to working with you on this important municipal harbor project. If you have any questions, please email at dot.harborgrants@alaska.gov or call anytime.

Sincerely,

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

Joanne M Schmidt, Planner III
Harbors Program Manager
(907) 465-1776



A division of HUB International
Northwest

301 Seward Street
Juneau, AK 99801
Toll-free: 888-241-2414

hubinternational.com

BOAT INSURANCE BASICS FOR CBJ DOCKS AND HARBORS BOARD

- Boat insurance – what is a standard level of coverage, and approximate premiums or range of premiums that people could expect to pay, for recreational boats and also commercial use boats.
 - COVERAGES:
 - Liability (AKA Protection & Indemnity, or P&I). \$300,000 limit is fairly standard.
 - Physical Damage (AKA Hull & Machinery). Based on value of vessel.
 - Additional coverages can include Pollution, Wreck Removal, Crew Liability, Personal Effects, Uninsured Boaters, and more
 - Lay-up warranties
 - PREMIUMS:
 - Can vary as widely as the type, size, use, and condition of vessels vary.
 - Small private pleasure boats might be as low as \$500
 - Medium sized private pleasure boats might be in the \$500-\$2,000 range.
 - Larger yachts, and commercial vessels, may see premiums from \$2,500 up to \$50,000 and beyond, depending on numerous factors.
- Are there types of boats that are not insurable? If so – what would those be?
 - Yes. There are types of boats that are challenging to insure, such as liveaboards, floathouses, wood-hulled vessels, custom-made vessels or vessels built from a kit.
 - The ability to insure a vessel will be dependent on other factors, such as age, condition, and perhaps the most important, is a survey from an accredited marine surveyor that is less than two years old and in the name of the current boat owner.



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- Boat shelters – some up to 50 years old. Are they insurable?
 - Yes. Liability coverage for boathouses can usually be extended from a Homeowners policy. Physical Damage has to be written on a stand-alone policy that is fairly limited (DP1)
 - Fire & Lightning
 - Internal Explosion & External Explosion
 - Windstorm & Hail
 - Riot & Civil Commotion
 - Smoke
 - Aircraft
 - Vehicles
 - Volcanic Explosion
 - Vandalism & Malicious Mischief



Cap Sante Marina

Insurance Requirements

ATTENTION: PERMANENT MOORAGE CUSTOMERS

Important Information Regarding Vessel Insurance

Revised Code of Washington (RCW) 88.26.030 and 53.08.480 impose an affirmative obligation on all public and private marina operators to obtain proof of certain liability insurance for non-transient vessels using the marina. Specifically, as a condition of long-term (more than 30 days) moorage, proof of insurance for general, legal, and pollution liability insurance with *minimum* policy limits of \$300,000 per occurrence, is required by law. The Port of Anacortes maintains internal policies in which higher limits may be required (as detailed below). Failure to maintain the minimum insurance coverage as required can result in liabilities should the vessel become derelict or abandoned and allows the marina to cancel the customer's moorage agreement.

Upon execution of a new or renewed Moorage Agreement, AND upon renewal of the insurance policy, the Port of Anacortes requires proof of insurance for your moored vessel(s), which meet(s) the following conditions¹:

- Marine general, legal, and pollution liability coverage with limits of liability for each occurrence and in the aggregate, of not less than:
 - \$300,000 for vessels under 66' in length, or
 - \$1,000,000 for vessels 66' in length and over, or
 - \$1,000,000 for ALL customers signing a Commercial Business and Charter Moorage Agreement, a Tour Company Moorage Agreement, or a Yacht Brokerage Moorage Agreement
- An endorsement naming the "Port of Anacortes, 100 Commercial Ave., Anacortes, WA 98221" as an Additional Insured with respect to policies listed above.
- The insurance policies shall (i) be written as a primary policy; (ii) expressly provide that such insurance may not be materially changed, amended, or canceled with respect to the Port except upon forty-five (45) days' prior written notice from the insurance company to the Port; (iii) contain an express waiver of any right of subrogation by the insurance company against the Port and the Port's elected officials, employees, or agents; (iv) expressly provide that the defense and indemnification of the Port as an additional insured will not be effected by any act or omission by Licensee that might otherwise result in a forfeiture of said insurance; (v) contain a separation of insureds provision such that the policy applies separately to each insured that is the subject of a claim or suit; and (vi) not contain a cross-claim, cross-suit, or other exclusion that eliminates coverage by one insured against another.

The Port of Anacortes thanks you for your cooperation in compliance with Washington state law and our requirements. The Port of Anacortes reserves the right to amend insurance requirements at any time.

¹ Additional conditions may apply. Customers should refer to their Moorage Agreement for complete details.

HARBOR MOORAGE CONTRACT AGREEMENT

1. The applicant agrees to abide by the rules, regulations, policies, procedures, and all amendments thereto relating to the Harbor as established by or pursuant to the Whittier Municipal Code.
2. The applicant agrees the Harbor, through the City of Whittier, may pursue any and all legal means of collecting any unpaid fees and charges against the vessel including, but not limited to, a lien or impoundment.
3. Nothing in Whittier Municipal Code or ordinances and regulations of the City has been or shall be interpreted to impose upon the City any obligation or responsibility for the care and protection of any private property, including vessels. A Harbor moorage agreement is limited to the privilege of moorage space only. The applicant expressly consents and authorizes the City to move and/or dry-dock the vessel if (1) rents, fees, or other charges are not paid, (2) ordinances, regulations, State or Federal laws are violated, or (3) in the event of necessity or emergency. The applicant further agrees to hold the City harmless against the loss or damage to the vessel or any equipment, nets, gear, tanks, lines or other personal property on, attached to, or related to the vessel, that may result from the use of the Harbor and/or any movement of the vessel.
4. Applicant consents to a physical inspection of the vessel and its equipment by the Harbormaster in the exercise of his/her duties as outlined in this chapter, at any time while the vessel is within the boundaries of the Harbor.
5. If a Preferential Berth Holder returns to the Harbor and finds his/her reserved space occupied, the holder should contact the Harbormaster. The Harbormaster will move the temporarily assigned boat to another location during regular Harbor operating hours.
6. No property rights are created by this section. A preferential berth holder shall have only a right to use the space reserved to them as provided for in these regulations.
7. The boat owner under a Harbor moorage contract agrees to maintain liability insurance for the vessel, owner, owner's employees, invitees, guests, and passengers covering bodily injury and property damage arising in whole or in part out of the use or operation of the vessel or the insured's activities in Whittier. If the vessel does not carry passengers for hire, the liability insurance coverage shall be in an amount not less than \$300,000 per occurrence. If the vessel carries passengers for hire, the commercial liability insurance shall be in an amount not less than \$1,000,000 per occurrence. The City of Whittier should be named an additional interested party.
8. If the vessel remains in the Harbor during the months of October through March, the boat owner agrees to provide a local agent/boat watch for contact in case of an emergency.
9. The surviving spouse of a Preferential Berth Holder or Annual Transient Moorage Agreement assumes full rights and responsibilities in the event the owner is deceased or incapacitated.

Everett?

J. FIREARMS

The unlawful display of firearms or other weapons on Port premises is strictly prohibited. A weapon or firearm may not be possessed or used in a manner that has apparent capability of producing bodily harm, and that either manifests an intent to intimidate another or that warrants alarm for the safety of other persons.

III. BOAT OWNERS/OPERATORS REGULATIONS**A. VESSEL IDENTIFICATION**

1. All vessels in the marina must have valid identification permanently affixed to the hull and clearly visible from the outside.
2. State or Coast Guard registered vessels shall display registration numbers and a valid registration decal.
3. Documented vessels shall have the valid registration decal displayed on the hull.
4. Failure to display the registration number on the hull may be cause for refusal of moorage or other access to the Marina.

B. RELEASE, INDEMNIFICATION, AND INSURANCE

1. THE PORT WILL NOT BE RESPONSIBLE for any injuries (including death) or property damage resulting, caused by or growing out of the use of the docks or Marina facilities; the PERMITEE and his/her guests or agents RELEASES AND DISCHARGES THE PORT from any and all liability for loss, injury (including death), or damages to person or property sustained while in or on the facilities of THE PORT, arising by virtue of any reason including, without limitation, negligence on the part of THE PORT, fire, theft, vandalism, wind storm, high or low waters, hail, rain, ices, collision or accident, or any other Act of God, whether CUSTOMER'S boat is being parked or hauled by an Agent or employee of THE PORT or not. All users of the Marina and its facilities, including, without limitation, moorage customers, stored vessels, storage lockers, and guest moorage users, shall indemnify and hold the Port of Everett, its employees, officials and agents harmless from all damage to property and injury or death to persons that results, directly or indirectly, from the user's use and/or occupancy of the Port property. This indemnification shall be enforceable to the maximum extent permitted by law. This indemnification provision shall supplement any similar provisions in any other agreement that user has with the Port.
2. All persons who berth or store a vessel in the Marina, even on a temporary basis, shall maintain insurance in force and good standing on the vessel. The insurance shall be written as Protection and Indemnity (P&I) insurance on a comprehensive coverage form with limits of at least \$500,000 per occurrence in coverage encompassing general liability, legal liability and pollution liability, and as otherwise required by law. As a condition of using Port of Everett facilities, the user shall have documentation available to Port Staff, upon request and provide annually which documents that the required insurance is in force. The Port Staff shall have the right but not the obligation to request such evidence of insurance. Failure to have such documentation may be grounds for termination of any Moorage, vessel storage, storage lockers, or other Port privileges.
3. Vessels that are wood and/or greater than 35ft and/or more than 40 years old must in

Valdez

other consideration for the use of the subject moorage space without prior written authorization from the City.

9. **Termination Without Cause by City:** The City may elect, at its sole option, to terminate this Contract at any time. In such event, the City shall send Owner/Licensee written notice of termination by first class mail to the address written above (or to any new address provided by Owner/Licensee to the City in writing. In such event, once Owner/Licensee has removed the Vessel from the Slip, the City shall refund to Owner/Licensee the pro-rated charges from the date of termination to the end of the current term of this Contract (after deducting any amounts due by Owner/Licensee to the City). In the event Owner/Licensee does not remove the Vessel from the Slip not more than one (1) week after the City sends notice, the City may remove, tow, haul, and store the Vessel at Owner/Licensee's expense and sole risk of loss and damage, and at the City's then effective daily transient rate also described as the "billed" daily rate.
10. **City's Right to Remove or Impound:** Upon termination of this Contract, and in any circumstance where authorized in the Valdez City Code (including without limitation when moorage fees or other charges are more than ninety (90) days past due), the City may remove the Vessel from the Harbor at Owner/Licensee's risk and expense, and/or impound the Vessel, its tackle, fixtures, equipment, and furnishings, and pursuant to notice, auction, sell or dispose of the same.
11. **Term:** This Contract shall become effective on the date stated herein and shall remain in force until terminated by the City for default pursuant to paragraph 6 above, or by the Owner/Licensee after thirty (30) days written notice has been delivered to the City.
12. **Insurance:** Owner/Licensees agree at all times to keep the Vessel and its contents covered by a policy of all risks hull insurance in an amount equal to the actual value of the Vessel and its contents. Unless the City, at its sole discretion, requires in writing higher or lower limits of coverage. Owner/Licensees also agree to keep the Vessel covered at all times by a policy of protection and indemnity or liability insurance, including pollution/fuel spill coverage, with minimum limits of at least \$300,000 per occurrence. Owner/Licensee agrees to cause the City to be named as an additional insured on all such policies of insurance without limitations or exclusions different from the Owner/Licensee. Owner/Licensee agrees to name the City as an additional insured and Certificate Holder under said policies and to present the City with the Certificate of Insurance prior to using the Slip, and upon every renewal hereof. Continuation of this Contract despite any failure by the Owner/Licensee to provide such Certificate to the City despite the failure of Owner/Licensee to cause the City to be named as an additional insured, shall not be considered waivers of such requirements by the City. Owner/Licensee shall provide proof of such insurance to the City.
13. **Seaworthiness-Underway Policy:** Owner/Licensee shall keep the Vessel seaworthy and capable of operating under its own power at all times, except for a reasonable time while undergoing repairs. If the Harbormaster or his/her designee suspects that the vessel is not capable of operating under its own power they may request a demonstration by appointment within seventy-two (72) hours' notice. If after thirty (30) days the Vessel is still unable to operate under its own power the Vessel shall be subject to impoundment and removed from the water at the Owner/Licensee's expense.
14. **Snow Removal:** It is the Vessel Owner/Licensee's responsibility to keep the snow removed from the half of the finger float the Vessel is tied to, the Vessel itself, the bull-rail(s) surrounding the Vessel, and the power pedestal associated with the Vessel (even if not being used). Snow sheds shall be placed so that snow does not fall on the finger floats. If snow removal is not maintained and harbor staff is required to remove snow due to possible damage to finger floats, Vessel Owner/Licensee will be charged for labor performed.
15. **Ice:** The City makes no guarantee that during the winter months de-icing of the assigned Slip will be provided. Owner/Licensee may, at the Owner/Licensee's option and sole expense, and subject to obtaining the prior approval of the City, install and operate in the assigned Slip, portable deicing equipment. Owner/Licensee acknowledges that there will be times in very cold weather, or when electrical service is disrupted, when de-icing equipment will not operate or succeed in providing a completely ice-free slip, and that damage to the Vessel or other consequential damages may occur. Owner/Licensee assumes the risk of all actual and consequential damages caused to the Vessel by ice during the winter months, and Owner/Licensee holds the City, their agents, employees, officers, and directors harmless from any liability for the same.
16. **Live-Aboards:** Any Owner/Licensee that lives aboard a vessel subject to this Contract for a period of ninety (90) Days or more within the calendar year shall file the required information on their Moorage Agreement and pay the applicable Harbor Residential Surcharge. Active commercial fishing vessels are exempt from this requirement between April 1 and October 1 of each calendar year.
17. **Common Areas:** Provided Owner/Licensee complies with their duties and obligations hereunder, the City hereby grants Owner/Licensee a non-exclusive license to use of the docks, boardwalks, parking areas, picnic areas, restrooms, lounge facilities and other common areas within the Harbor which are designated for general use by Owner/Licensee and Owner/Licensee's guests and invitees, subject to the Harbor Rules and requirements set forth in this Contract. Owner/Licensee agrees that neither they nor their guests or invitees will place or leave any objects upon the docks and finger piers or other common areas of the Harbor without express permission of the Harbormaster. Only steps approved by the Harbormaster may be placed on the docks or piers. Owner/Licensees may not attach anything to the docks or make any alterations to the docks or finger



New Moorage Application Addendum

With your moorage application, please include:

- Side-view photos of the vessel to be moored at Shilshole Bay Marina from both the bow and stern
- Current State Registration/USCG Documentation
- Current proof of minimum \$300,000 liability insurance

Please initial each item and submit with the necessary items:

_____ I understand that the vessel to be moored at Shilshole Bay Marina must be navigable in open water under its own power as per Moorage Tariff Item 2100-A-21: "Vessels moored in a Port harbor must, at all times, be completely seaworthy, meaning that it is operable and ready for immediate cruising in local waters."

_____ I understand Shilshole Bay Marina does not allow for any overhang from slips and that the extreme length of the vessel (ELOV) to be moored at Shilshole Bay Marina must fit entirely within its slip. I also understand that if my vessel is too large for the slip I am offered I may be forced to forfeit my offer of moorage or my spot on the waitlist.

_____ I have measured the ELOV for the vessel to be moored at Shilshole Bay Marina and have recorded it accurately on my Moorage Application **OR** I acknowledge I will measure the ELOV for the vessel to be moored at Shilshole Bay Marina and will report it accurately to the marina before I may moor a vessel at Shilshole Bay Marina if I have not yet purchased a vessel.

_____ I have submitted side-view photos of the vessel to be moored at Shilshole Bay Marina taken from both the bow and stern with my moorage application **OR** I acknowledge these photos must be provided before I may moor a vessel at Shilshole Bay Marina if I have not yet purchased a vessel.

_____ I have submitted current Washington State registration or U.S. Coast Guard documentation for the vessel to be moored at Shilshole Bay Marina **OR** I acknowledge these documents must be provided before I may moor a vessel at Shilshole Bay Marina if I have not yet purchased a vessel.

_____ I have submitted current proof of the minimum \$300,000 liability insurance for the vessel to be moored at Shilshole Bay Marina **OR** I acknowledge these insurance documents must be provided before I may moor a vessel at Shilshole Bay Marina if I have not yet purchased a vessel.

CPI for All Urban Consumers (CPI-U)
12-Month Percent Change

Series Id: CUURS49GSA0,CUUSS49GSA0

Not Seasonally Adjusted

Series Title: All items in Urban Alaska, all urban consumers, not

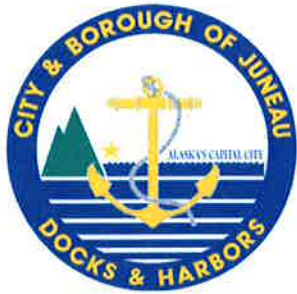
Area: Urban Alaska

Item: All items

Base Period: 1982-84=100

Years: 2012 to 2022

Year	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Annual	HALF1	HALF2
2012													2.2	2.5	2.0
2013													3.1	2.7	3.5
2014													1.6	1.9	1.4
2015													0.5	1.1	-0.1
2016													0.4	-0.1	0.9
2017													0.5	0.7	0.2
2018												2.8	3.0	2.1	4.0
2019		2.5		2.7		2.5		0.7		-0.3		0.0	1.4	2.6	0.2
2020		-0.3		-2.5		-3.8		-1.5		0.3		0.3	-1.1	-1.7	-0.5
2021		1.3		4.8		6.2		5.7		6.3		7.2	4.9	3.4	6.4
2022		7.4		7.5		12.4		7.6		7.6		5.4	8.1	8.4	7.8



DOCKS & HARBORS
 155 S. Seward
 Juneau, AK 99801
 (907) 586-5255 tel
 (907) 586-2507 fax
www.juneau.org/harbors

Section H, Item 7.

FY24 Moorage Rates

DOUGLAS, HARRIS AND AURORA HARBORS		
	Effective thru June 30, 2023	Effective July 1, 2023
Skiff	\$314.70 per calendar year	\$340.19 per calendar year
Daily	61¢ per foot	66¢ per foot
Calendar Month	\$4.60 per foot	\$4.97 per foot
Bi-Annual (July 1 – Dec 31) & (Jan 1 – June 30)	5% discount on 6-month advance payment	5% discount on 6-month advance payment
Annual (July 1 – June 30)	10% discount on 12-month advanced payment	10% discount on 12-month advance payment

STATTER HARBOR		
	Effective thru June 30, 2023	Effective July 1, 2023
Skiff	\$314.70 per calendar year	\$340.19 per calendar year
Daily	61¢ per foot	66¢ per foot
Calendar Month	\$7.66 per foot	\$8.28 per foot
Bi-Annual (July 1 – Dec 31) & (Jan 1 – June 30)	5% discount on 6-month advance payment	5% discount on 6-month advance payment
Annual (July 1 – June 30)	10% discount on 12-month advanced payment	10% discount on 12-month advance payment
Reservations (May 1 – Sept 30) Effective April 1, 2023	Fishing Vessels Other Vessels <65' Other Vessels ≥ 65' Other Vessels ≥200'	\$1.62 per foot \$3.24 per foot per day \$5.40 per foot per day \$3.24 per foot per day

INTERMEDIATE VESSEL FLOAT (IVF)		
Daily (Oct. 1 – Apr. 30)	61¢ per foot	66¢ per foot
Monthly (Oct. 1 – Apr. 30)	\$4.60 per foot	\$4.97 per foot
Reservations (May 1 – Sept 30) Effective April 1, 2023	Fishing Vessels Other Vessels <65' Other Vessels ≥ 65' Other Vessels ≥200'	\$1.62 per foot \$3.24 per foot per day \$5.40 per foot per day \$3.24 per foot per day

Residence Surcharge

Per Month	\$78.24 + \$26.08/person above four persons
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- A 5% City & Borough of Juneau sales tax may apply to all fees

Launch Ramp Rates

Recreational – Calendar Year (includes Kayaks) Matching registrations are required to obtain two additional permits. Please see 05 CBJAC 20.060 – Recreational Boat Launch Fees.	\$102.06 \$5 per additional permit
Recreational – Day	\$17.00
Commercial – Calendar Year	\$283.49 per trailer
Commercial – Day	\$34.02
Freight Use – Commercial	Up to 1 hour \$60 Over 1 hour \$30 for each additional hour

Parking Rates

Douglas, Harris, Aurora Harbors	Free w/ permit (permits available at Aurora Harbor office, current vehicle registration required)
Statter Harbor – Summer (May, June, July, August, September)	\$1 per hour/\$5 per calendar day
Statter Harbor – Winter (October through April)	Free w/permit (permits available at Statter Harbor office, current vehicle registration required)
Downtown Taku Lot - Summer	\$2 per hour/3 hour limit

Shorepower

Connection Type	Daily Fee
20 amp (120V, 1 phase)	\$6.29
30 amp (120V, 1 phase)	\$9.44
50 amp (208V, 1 phase)	\$26.23
100 amp (208V, 3 phase)	\$90.21
100 amp (480V, 3 phase)	\$207.70

Connection Type	Summer Liveaboard Monthly	Summer Non-Liveaboard Monthly
20 and 30 amp	\$94.41	\$56.65
50 amp	\$188.82	\$113.29
100 amp/208 volt	\$440.58	\$264.35

Connection Type	Winter Liveaboard Monthly	Winter Non-Liveaboard Monthly
20 amp	\$125.88	\$75.53
30 amp	\$169.64	\$100.70
50 amp	\$314.70	\$188.82
100 amp/208 volt	\$755.28	\$440.58

Services Provided

Power

Potable water (Year round downtown and Statter A&B Floats)
Restrooms (Aurora Harbor, Harris Harbor & Statter Harbor)
Showers (Harris Harbor & Statter Harbor)
Free Sewage pump-out (Aurora, Douglas, Harris, and Statter)
Sewage pump-out cart available at Aurora Harbor & Douglas Harbor
Harris Harbor Grid (Fee: \$1.14 per foot per day)
Please make Grid reservation at Aurora Harbor Office

Background: Docks & Harbors Enterprise Funds are operated and financed in a manner similar to private business. The intent of the governing body is to provide goods and services to the general public on a continuing basis and be financed or recovered primarily through user charges. Docks & Harbors fees are set in regulation and broadly speaking have not increased in over 17 years. Within the Docks Enterprise, 90% of all revenues collected are from cruise ships (greater than 200 feet) though dockage and port maintenance charges, which haven't been adjusted since 2005. In the Harbor Enterprise budget, 70% of revenues are labeled "charges for services" which 80% comes from small boat moorage fees. Although, small boat moorage fees have been subject to an annual CPI adjustment since 2008, the regulation up until 2022 required a rounding up to the nearest nickel. In the ten years prior to 2022 (2012-21), the average annual Urban Alaska CPI was only 1.65% which resulted in many years of no inflation adjustment because the \$0.05 threshold was not met. The regulation changes in 2022 not only made most all Docks & Harbors fees subject to annual CPI adjustments but also removed the threshold requirement. One challenge in an enterprise operated department that that approximately 50% of all expenditures are salaries. Over time organizations with low attrition, such as Docks & Harbors, municipal employee costs will outpace inflation due to incentivizing regular step increases and collective bargaining agreements. Staff manages budgetary pressures to expenditures by innovation and expanding business opportunities. The Harbor Enterprise is less elastic than the Docks Enterprise to increased operating costs and during the pandemic, austerity measures were adopted. For Docks Enterprise some budgetary challenges can be mitigated with the Assembly appropriating additional Marine Passenger Fees to the operating budget, which was done in FY23 to offset unfunded new federal security requirements for cruise ships. Other new expenditures include Docks & Harbors contribution into the cooperative CBJ Insurance pool, which increased from \$138K in FY22 to \$426K in FY23; and potentially an order of magnitude increase to \$100K for leasing the UAS property to provide a downtown boatyard and access to cranes for commercial fishing vessels. Should the lease with UAS be continued, there will be a \$1M investment need to update and modernize the boatyard haul-out and existing cranes. Over the past dozen years, it is estimated that Docks & Harbors has managed, including partnership with the US Army Corps of Engineers, nearly \$180M in infrastructure projects, equally divided between harbor projects and docks projects. Though much has been accomplished, there remains many significant projects which Docks & Harbors has envisioned to be necessary for the Juneau community to grow and provide a high quality of life. The approximate value of the facilities managed by Docks & Harbors is \$250M. The diverse geographic location of our harbor assets (from Echo Cove to Taku Harbor) results in high annual operating costs, perhaps highest in the state. Nonetheless, our funds balance for each enterprise is only \$1M and although the recent deliberative action to link fees to CPI will be helpful, the unwillingness to raise rates over the past decade and a half has hampered our ability to pursue future infrastructure improvements. In 2022, Docks & Harbors contracted with HDR-Alaska to conduct a harbor rate study. That study validated our observations that our rates have not kept pace with the economic influences and that the harbor patrons served are not generally willing to accept less facilities or reduction in services. The Board has considered the results and concurs to take the necessary actions to raise fees 9% in both the Docks Enterprise and Harbor Enterprise.



(907) 586-0715
CDD_Admin@juneau.org
www.juneau.org/community-development
155 S. Seward Street • Juneau, AK 99801

COMMUNITY DEVELOPMENT DEPARTMENT - REQUEST FOR AGENCY COMMENT

DEPARTMENT:

STAFF PERSON/TITLE:

DATE:

APPLICANT:

TYPE OF APPLICATION:

PROJECT DESCRIPTION:

Mixed use uplands development: Up to 50,000 square feet of retail and related uses, underground bus staging and vehicle parking, and a park. Dock development will be considered under a separate series of land use actions.

LEGAL DESCRIPTION: Juneau Subport Lot C1

PARCEL NUMBER(S): 1C060K010031

PHYSICAL ADDRESS: No assigned address.

SPECIFIC QUESTIONS FROM PLANNER:

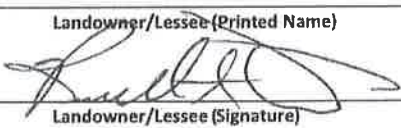

AGENCY COMMENTS:

AGENCY COMMENTS (CONTINUED):



DEVELOPMENT PERMIT APPLICATION


NOTE: Development Permit Application forms must accompany all other Community Development Department land use applications. This form and all documents associated with it are public record once submitted.

To be completed by Applicant	PROPERTY LOCATION		
	Physical Address 0 Egan Drive		
	Legal Description(s) (Subdivision, Survey, Block, Tract, Lot) Juneau Subport Lot C1		
	Parcel Number(s) Parcel: 1C060-K01-0031 (C-1)		
	<input type="checkbox"/> This property is located in the downtown historic district <input type="checkbox"/> This property is located in a mapped hazard area, if so, which No		
	LANDOWNER/ LESSEE		
	Property Owner Huna Totem Corporation	Contact Person Fred Parady	
	Mailing Address 9301 Glacier Highway, Suite 200, Juneau, AK 99801	Phone Number(s) 907.789.8504 (office) 907.723.3903 (cell)	
	E-mail Address fparady@hunatotem.com		
	LANDOWNER/ LESSEE CONSENT		
Required for Planning Permits, not needed on Building/ Engineering Permits. Consent is required of all landowners/ lessees. If submitted with the application, alternative written approval may be sufficient. Written approval must include the property location, landowner/ lessee's printed name, signature, and the applicant's name.			
I am (we are) the owner(s) or lessee(s) of the property subject to this application and I (we) consent as follows: A. This application for a land use or activity review for development on my (our) property is made with my complete understanding and permission. B. I (we) grant permission for the City and Borough of Juneau officials/employees to inspect my property as needed for purposes of this application.			
Russell Dick Landowner Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) X  1/24/23 Landowner/Lessee (Signature) Date Landowner/Lessee (Printed Name) Title (e.g.: Landowner, Lessee) X _____ Date _____ Landowner/Lessee (Signature)			
NOTICE: The City and Borough of Juneau staff may need access to the subject property during regular business hours. We will make every effort to contact you in advance, but may need to access the property in your absence and in accordance with the consent above. Also, members of the Planning Commission may visit the property before a scheduled public hearing date.			
APPLICANT			
If same as LANDOWNER, write "SAME"			
Applicant (Printed Name) Same		Contact Person Same	
Mailing Address Same		Phone Number(s) Same	
E-mail Address Same			
X  01.24.2023 Applicant's Signature Date of Application			

DEPARTMENT USE ONLY BELOW THIS LINE

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Intake Initials 	Date Received 1-25-23
Case Number USE23-003	



ALLOWABLE/CONDITIONAL USE PERMIT APPLICATION

See reverse side for more information regarding the permitting process and the materials required for a complete application.

NOTE: Must be accompanied by a DEVELOPMENT PERMIT APPLICATION form.

PROJECT SUMMARY

The project proposed phased development of mixed use, including retail, community park, docking, and associated parking. Phase 1 includes a total of 24,800 square feet of retail, and approximately 60,000 square feet of City park area. Tourist season parking includes 124 stalls for buses and cars. In the off-season the parking area will be able to accommodate 117 cars. External lighting to be developed. The Aak'w Landing uplands project will be a concrete Bus Staging and vehicle Garage topped by a landscaped Park sloping up from Egan Drive. The project will include 34,000 sf of Retail spaces in the first phase with future phases adding 9,000 sf of additional Retail and 40,000 sf of facilities with a use yet to be determined. Total square footages are approximate at this initial design stage, but as shown on the Zoning and Parking Study, the target square footages are well below what would be allowed on the site by zoning or parking.

TYPE OF ALLOWABLE OR CONDITIONAL USE PERMIT REQUESTED

☐ Accessory Apartment – Accessory Apartment Application (AAP)

☒ Use Listed in 49.25.300 – Table of Permissible Uses (USE)

Table of Permissible Uses Category: See attachment regarding Aak'w Landing Zoning and Parking

IS THIS A MODIFICATION or EXTENSION OF AN EXISTING APPROVAL?

☐ YES – Case # _____

☒ NO

UTILITIES PROPOSED

WATER: ☒ Public ☐ On Site

SEWER: ☒ Public ☐ On Site

SITE AND BUILDING SPECIFICS

Total Area of Lot 125,377 square feet Total Area of Existing Structure(s) 0 square feet

Total Area of Proposed Structure(s) Phase 1: 150,000, future phase build square feet 1st PHASE 34,000 sf, per narrative

EXTERNAL LIGHTING

Existing to remain

☒ No

☐ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

Proposed

☐ No

☒ Yes – Provide fixture information, cutoff sheets, and location of lighting fixtures

ALL REQUIRED DOCUMENTS ATTACHED

☒ Narrative including:

- ☒ Current use of land or building(s)
- ☒ Description of project, project site, circulation, traffic etc.
- ☒ Proposed use of land or building(s)
- ☒ How the proposed use complies with the Comprehensive Plan

If this is a modification or extension include:

- ☐ Notice of Decision and case number
- ☐ Justification for the modification or extension
- ☐ Application submitted at least 30 days before expiration date

☒ Plans including:

- ☒ Site plan
- ☒ Floor plan(s)
- ☒ Elevation view of existing and proposed buildings
- ☒ Proposed vegetative cover
- ☒ Existing and proposed parking areas and proposed traffic circulation
- ☒ Existing physical features of the site (e.g.: drainage, habitat, and hazard areas)

-----DEPARTMENT USE ONLY BELOW THIS LINE-----

ALLOWABLE/CONDITIONAL USE FEES

	Fees	Check No.	Receipt	Date
Application Fees	\$ <u>4,000⁰⁰</u>	<u>ph 1 class IV</u>		
Admin. of Guarantee	\$ _____			
Adjustment	\$ _____			
Pub. Not. Sign Fee	\$ <u>50⁰⁰</u>			
Pub. Not. Sign Deposit	\$ <u>100⁰⁰</u>			
Total Fee	\$ _____			

This form and all documents associated with it are public record once submitted.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED

For assistance filling out this form, contact the Permit Center at 586-0770.

Case Number

USE23-003

Date Received

1-25-2

Allowable/Conditional Use Permit Application Instructions

Allowable Use permits are outlined in CBJ 49.15.320, Conditional Use permits are outline in CBJ 49.15.330

Pre-Application Conference: A pre-application conference is required prior to submitting an application. There is no fee for a pre-application conference. The applicant will meet with City & Borough of Juneau and Agency staff to discuss the proposed development, the permit procedure, and to determine the application fees. To schedule a pre-application conference, please contact the Permit Center at 586-0770 or via e-mail at permits@juneau.org.

Application: An application for an Allowable/Conditional Use Permit will not be accepted by the Community Development Department until it is determined to be complete. The items needed for a complete application are:

1. **Forms:** Completed Allowable/Conditional Use Permit Application and Development Permit Application forms.
2. **Fees:** Fees generally range from \$350 to \$1,600. Any development, work, or use done without a permit issued will be subject to double fees. All fees are subject to change.
3. **Project Narrative:** A detailed narrative describing the project.
4. **Plans:** All plans are to be drawn to scale and clearly show the items listed below:
 - A. Site plan, floor plan and elevation views of existing and proposed structures
 - B. Existing and proposed parking areas, including dimensions of the spaces, aisle width and driveway entrances
 - C. Proposed traffic circulation within the site including access/egress points and traffic control devices
 - D. Existing and proposed lighting (including cut sheets for each type of lighting)
 - E. Existing and proposed vegetation with location, area, height and type of plantings
 - F. Existing physical features of the site (i.e. drainage, eagle trees, hazard areas, salmon streams, wetlands, etc.)

Document Format: All materials submitted as part of an application shall be submitted in either of the following formats:

1. Electronic copies in the following formats: .doc, .txt, .xls, .bmp, .pdf, .jpg, .gif, .xlm, .rtf (other formats may be preapproved by the Community Development Department).
2. Paper copies 11" X 17" or smaller (larger paper size may be preapproved by the Community Development Department).

Application Review & Hearing Procedure: Once the application is determined to be complete, the Community Development Department will initiate the review and scheduling of the application. This process includes:

Review: As part of the review process the Community Development Department will evaluate the application for consistency with all applicable City & Borough of Juneau codes and adopted plans. Depending on unique characteristics of the permit request the application may be required to be reviewed by other municipal boards and committees. During this review period, the Community Development Department also sends all applications out for a 15-day agency review period. Review comments may require the applicant to provide additional information, clarification, or submit modifications/alterations for the proposed project.

Hearing: All Allowable/Conditional Use Permit Applications must be reviewed by the Planning Commission for vote. Once an application has been deemed complete and has been reviewed by all applicable parties the Community Development Department will schedule the requested permit for the next appropriate meeting.

Public Notice Responsibilities: Allowable/Conditional Use requests must be given proper public notice as outlined in CBJ 49.15.230:

The Community Development Department will give notice of the pending Planning Commission meeting and its agenda in the local newspaper a minimum of 10-days prior to the meeting. Furthermore, CDD will mail notices to all property owners within 500-feet of the project site.

The Applicant will post a sign on the site at least 14 days prior to the meeting. The sign shall be visible from a public right-of-way or where determined appropriate by CDD. Signs may be produced by the Community Development Department for a preparation fee of \$50, and a \$100 deposit that will be refunded in full if the sign is returned within seven days of the scheduled hearing date. If the sign is returned between eight and 14 days of the scheduled hearing \$50 may be refunded. The Applicant may make and erect their own sign. Please contact the Community Development Department for more information.

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED



522 West 10th Street, Juneau, Alaska 99801 907.586.1070 jensenyorbawall.com

Designing Community Since 1935

Date: January 6, 2023
 Re: Aak'w Landing (JYW No. 21021)
Architectural Narrative for CBJ Pre-Application Conference

The Aak'w Landing uplands project will be a concrete Bus Staging and vehicle Garage topped by a landscaped Park sloping up from Egan Drive. The project will include 34,000 sf of Retail spaces in the first phase with future phases adding 9,000 sf of additional Retail and 40,000 sf of facilities with a use yet to be determined. Total square footages are approximate at this initial design stage, but as shown on the Zoning and Parking Study, the target square footages are well below what would be allowed on the site by zoning or parking.

Exceptional Cruise Ship Visitor Pedestrian Traffic Flow. The Aak'w Landing concept provides the surges of pedestrian traffic flow off the cruise ships with a unique and greatly enhanced experience—an experience we believe will set our facility apart from any other cruise ship port. The dock, architecture and landscape will all be designed to guide visitors efficiently through the site while providing an abundance of opportunities for views, shopping, and cultural activities.

- The passenger Gangway from the ship will gently ascend so visitors will enter the site at the Upper Plaza elevation, 20' above grade and the Seawalk below. By bringing the visitors onto the site at this elevation, we will be able to curate and direct their initial experience on the Plaza. The length of the Gangway will allow this elevation gain to occur gradually, without becoming a full ADA ramp requiring landings and constricting guardrails.
- The Gangway will curve around the bow of the ship with view areas providing unique perspectives and photo opportunities during embarking and disembarking.
- The Gangway will arc over the dining and activities on the Seawalk below, enticing visitors to further explore the entire Aak'w Landing area.
- The Gangway and Welcome Center building will direct the flow of passengers around the southeast corner of the Plaza. The flow will be efficient and clear, but will not directly lead to an exit, providing a large amount of retail frontage and opportunities.
- Large Canopies around the Welcome Center and Retail buildings will provide pooling locations for the visitors where orientation and sorting will occur. Once on the north side of the Welcome Center, passengers will be directed towards one of two large stair/escalators to the Bus Staging below, or down further into the Park to cultural events and walking tours, or down the large West Stair to independent exploration of the Seawalk.
- Passengers descending West Stair will be routed to the wide curving Seawalk across the south-facing side of the building. This walk will provide 300' of south-facing waterfront Restaurant and Retail frontage.

- Local Indigenous Native art will inform the macro layout of the landscaped Park as well as the specific planting and landscaping. An initial idea being worked out by the artists and designers on our team is to have the plan of the walkways, landscaping and hardscaping form an image of Raven Stealing the Sun.



522 West 10th Street, Juneau, Alaska 99801 907.586.1070 jensenyorbawall.com

Designing Community Since 1935

Date: January 13, 2023
Re: Aak'w Landing (JYW No. 21021)
Zoning and Parking Study

Parcel: 1C060-K01-0031 (C-1)
Area: 125,377 sf (2.88 Acres)

Property Zoning: MU2
Maximum Lot Coverage: 80% (100,302 sf)
Minimum Vegetative Cover: 5% (6,269 sf)
Maximum Height (Permissible Uses): 45'
Minimum Setbacks: 5' (0' where property line is adjacent to tidelands)
Allowable Uses:

- Phase 1:
 - Visitor, Cultural Facilities Related to the Site: 3
 - Storage and Display of Goods with greater than 5,000 sf: 1,3
 - Restaurants & Bars without Drive-Through Service: 3
 - Seasonal Open Air Food Service: 1,3
 - Open Space: 1
 - Automobile Parking Garage: 1,3
- Future Phases:
 - Offices Greater than 2,500 sf: 1,3
 - Libraries, Museums, Art Galleries: 1,3
 - Theaters from 201 – 1,000: 1

(1. Department approval requires the department of community development approval only.
1, 3. Department approval required if minor dev., conditional use permit required if major development.
3. Conditional use permit requires planning commission approval.)

Discussion: The project will comply with all zoning requirements, including the height restriction. The footprint of the building is larger than the Maximum Lot Coverage area by approximately 2,800 sf, but since almost 50,000 sf of the building is to be covered in a landscaped and publicly-accessible Park, it is believed this will comply with requirements.



(907) 586-0715
 CDD_Admin@juneau.org
 www.juneau.org/community-development
 155 S. Seward Street • Juneau, AK 99801

Huna Totem Dock

Case Number: PAC2022 0047
 Applicant: Huna Totem Corporation, Fred Parady
 Property Owner: Aak W Landing LLC
 Property Address: Egan Dr.
 Parcel Code Number: 1C060K010031
 Site Size: 125,406 SF/2.8789 Acres
 Zoning: MU2 Mixed Use 2 (Willoughby)
 Existing Land Use: Seasonal restaurant/Construction trailer

Conference Date: October 26, 2022

Report Issued: November 2, 2022

DISCLAIMER: Pre-application conferences are conducted for purposes of providing applicants with a preliminary review of a project and timeline. Pre-application conferences are not based on a complete application, and are not a guarantee of final project approval.

List of Attendees

Note: Copies of the Pre-Application Conference Report will be emailed, instead of mailed, to participants who have provided their email address below.

Name	Title	Email address
Fred Parady	Huna Totem, COO	FParady@hunatotem.com
Russell Dick	Huna Totem, President/CEO	Russell.Dick@hunatotem.com
Mickey Richardson	Huna Totem, Dir of Marketing	Mickey@hunatotem.com
Wayne Jensen	JYW Architects, President	Wayne@jensenyorbawall.com
Corey Wall	JYW Architects, Vice President	Corey@jensenyorbawall.com
Irene Gallion	Planning	Irene.Gallion@juneau.org
Emily Suarez		Emily.Suarez@juneau.org
David Peterson		David.Peterson@juneau.org

Created: 2022-10-12 14:40:45 [EST]

(Supp. No. 145)

Sydney Hawkins	Permit Tech II	Sydney.Hawkins@juneau.org
Jill Maclean	CBJ CDD Director	Jill.Maclean@juneau.org
Alex Pierce	CBJ Tourism Manager	Alexandra.Pierce@juneau.org
Dan Bleidorn	CBJ Lands Manager	Dan.Bleidorn@juneau.org

Conference Summary

Questions/issues/agreements identified at the conference that weren't identified in the attached reports.

The following is a list of issues, comments and proposed actions, and requested technical submittal items that were discussed at the pre-application conference.

Flood plain development: FEMA mapping shows the flood plain area ending at the beach. Elements of the proposal closer to Egan Drive are below the 27 foot special flood hazard area elevation, but are outside of the mapped area. The Director has determined that flood proofing will not be required for development outside of the mapped area.

Lot coverage: See #7 below.

Construction across lot lines: A reminder that CDD cannot permit construction that crosses lot lines (CBJ 49.25.430).

Tidewater Lot Line setbacks: According to CBJ 49.25.430(4)(G): In any zoning district, yard setbacks are not required from tidewater lot lines. Reference #3 below.

Seawalk requirements: See the attached Ordinance 2005-29(am). Property owners within the area of the Long Range Waterfront Plan shall dedicate all easements necessary for construction of a seawalk 16 feet in width.

Project Overview

The project proposed phased development of mixed use, including retail, community park, docking, and associated parking.

Phase 1 includes a total of 24,800 square feet of retail, and approximately 60,000 square feet of City park area. Tourist season parking includes 124 stalls for buses and cars. In the off-season the parking area will be able to accommodate 180 cars.

Materials provided by the applicant include:

- Existing Site Plan
- Seawalk (Grade) Level and Site Plan (with bus parking).
- Seawalk (Grade) Level and Site Plan (with off-season parking).
- Upper Plaza Level Phase 1.
- Upper Plaza Level Future Phases.
- Site Section.
- Zoning and parking study.
- Architectural Narrative for CBJ Pre-Application Conference.

The Applicant is working through early development stages. There are two meetings on November 7, 2022:

- **Assembly Lands, Resources and Economic Development:** The lease of the tidelands will be discussed in light of 53.09.260. Coast Guard land ownership and seawalk requirements will be discussed. Focus is on the specifics of the lease.
- **Assembly Committee of the Whole:** Huna Totem will be presenting development ideas and concepts to the Assembly. Focus will be on the vision for the community.

Coast Guard land ownership negotiations may result in modifications to the

The project will require a conditional use permit (CUP), because of public interest will be require a public meeting before the application goes to the Planning Commission.

Planning Division

1. **Zoning** – MU2, Town Center Parking area
2. **Subdivision** – Not applicable.
3. **Setbacks** –
 - a. Minimum front yard setback: 5 feet
 - b. Minimum street side yard setback: 5 feet
 - c. Minimum rear yard setback: 5 feet
 - d. Minimum side yard setback: 5 feet
 - e. 49.25.430 (4)(G) - Yard setbacks. Tidewater lot line setback is zero (0)
4. **Height** – Maximum height permissible use: 45 feet
5. **Access** – Primary access is from Whittier Street. At this time the Applicant is unsure if access off Egan Drive will be required. Egan Drive is an Arterial. If access off Egan Drive is proposed, a driveway permit will be required from The Alaska Department of Transportation and Public Facilities.

Contact: Michael K. Schuler

Email: michael.schuler@alaska.gov

Phone: 465-4499

6. **Parking & Circulation**– Parking per submitted materials. Note that the parking shown on Whittier is illustrative, and is not considered in parking calculations provided by the Applicant. CBJ does not permit back-out parking for commercial operations (CBJ 49.40.235(b)(6))

The Applicant does not anticipate pursuing a waiver for parking at this time. If pursued, a waiver application should be made at the same time as the Conditional Use Permit application.

7. **Lot Coverage** – Maximum lot coverage is 80%. CDD's interpretation is that the park area on top of the garage is not lot coverage.

The definition of “lot coverage” means the percentage of horizontal lot area that is occupied by all buildings on the lot, each measured at the outside of those exterior walls of the floor having the greatest horizontal dimensions. The garage creates horizontal lot area by providing park space on the roof.

Phase 1 proposal current lot coverage is 8%.

8. **Vegetative Coverage** – Per CBJ 49.50.300 - Minimum vegetative cover is 5%. (Met)
9. **Lighting** – Proposed lighting will need to be downward cast full cut off. Lighting conditions established by the commission. Verified during building permit process.
10. **Noise** – Anticipated noise from this project is not expected to be excessive for the zoning district.
11. **Flood** –



Elements of the proposed structure and improvements are in the VE flood zone with elevations of 23 to 26 feet. VE Zone is a Special Flood Hazard Area (SFHA) inundated by 1% annual chance flood; coastal floods with velocity hazards. New development that follows within the definitions stipulated in 49.80 shall obtain a floodplain development permit (FDP). Proposed structures will need to be design to meet the requirements of CBJ 49.70 Article IV, and 49.70.400(j) for additional provisions in zones VE and V.

12. **Hazard/Mass Wasting/Avalanche/Hillside Endorsement** – The project is not within a mapped hazard area. The project does not appear to need a Hillside Endorsement. A Hillside Endorsement will be required if slopes in excess of 18% are created, or cut into.

13. **Wetlands** – Wetlands are not anticipated on this lot. Fill of wetlands will require a United States Army Corp of Engineers fill permit.

Contact them at: 907-753-2689

14. **Habitat** – Check with the U.S. Fish and Wildlife on the presence of eagle nests in the area. The presence of eagle nests may impact construction scheduling. No anadromous waterbodies are on the subject parcel, or within 50 feet.

15. **Plat or Covenant Restrictions** – There were not applicable Plat notes in Plat number 2009-37.

16. **Traffic** – A traffic impact analysis (TIA) will be required per CBJ 49.40.300 (a)(1)

Parking level: 5,300 SF and 9,500 SF: Total SF: 14,500 SF (Retail)

Phase 1: 10,000 SF Plaza level (Retail)

Total: 24,800 SF retail

According to the Institute of Transportation Engineers Trip Generation Manual 9th edition a variety store generates 64.03 average annual daily traffic (AADT). Generating 1,587.94 AADT.

Per plans parks are approximately 60,000 SF, or approximately 1.4 Acres (Scaled off Plaza Level Phase 1 drawings) According to the Institute of Transportation Engineers Trip Generation Manual 9th edition a City park generates 1.89 average annual daily traffic (AADT).

The applicant will review the parking analysis done by the previous applicant, and modify if necessary.

17. **Nonconforming situations** – There are not nonconforming situations evident

Building Division

18. **Building** – Building plans will be reviewed during the permitting process, no comments at this time.

19. **Outstanding Permits** –

a. BLD20190242 – “Temp power for job trailer.”

General Engineering/Public Works

20. **Engineering** –

a. Note that a single water meter would be required. Does not anticipate many challenges since the project will have engineers involved.

b. Per discussion above, review building elevations with FEMA elevation requirements for this area.

21. **Drainage** – None at this time.

22. **Utilities** – (water, power, sewer, etc.) None at this time.

Fire Marshal

23. **Fire Items/Access** – No comments at this time.

Other Applicable Agency Review

24. The Traffic Impact Analysis will be submitted to the Alaska Department of Transportation and Public Facilities for their evaluation and review. If they have concerns, the Commission may condition the project to address them.
25. The application will be circulated to the Alaska Department of Transportation and Public Facilities, the United States Army Corps of Engineers, the Alaska Department of Natural Resources, the United States Fish and Wildlife Service, the Alaska Department of Fish and Game, the Federal Aviation Administration, and the United States Coast Guard.

List of required applications

Based upon the information submitted for pre-application review, the following list of applications must be submitted in order for the project to receive a thorough and speedy review.

1. Development Permit Application
2. Allowable/Conditional Use Permit Application

Additional Submittal Requirements

Submittal of additional information, given the specifics of the development proposal and site, are listed below. These items will be required in order for the application to be determined Counter Complete.

1. A copy of this pre-application conference report.
2. Traffic Impact Analysis. The Final draft will be required to go to the Planning Commission.

Exceptions to Submittal Requirements

Submittal requirements staff has determined **not** to be applicable or **not** required, given the specifics of the development proposal, are listed below. These items will **not** be required in order for the application to be reviewed.

1. None

Fee Estimates

The preliminary plan review fees listed below can be found in the CBJ code section 49.85.

Based upon the project plan submitted for pre-application review, staff has attempted to provide an accurate estimate for the permits and permit fees which will be triggered by your proposal.

1. \$1,000 Class IV Permit
2. Public Notice Sign \$150. \$100 refundable if the sign is brought back by the Monday after the Commission meeting.

For informational handouts with submittal requirements for development applications, please visit our website at www.juneau.org/community-development.

Submit your Completed Application

You may submit your application(s) online via email to permits@juneau.org

OR in person with payment made to:

City & Borough of Juneau, Permit Center
230 South Franklin Street
Fourth Floor Marine View Center
Juneau, AK 99801

Phone: (907) 586-0715

Web: www.juneau.org/community-development

Attachments:

49.70 Article IV

49.15.330

Ordinance 2005-29(am)

Development Permit Application

Allowable/Conditional Use Permit Application

49.15.330 Conditional use permit.

- (a) *Purpose.* A conditional use is a use that may or may not be appropriate in a particular zoning district according to the character, intensity, or size of that or surrounding uses. The conditional use permit procedure is intended to afford the commission the flexibility necessary to make determinations appropriate to individual sites. The commission may attach to the permit those conditions listed in subsection (g) of this section as well as any further conditions necessary to mitigate external adverse impacts. If the commission determines that these impacts cannot be satisfactorily overcome, the permit shall be denied.
- (b) *Preapplication conference.* Prior to submission of an application, the developer shall meet with the director for the purpose of discussing the site, the proposed development activity, and the conditional use permit procedure. The director shall discuss with the developer, regulation which may limit the proposed development as well as standards or bonus regulations which may create opportunities for the developer. It is the intent of this section to provide for an exchange of general and preliminary information only and no statement by either the developer or the director shall be regarded as binding or authoritative for purposes of this code. A copy of this subsection shall be provided to the developer at the conference.
- (c) *Submission.* The developer shall submit to the director one copy of the completed permit application together with all supporting materials and the permit fee.
- (d) *Director's review procedure.*
 - (1) The director shall endeavor to determine whether the application accurately reflects the developer intentions, shall advise the applicant whether or not the application is acceptable and, if it is not, what corrective action may be taken.
 - (2) After accepting the application, the director shall schedule it for a hearing before the commission and shall give notice to the developer and the public in accordance with section 49.15.230.
 - (3) The director shall forward the application to the planning commission together with a report setting forth the director's recommendation for approval or denial, with or without conditions together with the reasons therefor. The director shall make those determinations specified in subsections (1)(A)—(1)(C) of subsection (e) of this section.
 - (4) Copies of the application or the relevant portions thereof shall be transmitted to interested agencies as specified on a list maintained by the director for that purpose. Referral agencies shall be invited to respond within 15 days unless an extension is requested and granted in writing for good cause by the director.
 - (5) Even if the proposed development complies with all the requirements of this title and all recommended conditions of approval, the director may nonetheless recommend denial of the application if it is found that the development:
 - (A) Will materially endanger the public health or safety;
 - (B) Will substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (C) Will not be in general conformity with the land use plan, thoroughfare plan, or other officially adopted plans.
- (e) *Review of director's determinations.*

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- (1) At the hearing on the conditional use permit, the planning commission shall review the director's report to consider:
 - (A) Whether the proposed use is appropriate according to the table of permissible uses;
 - (B) Whether the application is complete; and
 - (C) Whether the development as proposed will comply with the other requirements of this title.
 - (2) The commission shall adopt the director's determination on each item set forth in paragraph (1) of this subsection (e) unless it finds, by a preponderance of the evidence, that the director's determination was in error, and states its reasoning for each finding with particularity.
- (f) *Commission determinations; standards.* Even if the commission adopts the director's determinations pursuant to subsection (e) of this section, it may nonetheless deny or condition the permit if it concludes, based upon its own independent review of the information submitted at the hearing, that the development will more probably than not:
- (1) Materially endanger the public health or safety;
 - (2) Substantially decrease the value of or be out of harmony with property in the neighboring area; or
 - (3) Lack general conformity with the comprehensive plan, thoroughfare plan, or other officially adopted plans.
- (g) *Specific conditions.* The commission may alter the director's proposed permit conditions, impose its own, or both. Conditions may include one or more of the following:
- (1) *Development schedule.* A reasonable time limit may be imposed on construction activity associated with the development, or any portion thereof, to minimize construction-related disruption to traffic and neighborhood, to ensure that development is not used or occupied prior to substantial completion of required public or quasi-public improvements, or to implement other requirements.
 - (2) *Use.* Use of the development may be restricted to that indicated in the application.
 - (3) *Owners' association.* The formation of an association or other agreement among developers, homeowners or merchants, or the creation of a special district may be required for the purpose of holding or maintaining common property.
 - (4) *Dedications.* Conveyance of title, easements, licenses, or other property interests to government entities, private or public utilities, owners' associations, or other common entities may be required.
 - (5) *Performance bonds.* The commission may require the posting of a bond or other surety or collateral approved as to form by the city attorney to guarantee the satisfactory completion of all improvements required by the commission. The instrument posted may provide for partial releases.
 - (6) *Commitment letter.* The commission may require a letter from a public utility or public agency legally committing it to serve the development if such service is required by the commission.
 - (7) *Covenants.* The commission may require the execution and recording of covenants, servitudes, or other instruments satisfactory in form to the city attorney as necessary to ensure permit compliance by future owners or occupants.
 - (8) *Revocation of permits.* The permit may be automatically revoked upon the occurrence of specified events. In such case, it shall be the sole responsibility of the owner to apply for a new permit. In other cases, any order revoking a permit shall state with particularity the grounds therefor and the requirements for reissuance. Compliance with such requirements shall be the sole criterion for reissuance.

- (9) *Landslide and avalanche areas.* Development in landslide and avalanche areas, designated on the landslide and avalanche area maps dated September 9, 1987, consisting of sheets 1—8, as the same may be amended from time to time by assembly ordinance, shall minimize the risk to life and property.
- (10) *Habitat.* Development in the following areas may be required to minimize environmental impact:
 - (A) Developments in wetlands and intertidal areas.
- (11) *Sound.* Conditions may be imposed to discourage production of more than 65 dBa at the property line during the day or 55 dBa at night.
- (12) *Traffic mitigation.* Conditions may be imposed on development to mitigate existing or potential traffic problems on arterial or collector streets.
- (13) *Water access.* Conditions may be imposed to require dedication of public access easements to streams, lake shores and tidewater.
- (14) *Screening.* The commission may require construction of fencing or plantings to screen the development or portions thereof from public view.
- (15) *Lot size or development size.* Conditions may be imposed to limit lot size, the acreage to be developed or the total size of the development.
- (16) *Drainage.* Conditions may be imposed to improve on and off-site drainage over and above the minimum requirements of this title.
- (17) *Lighting.* Conditions may be imposed to control the type and extent of illumination.
- (18) *Other conditions.* Such other conditions as may be reasonably necessary pursuant to the standards listed in subsection (f) of this section.

(Serial No. 87-49, § 2, 1987; Serial No. 2006-15, § 2, 6-5-2006; Serial No. 2015-03(c)(am), § 9, 8-31-2015 ; Serial No. 2017-29, § 3, 1-8-2018, eff. 2-8-2018)

49.70.400 Floodplain.

- (a) *Purpose.* The purpose of this article is to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in specific areas. Other purposes are to:
 - (1) Reserved;
 - (2) Prevent the erection of structures in areas unfit for human usage by reason of danger from flooding, unsanitary conditions, or other hazards;
 - (3) Minimize danger to public health by protecting the water supply and promoting safe and sanitary drainage;
 - (4) Reduce the financial burdens imposed on the community, its governmental units, and its individuals by frequent and periodic floods and overflow of lands;
 - (5) Reserved;
 - (6) Ensure that potential buyers are notified that property is in a special flood hazard area; and
 - (7) Ensure that those who occupy the special flood hazard area assume financial responsibility for their development.
- (b) *Interpretation.*
 - (1) In the interpretation and application of this article, all provisions are considered minimum requirements and are liberally construed in favor of the governing body.

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- (2) This article is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. Where the provisions of this article and another ordinance conflict or overlap, whichever imposes the more stringent restrictions shall prevail.
 - (3) This article shall apply to all areas of special flood hazard areas (SFHAs) within the jurisdiction of the City and Borough of Juneau.
 - (4) The special flood hazard areas identified by the Federal Insurance Administrator (FIA) in a scientific and engineering report entitled the "Flood Insurance Study" (FIS) and the flood insurance rate maps (FIRMs) dated September 18, 2020 for the City and Borough of Juneau, Alaska are adopted. The FIS and FIRMs shall be on file with the community development department and available to the public at 155 South Seward Street, Juneau, Alaska.
- (c) *Implementation.* The director is responsible for administering and implementing the provisions of this chapter and is responsible for maintaining for public use and inspection appropriate records and information relevant to implementation of this chapter. Such records and information must include:
- (1) Actual elevations, in relation to mean lower low water, of the lowest floor, including basement, of all new or substantially improved structures located in the special flood hazard area (SFHA), and whether or not such structures have basements;
 - (2) Actual elevations, in relation to mean lower low water, of all new and substantially improved floodproofed structures and the required floodproofing certifications;
 - (3) Flood insurance studies (FISs);
 - (4) Flood insurance rate maps (FIRMs);
 - (5) Any reports or studies on flood hazards in the community, such as written reports by the U.S. Army Corps of Engineers, U.S. Geological Survey, or private firms provided to the director; and
 - (6) A file of all floodplain permit applications, permits, exceptions, and supporting documentation.
- (d) *Enforcement.* Enforcement of this chapter is per CBJ 49.10.600—49.10.660.
- (e) *Floodplain development permit required.* A floodplain development permit is required for any development or industrial uses located within a special flood hazard area, including placement of manufactured homes. The director must:
- (1) Review all floodplain development permit applications for development in the special flood hazard area for compliance with the provisions of this chapter, and to determine if other permits may be necessary from local, state, or federal governmental agencies.
 - (2) Interpret the location of the special flood hazard area boundaries and regulatory floodway. If there appears to be a conflict between a mapped boundary and actual field conditions, the director must determine and interpret the documents. When base flood elevation data has not been provided, the director shall obtain, review, and reasonably utilize base flood elevation and floodway data available from any federal, state, municipal, or any other source to implement the provisions of this chapter.
 - (3) If the director determines that a proposed development is within a special flood hazard area, a permit fee must be collected and the following information must be provided before processing a floodplain development permit:
 - (A) Elevation of the lowest floor, including a basement, of all structures;
 - (B) Elevation to which any structure has been floodproofed;
 - (C) Certification by an engineer or architect that the floodproofing methods for any nonresidential structure meet generally accepted floodproofing standards;

- (D) Description of the extent to which any watercourse will be altered or relocated as a result of proposed development;
 - (E) Description of the plan for maintenance of the altered or relocated portion of the watercourse so that the flood-carrying capacity is not diminished; and
 - (F) When base flood elevation data have not been provided, the director shall obtain, review and reasonably apply any base flood elevation and floodway data available from federal, state or other sources.
- (f) *Methods of reducing losses.* In order to accomplish its purpose, this article includes methods and provisions to:
- (1) Restrict or prohibit uses that are dangerous to health, safety, and property due to water or erosion hazards, or that result in damaging increases in erosion or flood heights or velocities;
 - (2) Require that uses vulnerable to floods, including facilities that serve such uses, be protected against flood damage at the time of initial construction;
 - (3) Control the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel floodwaters;
 - (4) Control filling, grading, dredging, and other development that may increase flood damage; and
 - (5) Prevent or regulate the construction of flood barriers that will unnaturally divert floodwaters or that may increase flood hazards in other areas.
- (g) *General standards for flood hazard protection.* In special flood hazard areas the following standards apply:
- (1) *Anchoring.*
 - (A) Design, modify, and anchor new construction and substantial improvements to prevent flotation, collapse, or lateral movement of the structure(s).
 - (B) A manufactured home must be anchored to prevent flotation, collapse, or lateral movement and be installed using methods and practices that minimize flood damage. Anchoring methods may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
 - (C) An alternative method of anchoring may be used if the system is designed to withstand a wind force of 90 miles per hour or greater. Certification must be provided to the director that this standard is met.
 - (2) *Construction materials and methods.*
 - (A) Construct new construction and substantial improvements with materials and utility equipment resistant to flood damage.
 - (B) Use methods and practices that minimize flood damage for new construction and substantial improvements.
 - (C) Design or locate electrical, heating, ventilation, plumbing, and air conditioning equipment and other service facilities so as to prevent water from entering or accumulating within the components during conditions of flooding.
 - (D) Require adequate drainage paths around structures on slopes to guide floodwaters away from existing and proposed structures for new construction and substantial improvements within zones AH and AO.
 - (3) *Utilities.*

- (A) Design new and replacement water supply systems to minimize or eliminate infiltration of floodwaters into the system.
- (B) Design new and replacement sanitary sewage systems to minimize or eliminate infiltration of floodwaters into the systems and discharge from the systems into floodwaters.
- (C) Locate on-site waste disposal systems to avoid impairment to them or contamination from them during flooding.
- (4) *[Subdivision and development proposal criteria.]* Subdivision and development proposals must meet the following criteria:
 - (A) Be designed to minimize flood damage;
 - (B) Locate and construct utilities and facilities, such as sewer, gas, electrical, and water systems to minimize flood damage;
 - (C) Provide adequate drainage to reduce exposure to flood damage; and
 - (D) Include base flood elevation data if the development consists of at least 50 lots or five acres, whichever is the lesser. If base flood elevation data is not available, the proposal must provide the data and backup information for how the base flood elevation data was generated for the proposal.
- (5) *[Floodplain development permit requirements.]* Review of floodplain development permits must include:
 - (A) Review of the flood insurance rate map and flood insurance study for flood zone determinations for new or substantially improved structures;
 - (B) For new or substantially improved structures:
 - (i) Submittal of the proposed and finished lowest floor elevations in zones A, AE, AO, and AH.
 - (ii) Submittal of the proposed and finished bottom elevation of the lowest horizontal structural member of the lowest floor and its distance from the mean lower low water mark in zones V and VE; and
 - (iii) Submittal of specific requirements for zones V and VE as set forth in subsection 49.70.400(i).
 - (C) In zones A and V, where elevation data are not available through the flood insurance study or from another authoritative source, applications for floodplain development permit shall be reviewed to ensure that proposed construction will be reasonably safe from flooding. The test of reasonableness is a local judgment and may be based on historical data, high water marks, photographs of past flooding, and other similar or relevant data. Failure to elevate construction at least two feet above grade in these zones may result in higher insurance rates.
 - (D) Provision of an elevation certificate to demonstrate that the lowest floor of a structure is at or above base flood elevation. The certification must be provided on a form approved by the National Flood Insurance Program and prepared by a registered land surveyor or professional engineer who is licensed in the State of Alaska and authorized to certify such information. This requirement may be waived by the director if an approved record elevation demonstrates that the lowest floor is substantially above the base flood elevation due to natural ground level.
- (6) *Other permits.* The applicant must certify that all other necessary permits have been obtained from any federal or state governmental agencies.
- (7) *[Maintaining watercourse.]* Maintain altered or relocated portions of a special flood hazard area mapped watercourse so that the flood-carrying capacity is not diminished. The department must notify the state coordinating agency, if any, and the Federal Emergency Management Agency prior to

issuance of a floodplain development permit that seeks to alter or relocate any watercourse within a special flood hazard area.

- (h) *Specific standards for flood hazards protection.* In special flood hazard areas where base flood elevation data is provided, the following provisions are required:
- (1) *New structures or substantial improvements.* Fully enclosed areas below the lowest floor of new construction or substantial improvements, that are useable solely for parking of vehicles, building access, or storage in an area other than a basement, must automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect licensed in the State of Alaska or must meet or exceed the following minimum criteria:
 - (A) Provide a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding;
 - (B) Height of the bottom of all openings must be no higher than one foot above grade; and
 - (C) Openings may be equipped with screens, louvers, or other coverings or devices provided that the automatic entry and exit of floodwaters is allowed.
 - (2) *Residential construction.* New construction and substantial improvement of any residential structure:
 - (A) Construct the lowest floor, including basement, elevated to or above the base flood elevation within zones A, AE, or AH; or
 - (B) Construct the lowest floor elevated to the base flood depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO.
 - (3) *Manufactured homes.* New or substantially improved manufactured homes must:
 - (A) Be placed at or above, the base flood elevation, within zones A, AH, or AE, and shall be elevated to, or above, the base flood elevation, and comply with subsection (g); or
 - (B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; and meet the provisions of subsection (g)(1).
 - (4) *Recreational vehicles.* Recreational vehicles placed within any special flood hazard area must be:
 - (A) Situated on the site for fewer than 180 consecutive days;
 - (B) Fully licensed, operational, and approved for road use; or
 - (C) Meet the requirements of subsection (h)(3).
 - (5) *Nonresidential construction.* New construction or substantial improvement of any nonresidential structure must:
 - (A) Elevate the lowest floor, including basement, to or above the base flood elevation within zones A, AE, and AH;
 - (B) Elevate the lowest floor to the depth number specified on the flood insurance rate map, or higher, or if no depth number is specified, at least two feet above the highest adjacent natural grade within zone AO; or
 - (C) Floodproof the area below the base flood elevation within zones A, AE, AH, and AO, so that:
 - (i) The structure and utility and sanitary facilities are watertight with walls substantially impermeable to the passage of water;

- (ii) Structural components shall have the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy;
 - (D) A floodproof structure must be designed by an engineer or architect licensed in the State of Alaska, certifying that the design and methods of construction are in accordance with accepted standards of practice for meeting provisions of this subsection based on the engineer's or architect's development or review of the structural design, specifications, and plans. Certification must be provided to the director;
 - (E) Applicants proposing to floodproof nonresidential buildings must be notified at the time of floodplain development permit application that flood insurance premiums are based on rates that are one foot below the floodproofed level.
- (6) *Industrial uses.* Industrial uses within the special flood hazard area are subject to the following provisions:
 - (A) Sand and gravel operations, recreation activities, open space, and parking lots may be allowed in 100-year floodplains if the use does not increase the flood hazard.
 - (B) Industrial equipment and raw materials stored in 100-year floodplains must be adequately bermed or otherwise protected.
 - (C) Disposal of hazardous materials in 100-year floodplains is prohibited. No new development that involves storage of hazardous materials will be permitted in the 100-year floodplain unless there is no feasible and prudent alternative and adequate safety measures are provided to prevent accidental discharge.
 - (D) Establishment of sanitary landfills in floodplains is prohibited.
- (7) *Increasing water surface elevation in special flood hazard area mapped watercourses where floodways are not mapped.* Notwithstanding any other provisions of this article, development in zones A, AE, and AH may increase the water surface elevation of the base flood:
 - (A) Up to one foot with the submittal of an analysis completed by an engineer licensed in the State of Alaska demonstrating the cumulative effects of the proposed, existing and anticipated, development to the base flood; or
 - (B) By more than one foot only after a conditional letter of map revision and final letter of map revision is approved by the Federal Emergency Management Agency flood insurance administrator.
- (i) *Additional provisions in floodways.*
 - (1) Residential and nonresidential structures are prohibited in floodways, no exceptions apply. Culverts and bridges are not subject to this prohibition.
 - (2) Encroachments, including fill, new construction, and other development, except subdivisions, within a floodway are prohibited unless an engineer licensed in the State of Alaska submits a hydrologic and hydraulic analyses to the director indicating that the encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge. The hydrologic and hydraulic analyses must be performed in accordance with standard engineering practice acceptable by the Federal Emergency Management Agency.
 - (3) Development along a floodway cannot increase the water surface elevation unless a conditional letter of map revision and final letter of map revision that revises the floodway are approved by the Federal Emergency Management Agency.
- (j) *Additional provisions in zones VE and V.*

- (1) New construction and substantial improvements in zones V and VE must be elevated on pilings and columns so that:
 - (A) The bottom of the lowest horizontal structural member of the lowest floor, excluding the pilings or columns, is elevated to or above the base flood elevation; and
 - (B) The pile or column foundation and structure attached thereto is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components. Wind and water loading values must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used are those required by applicable state statute and local code. A registered professional engineer or architect licensed in the State of Alaska must develop or review the structural design, specifications, and plans for the construction and must certify that the design and methods of construction to be used are in accordance with accepted standards of practice for meeting the provisions of subsections (j)(1)(A) and (B) of this section.
 - (C) The use of fill for structural support of buildings is prohibited.
- (2) In zones VE and V, new habitable construction must be located landward of the reach of mean high tide.
- (3) In zones VE and V, new construction and substantial improvements must have the space below the lowest floor either free of obstruction or constructed with nonsupporting breakaway walls, open wood latticework, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system.
- (4) Breakaway walls must have a design safe loading resistance of not less than ten pounds per square foot and no more than 20 pounds per square foot. Use of breakaway walls that exceed a design safe loading resistance of 20 pounds per square foot (either by design or when so required by local or state codes) may be permitted only if a registered professional engineer or architect licensed in the State of Alaska certifies that the designs proposed meet the following conditions:
 - (A) Breakaway wall collapse must result from a water load less than that which would occur during the base flood; and
 - (B) The elevated portion of the building and supporting foundation system must not be subject to collapse, displacement, or other structural damage due to the effects of wind and water loads acting simultaneously on all building components (structural and nonstructural). Maximum wind and water loading values to be used in this determination must each have a one percent chance of being equaled or exceeded in any given year (100-year mean recurrence interval). Wind loading values used shall be those required by applicable state statute and local code.
 - (C) Enclosed space within breakaway walls are limited to parking of vehicles, building access, or storage. Such space must not be used for human habitation.
- (k) *Warning and disclaimer of liability.* The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected, can and will occur. Flood heights may be increased by human or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof for any flood damages that result from reliance on this article or any administrative decision made thereunder.

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, §§ 2—9, 1990; Serial No. 2013-19(b), § 2, 7-15-2013 ; Serial No. 2020-42, § 2, 8-24-2020, eff. 9-23-2020 ; Serial No. 2021-06, § 2, 4-26-2021, eff. 5-26-2021)

49.70.410 Exceptions.

- (a) The planning commission shall hear all applications for an exception from the provisions of this article, and are limited to the powers granted in this article and those necessarily implied to ensure due process and to implement the policies of this article.
- (b) In passing upon such application, the planning commission must consider all technical evaluations, relevant factors, standards specified in other sections of this article, and:
 - (1) The danger that materials may be swept onto other lands and cause injury to other persons or property;
 - (2) The danger to life and property due to flooding or erosion damage;
 - (3) The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (4) The importance of the services provided by the proposed facility to the community;
 - (5) The necessity to the facility of a waterfront location, where applicable;
 - (6) The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (7) The compatibility of the proposed use with existing and anticipated development;
 - (8) The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (9) The safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (10) The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site; and
 - (11) The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
- (c) Exceptions may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing subsections (b)(1)—(b)(11) of this section have been fully considered. As the lot size increases beyond the one-half acre, the technical justification required for issuing the exception increases.
- (d) Upon consideration of the factors of subsection (b) of this section and the purposes of this article, the commission may deny or grant the application and may attach such conditions to the grant of an exception as it deems necessary to further the purposes of this article.
- (e) Exceptions may be issued for the reconstruction, rehabilitation or restoration of structures listed on the National Register of Historic Places or the state inventory of historic places, without regard to the procedures set forth in the remainder of this section.
- (f) Exceptions must not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (g) Exceptions must only be issued upon a determination that the exception is the minimum necessary, considering the flood hazard, to afford relief.
- (h) Exceptions must only be issued upon:
 - (1) A showing of good and sufficient cause;
 - (2) A determination that failure to grant the exception would result in exceptional hardship to the applicant; and
 - (3) A determination that the granting of an exception will not result in increased flood heights, additional threats to public safety, extraordinary public expense, create nuisances or conflict with existing local laws or ordinances.
- (i) Reserved.
- (j) Warning and disclaimer of liability. The degree of flood protection required by this article is intended for minimum regulatory purposes only and is based on general scientific and engineering principles. Floods larger than expected,

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can and will occur. Flood heights may be increased by manmade or natural causes. This article does not imply that land outside the areas of special flood hazards or uses permitted within such areas will be free from flooding or flood damages. This article shall not create liability on the part of the City and Borough, any officer or employee thereof, or the Federal Insurance Administration for any flood damages that result from reliance on this article or any administrative decision lawfully made thereunder.

(Serial No. 87-49, § 2, 1987; Serial No. 90-46, § 10, 1990; Serial No. 2021-06, § 3, 4-26-2021, eff. 5-24-2021)

Presented by: The Manager
Introduced: 09/12/2005
Drafted by: J.W. Hartle

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2005-29(am)

An Ordinance Relating to the Seawalk in the Area
Encompassed by the Long Range Waterfront Plan.

WHEREAS, the Assembly has adopted the Long Range Waterfront Plan; and

WHEREAS, that plan includes a seawalk extending along the entire downtown waterfront to provide a useable transportation corridor; and

WHEREAS, the CBJ Land Use Code currently requires property owners developing or redeveloping their property to construct the seawalk and dedicate an easement for it; and

WHEREAS, having the City and Borough construct the seawalk will facilitate development of a coherent, useable corridor; and

WHEREAS, the LID process can be used to provide for construction of the seawalk along properties not under development.

NOW, THEREFORE, BE IT ENACTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, ALASKA:

Section 1. Classification. This ordinance is of a general and permanent nature and shall become a part of the City and Borough code.

Section 2. Amendment of Subsection. CBJ 49.70.960 Special waterfront areas, is amended at subsection (c)(6) to read:

...
(6) Seawalk. A pedestrian access easement and walkway intended to provide a continuous pedestrian path along the entire downtown waterfront area, shall be included with all future development or redevelopment along the downtown waterfront shoreline. This walkway, to be known as the seawalk, shall be a continuous path along the entire downtown waterfront as depicted in the Long Range Waterfront Plan. In lieu of constructing the required seawalk, property owners developing or redeveloping property along the waterfront shoreline within the area encompassed by the Long Range Waterfront Plan shall pay a fee to the City and Borough equal to twenty percent of the final project cost for a seawalk constructed to public assembly standards for the section abutting their property. Unless the alignment of the seawalk requires otherwise, owners of property along

the waterfront shoreline within the area encompassed by the Long Range Waterfront Plan developing or redeveloping their property shall dedicate all easements necessary for construction of a seawalk sixteen feet in width.

(A) *Reserved.*

(B) *Reserved.*

(C) The seawalk shall not be required for existing buildings located along the water's edge until additions or alterations, or both, in excess of 50 percent of the gross square footage of the existing structure are proposed or undertaken within a 36-month period as determined by the City and Borough building division. General maintenance or repair work is exempt from this requirement.

(D) *Reserved.*

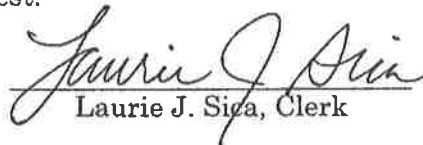
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Section 3. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 10th day of October, 2005.


Bruce Botelho, Mayor

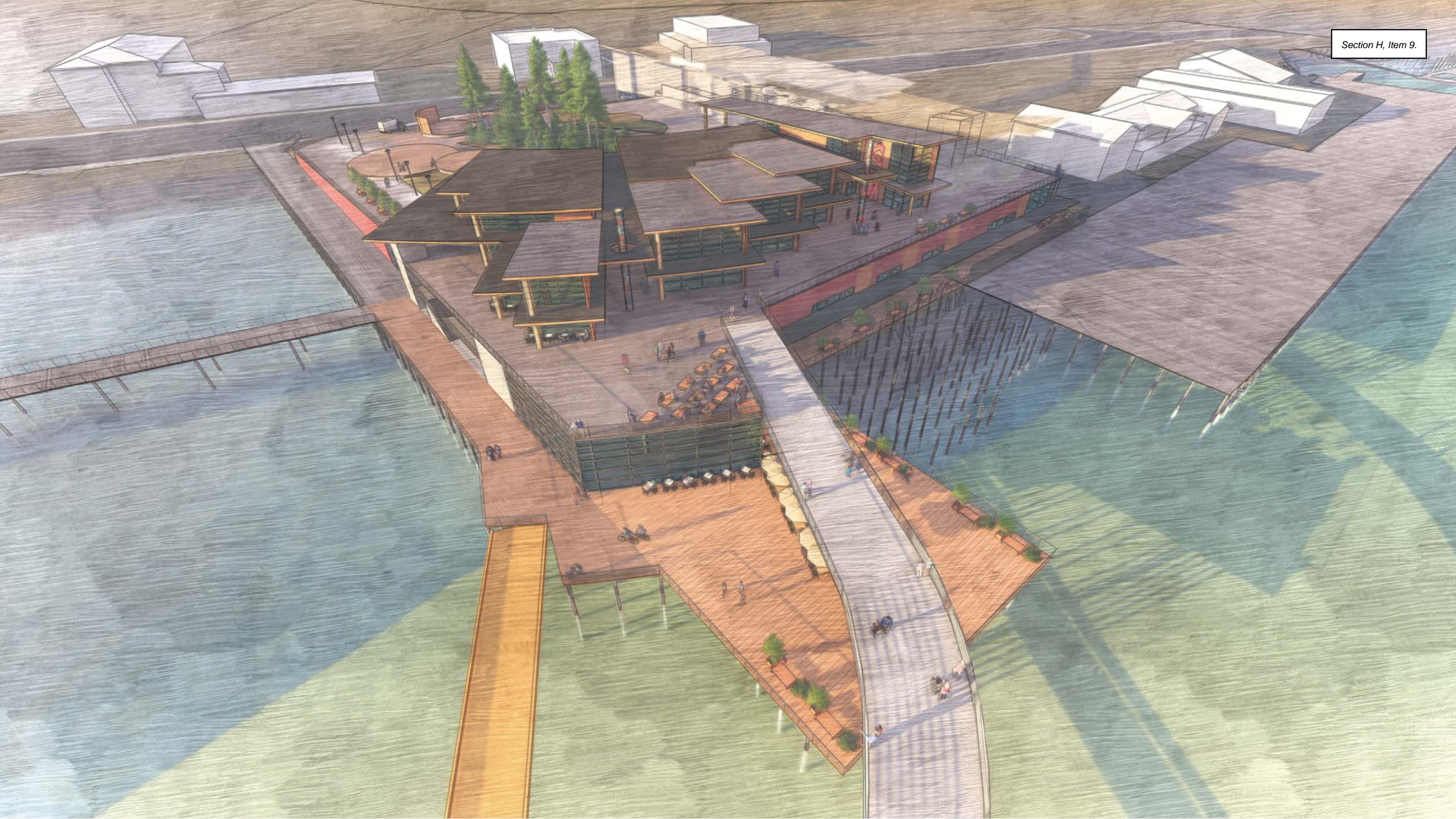
Attest:


Laurie J. Sica, Clerk



Aak'w Landing
Huna Totem Corporation

Overhead View



Aak'w Landing

Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Aerial View from Southwest



Aak'w Landing

Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

View from Southwest

Pedestrian Skybridge to right
Service Gangway below to left



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Skybridge



Aak'w Landing

Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Upper Plaza from South

Welcome Center to right
Phase 2 Retail to left



Aak'w Landing

Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Upper Plaza from Southeast

Welcome Center to left
Phase 2 Retail ahead
Future Phase Development beyond



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

South Seawalk from Whittier St.

Seawalk-Level Retail
Future Phase Development above



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

South Seawalk



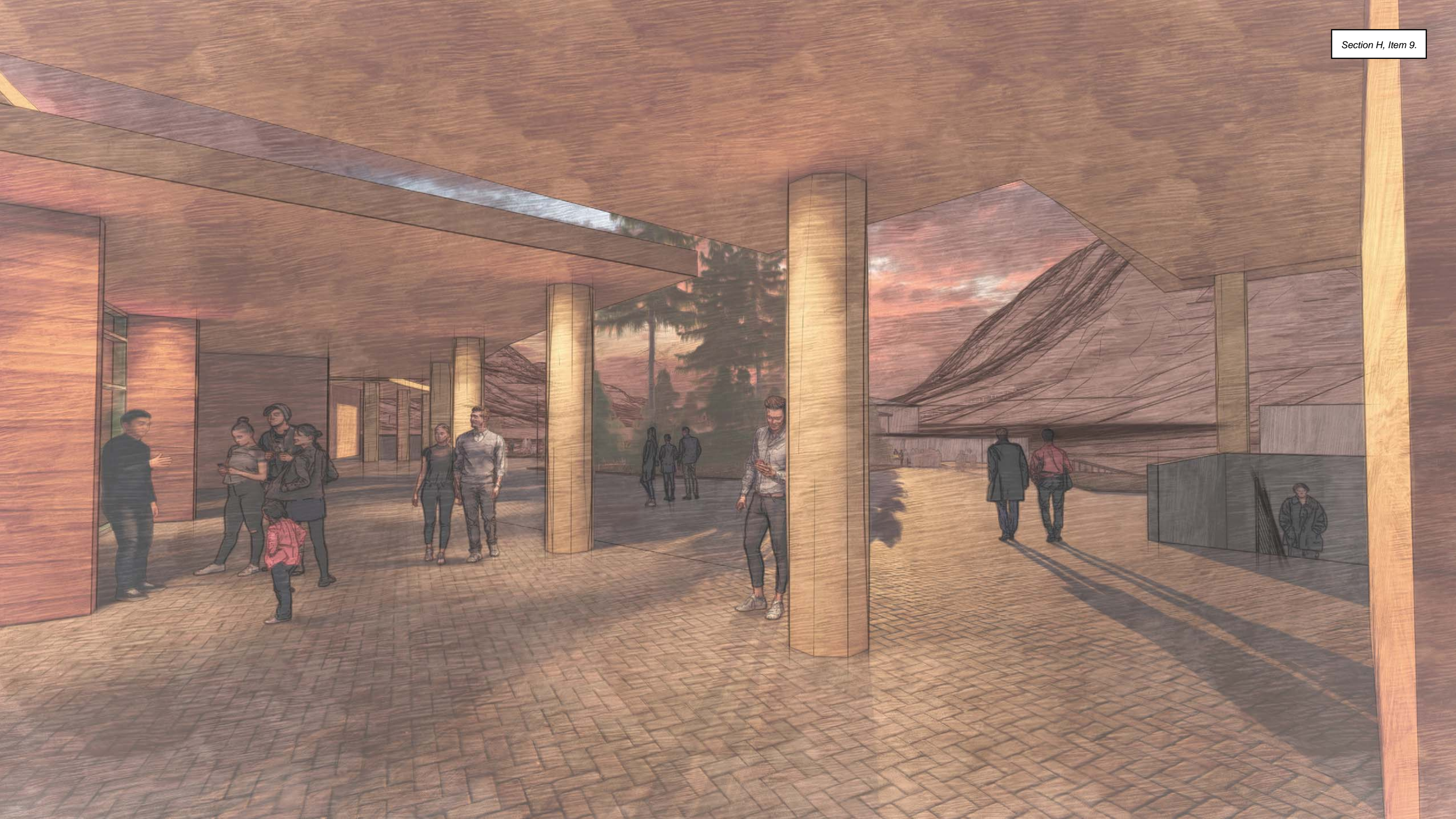
Aak'w Landing

Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Seawalk Deck

Seawalk-Level Retail / Dining
Skybridge above



Aak'w Landing

Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Top of Park

Welcome Center to left

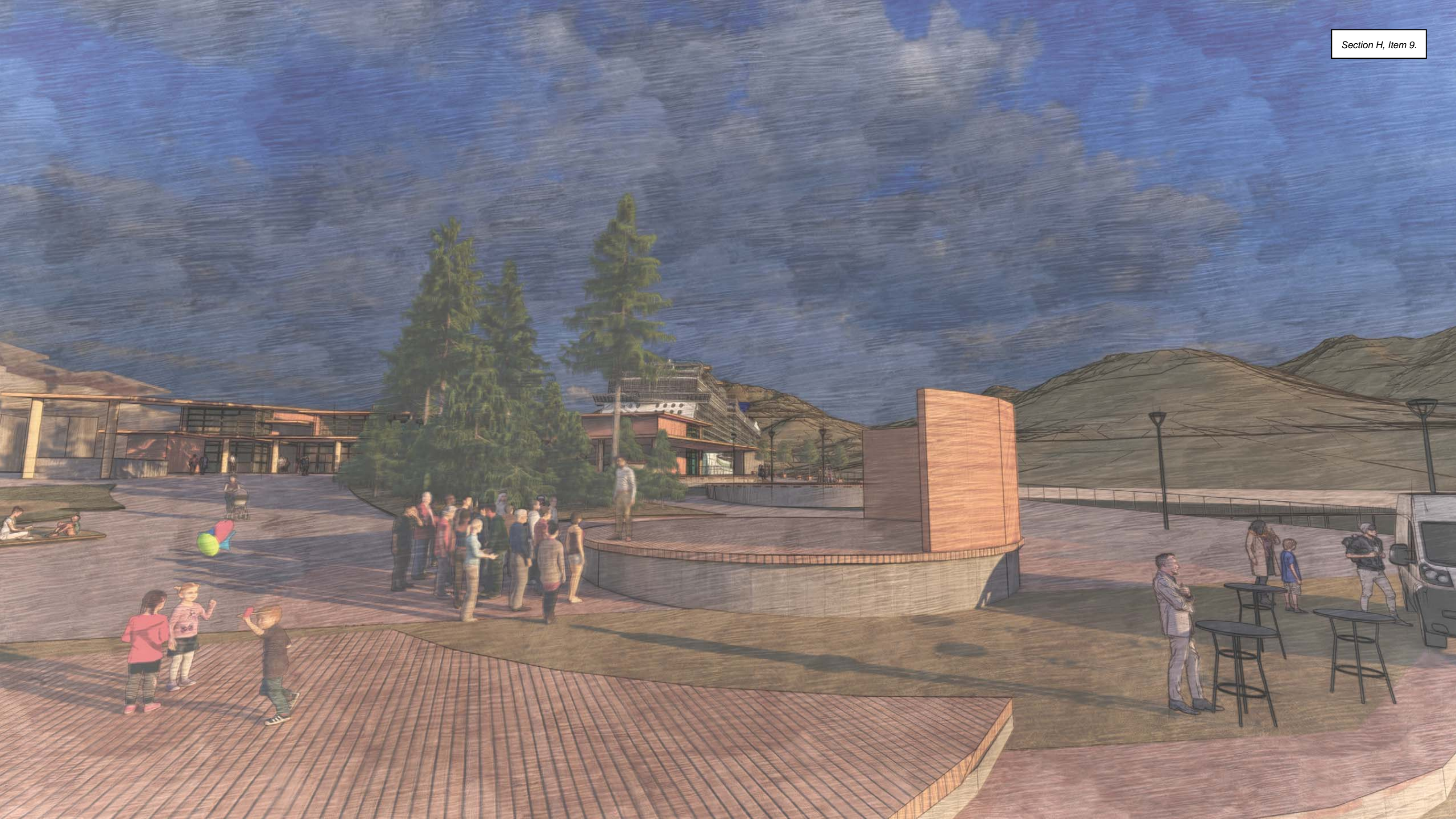
Stairs / Escalators to Tour Arrival/Departure ahead



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Tour Arrival / Departure Area



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Lower Park



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Park
Welcome Center beyond to left



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Upper Plaza from West
Phase 2 Retail / Dining to left



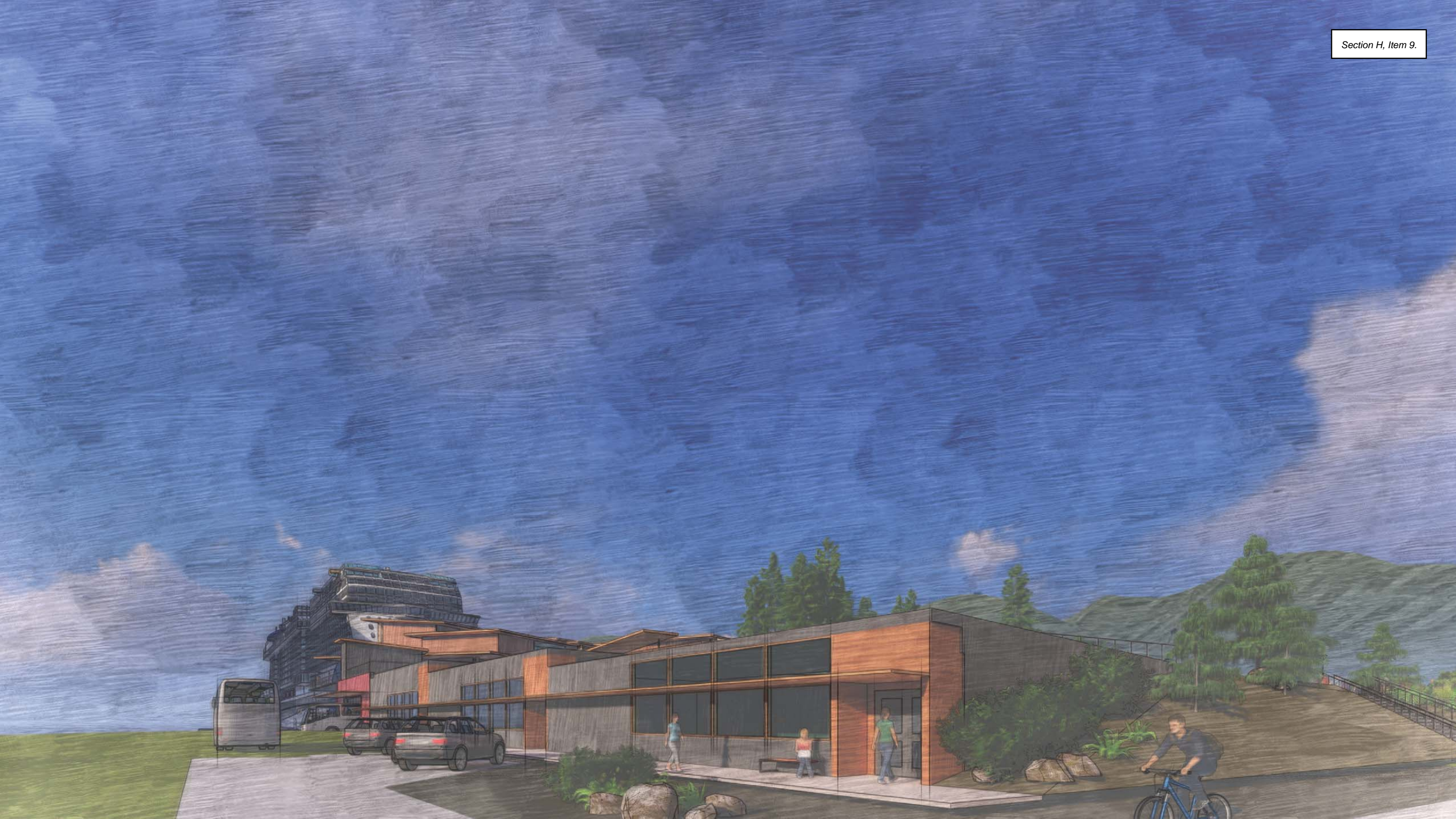
Aak'w Landing

Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Upper Plaza from West

Phase 2 Retail / Dining to left



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

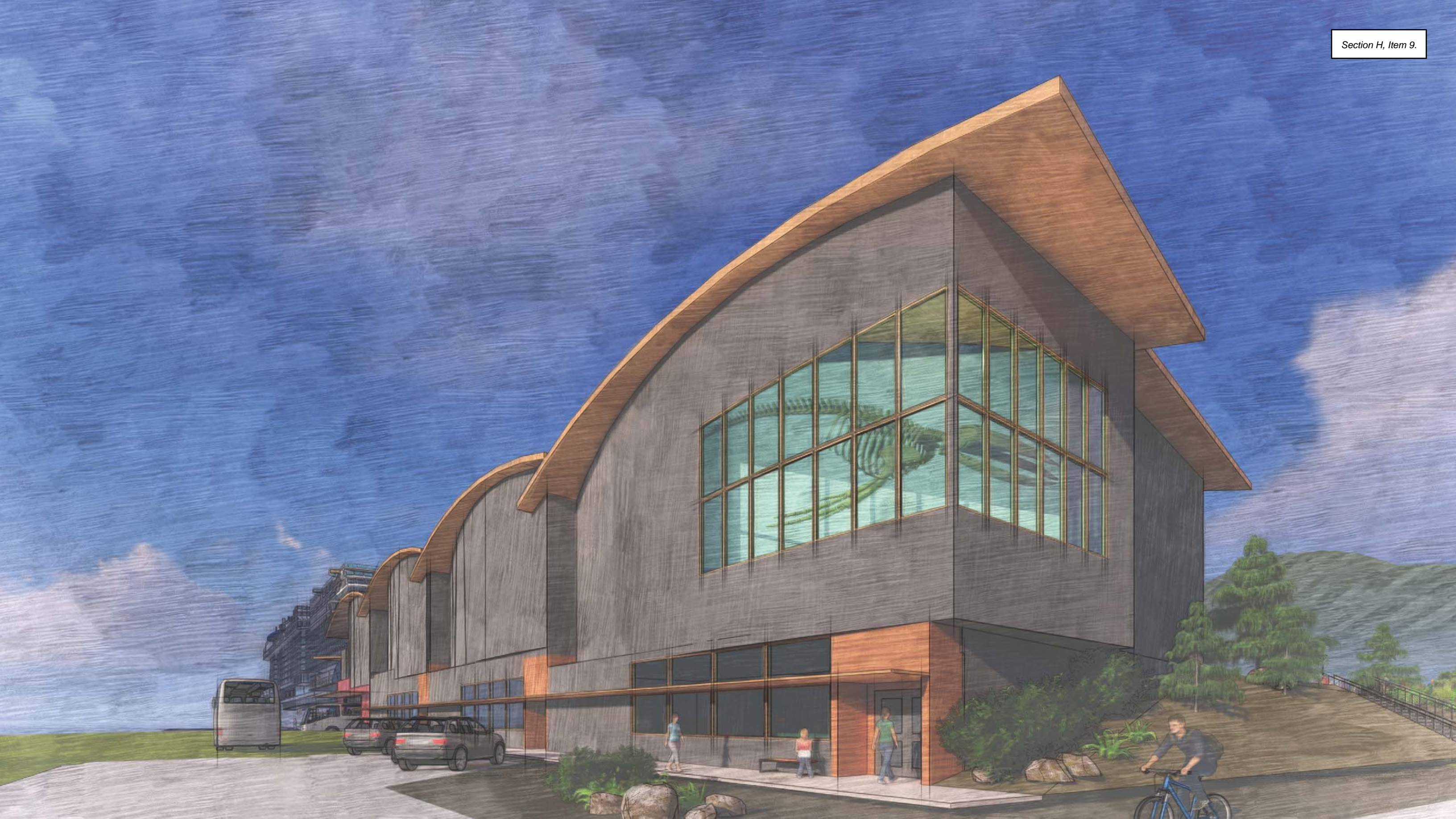
Corner of Egan and Whittier
Whittier-Level Retail



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Corner of Egan and Whittier
Future Phase Development Option - Housing



Aak'w Landing
Huna Totem Corporation

Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Corner of Egan and Whittier
Future Phase Development Option - Cultural / Museum

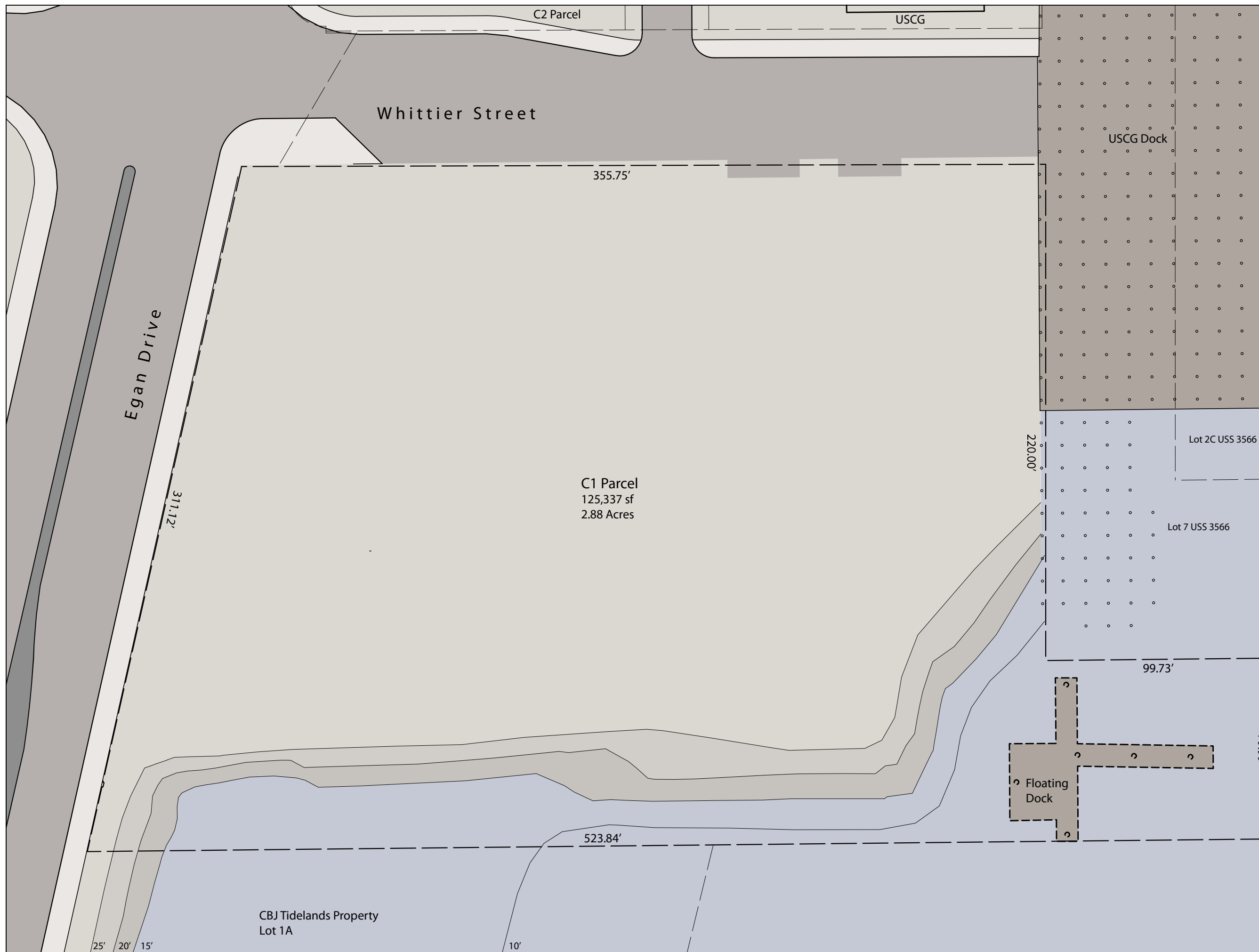
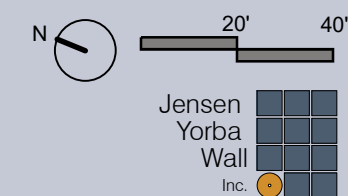


Aak'w Landing
Huna Totem Corporation

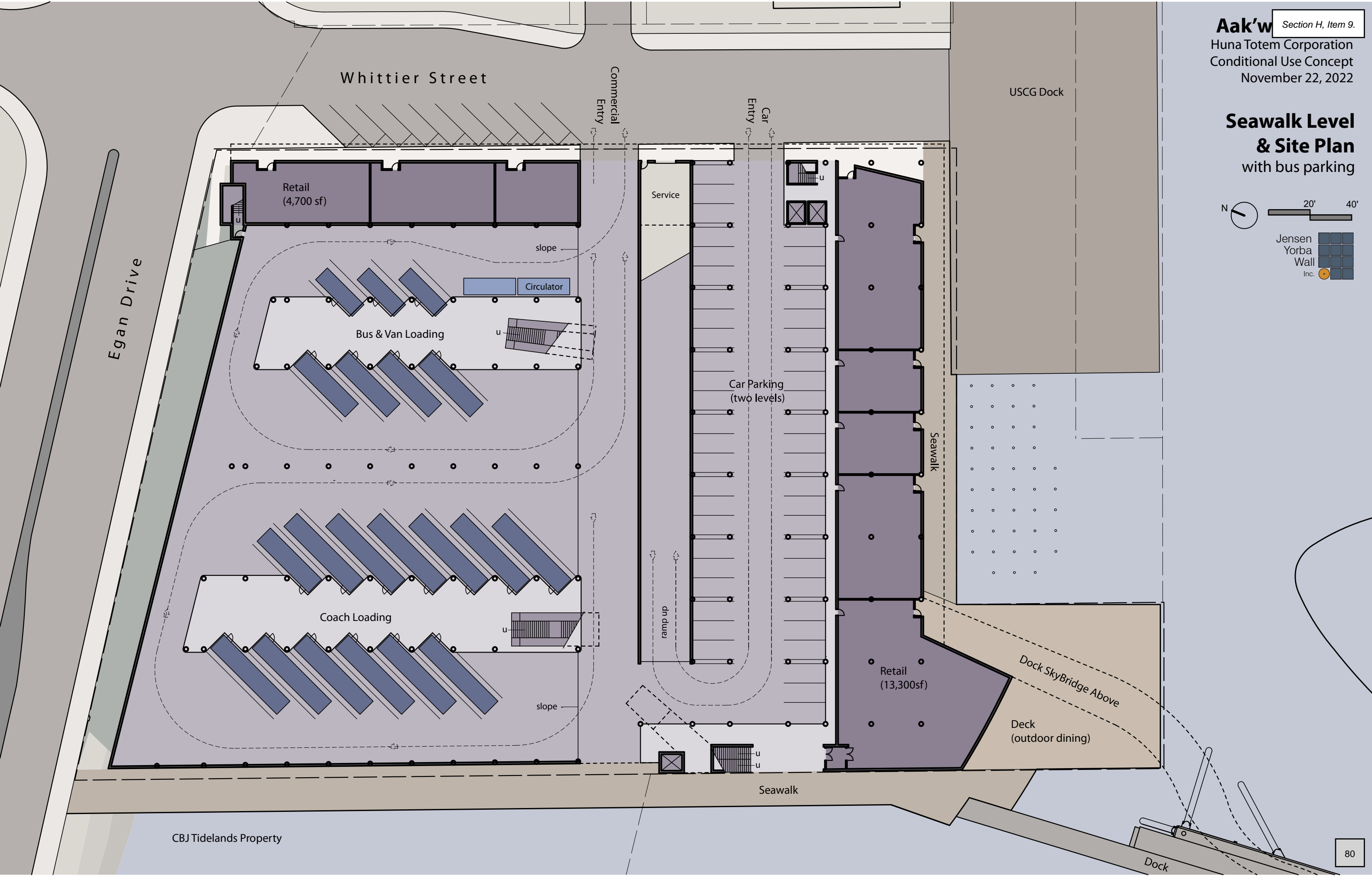
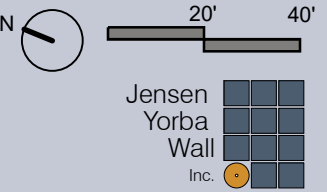
Jensen Yorba Wall, Inc. Conditional Use Concept January 6, 2023

Corner of Egan and Whittier
Future Phase Development Option - Assembly / Conference

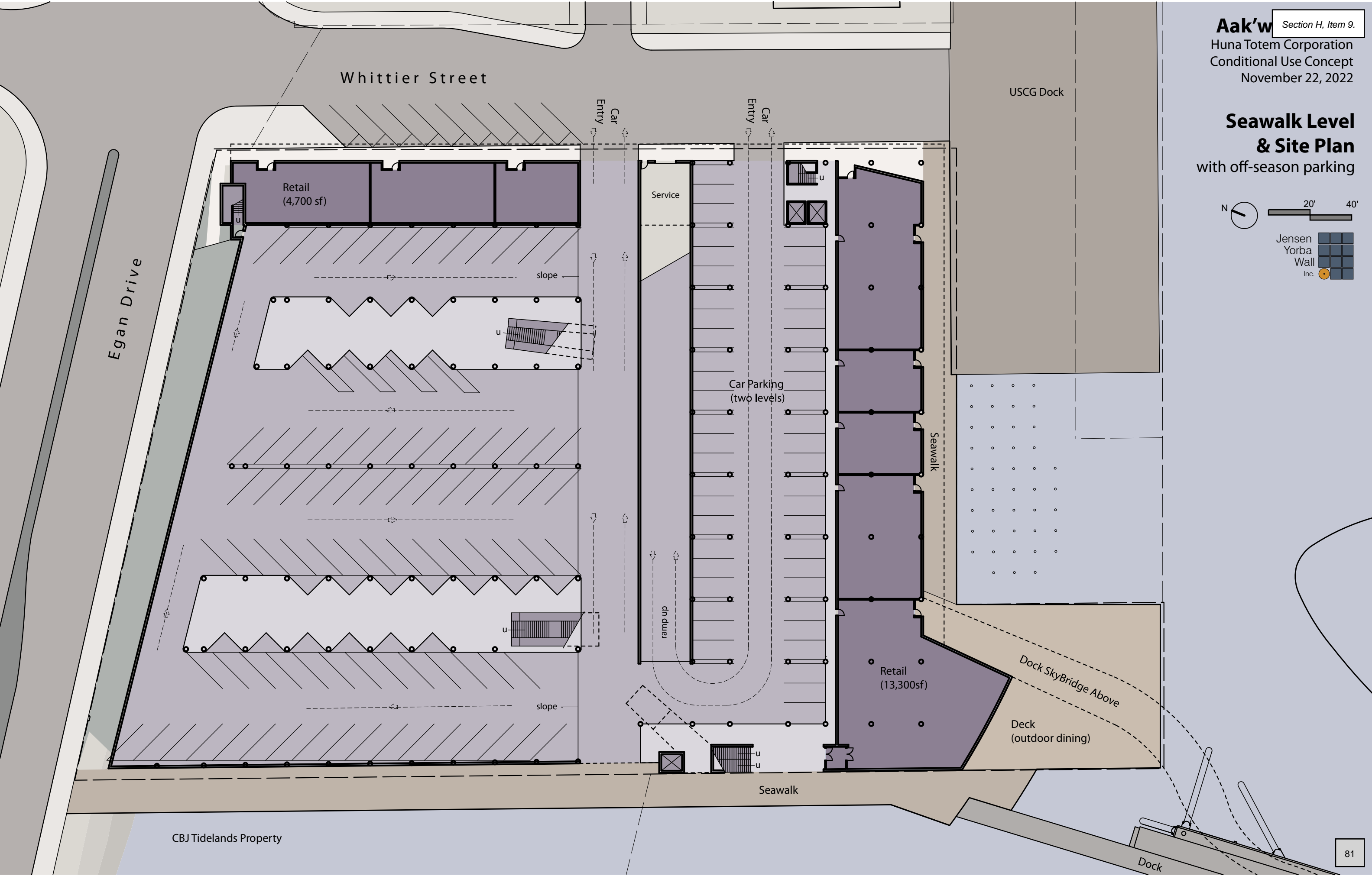
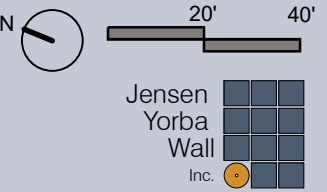
Existing Site Plan



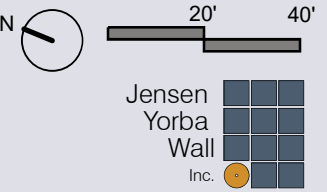
Seawalk Level
& Site Plan
with bus parking



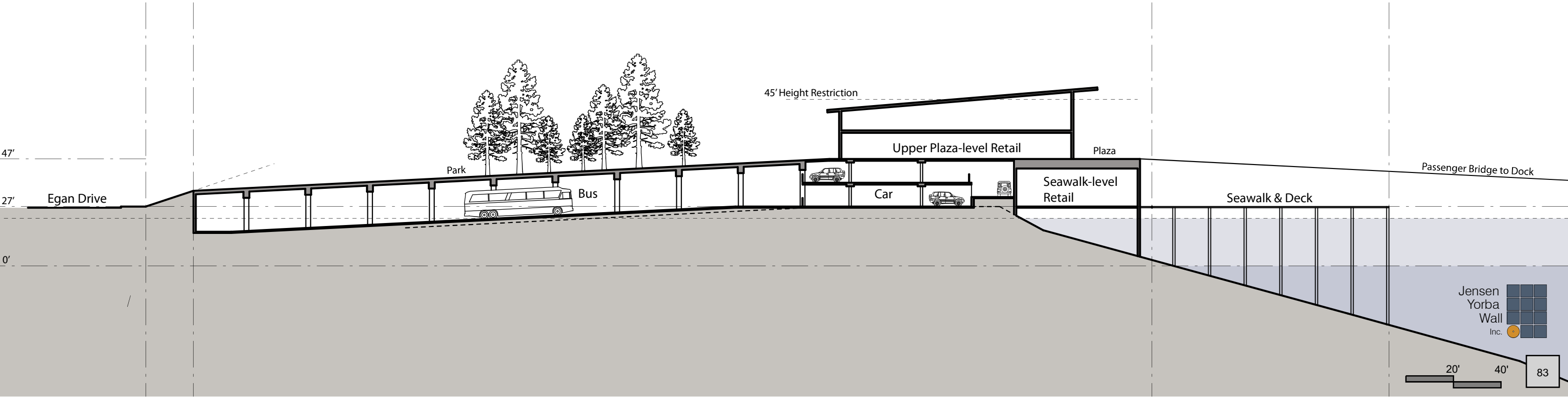
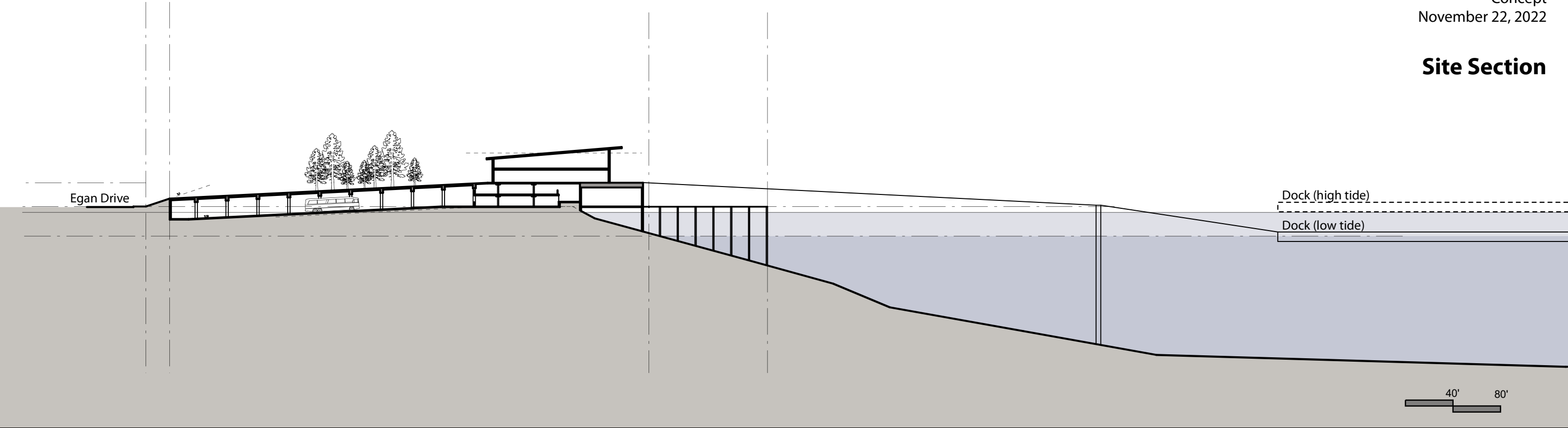
**Seawalk Level
& Site Plan**
with off-season parking

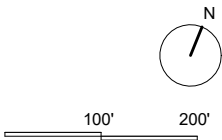
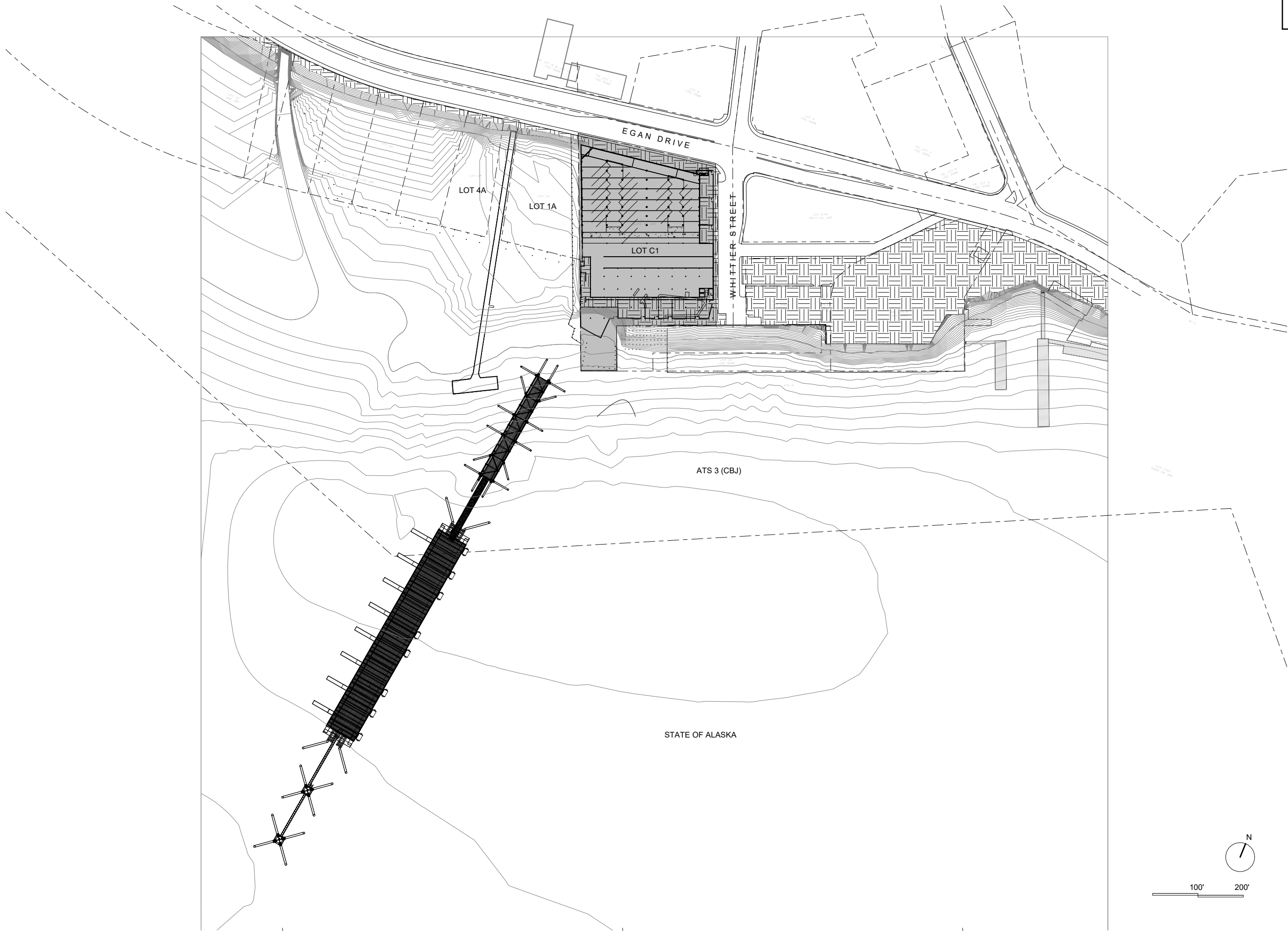


Upper Plaza Level

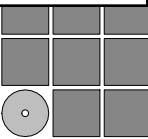


Site Section





Section H, Item 9.



**Jensen
Yorba
Wall Inc.**

522 West 10th Street
Juneau, Alaska 99801
907.586.1070
AECC137
jensenyorbawall.com

Huna Totem Corporation
Aak'w Landing

Conceptual Design

REVISIONS

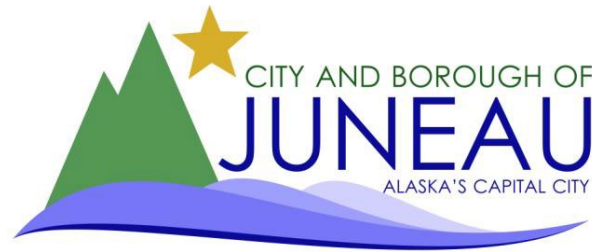


SHEET TITLE

Property Location

DATE: 1.3.2023
FILE: 21022

A00 84



MEMORANDUM

DATE: February 9, 2023
TO: Assembly Public Works and Facilities Committee
FROM: Alexandra Pierce, Tourism Manager
SUBJECT: Marine Passenger Fee Philosophy

This memo discusses my proposal for the expenditure of passenger fees (CBJ \$5 Marine Passenger Fee, \$3 Port Development Fee and \$5 State Commercial Passenger Vessel Fee). This proposal is made in accordance with the settlement that was reached with CLIA in March of 2019 and is designed to provide services and solve community issues related to cruise ship tourism.

The cruise industry holds a consensus view that Southeast Alaska sailings will exceed pre-pandemic levels in the summer of 2023. The scheduled lower berth capacity is estimated to be 1.65 million visitors for the summer 2023 season.

Here is how that forecast for visitation translates to passenger fee revenue in FY23 and FY24:

			PAX	MPF	PDF	State CPV*	Total
CY2022 Jul/Aug/Sept	FY2023		600,000	\$ 3,000,000	\$ 1,800,000	\$ 5,000,000	\$ 9,800,000
CY2023 April/May/June	FY2023		660,000	\$ 3,300,000	\$ 1,980,000		\$ 5,280,000
CY2023 Jul/Aug/Sept	FY2024		990,000	\$ 4,950,000	\$ 2,970,000	\$ 8,250,000	\$ 16,170,000
CY2024 April/May/June	FY2024		660,000	\$ 3,300,000	\$ 1,980,000		\$ 5,280,000

**State CPV receipts remitted to CBJ approximately eight months after they are received*

FY23 Passenger Fee Total \$ 15,080,000
FY24 Passenger Fee Total \$ 21,450,000

The absent 2020 cruise season and slow 2021 season still incurred operating and debt service expenses. As a result, we carried a negative fund balance of \$3.2 million into FY23. This is eliminated for FY24 and we can expect to carry a positive fund balance into FY25. Additionally, new U.S. Coast Guard security requirements translate to increased security expenses of approximately \$150,000 per dock. This was new for FY23 but will continue indefinitely.

FY24 Passenger Fee Proposal			
	Direct Cost	Overhead	Total
Debt Service: Juneau Cruise Terminal Docks	\$ 2,026,500	\$ -	\$ 2,026,500
CBJ Municipal Services			
Police Support	\$ 1,289,600	\$ 47,800	\$ 1,337,400
Ambulance/EMS Support	\$ 591,500	\$ 21,900	\$ 613,400
Seawalk, Open Space and Restroom Maintenance	\$ 426,100	\$ 15,800	\$ 441,900
Street Cleaning/Repair	\$ 192,900	\$ 7,100	\$ 200,000
D&H - Port Management	\$ 275,000	\$ 10,200	\$ 285,200
D&H - Port Customs Office Building Maintenance	\$ 142,000	\$ 5,300	\$ 147,300
D&H - Access Control Security	\$ 300,000	\$ 11,100	\$ 311,100
Tourism Management	\$ 229,000	\$ 8,500	\$ 237,500
CBJ Resident Tourism Survey	\$ 35,000	\$ 1,300	\$ 36,300
Cruise Ship Passenger Survey	\$ 35,000	\$ 1,300	\$ 36,300
General Economic Analysis	\$ 40,000	\$ 1,500	\$ 41,500
Total City Services	\$ 3,556,100	\$ 132,700	\$ 3,688,800
Third-Party Visitor Services by Assembly Grant			
Travel Juneau - Crossing guard program	\$ 294,200	\$ -	\$ 294,200
Travel Juneau - Visitor services program	\$ 165,200	\$ -	\$ 165,200
Tourism Best Management Practices (TBMP)	\$ 26,000	\$ -	\$ 26,000
Downtown Business Association Ambassador Program	\$ 90,000	\$ -	\$ 90,000
AJ Dock - Access Control Security	\$ 130,000	\$ -	\$ 130,000
AJ Dock - Restroom Maintenance	\$ 30,000	\$ -	\$ 30,000
Franklin Dock - Access Control Security	\$ 130,000	\$ -	\$ 130,000
Franklin Dock - Restroom Maintenance	\$ 30,000	\$ -	\$ 30,000
Seasonal Workforce Housing Planning	\$ 50,000	\$ -	\$ 50,000
Total 3rd Party Services	\$ 945,400	\$ -	\$ 945,400
Capital Investments			
Capital Civic Center	\$ 1,000,000	\$ -	\$ 1,000,000
Marine Park Improvements	\$ 2,000,000	\$ -	\$ 2,000,000
Homestead Park Improvements	\$ 1,000,000	\$ -	\$ 1,000,000
Wastewater Improvements	\$ 950,000	\$ -	\$ 950,000
Informational Signage	\$ 75,000	\$ -	\$ 75,000
Circulator Plan	\$ 20,000	\$ -	\$ 20,000
Seawalk Expansion	\$ 10,000,000	\$ -	\$ 10,000,000
Total Capital Investments	\$ 15,045,000	\$ -	\$ 15,045,000
Total Proposed FY24 Passenger Fee Expenditures	\$ 21,598,000	\$ 132,700	\$ 21,730,700

Using Passenger Fees:

Passenger fee funding for all CBJ municipal services and the related overhead is calculated by a third-party cost allocation consultant (Matrix Consulting) in compliance with applicable federal standards and industry best practices. Third-party visitor services are funded based on the settlement agreement and on discussions with CLIA as described therein. Of note, CLIA is supportive of funding for a study on the visitor industry's impact on Juneau's housing market.

Capital Investments:

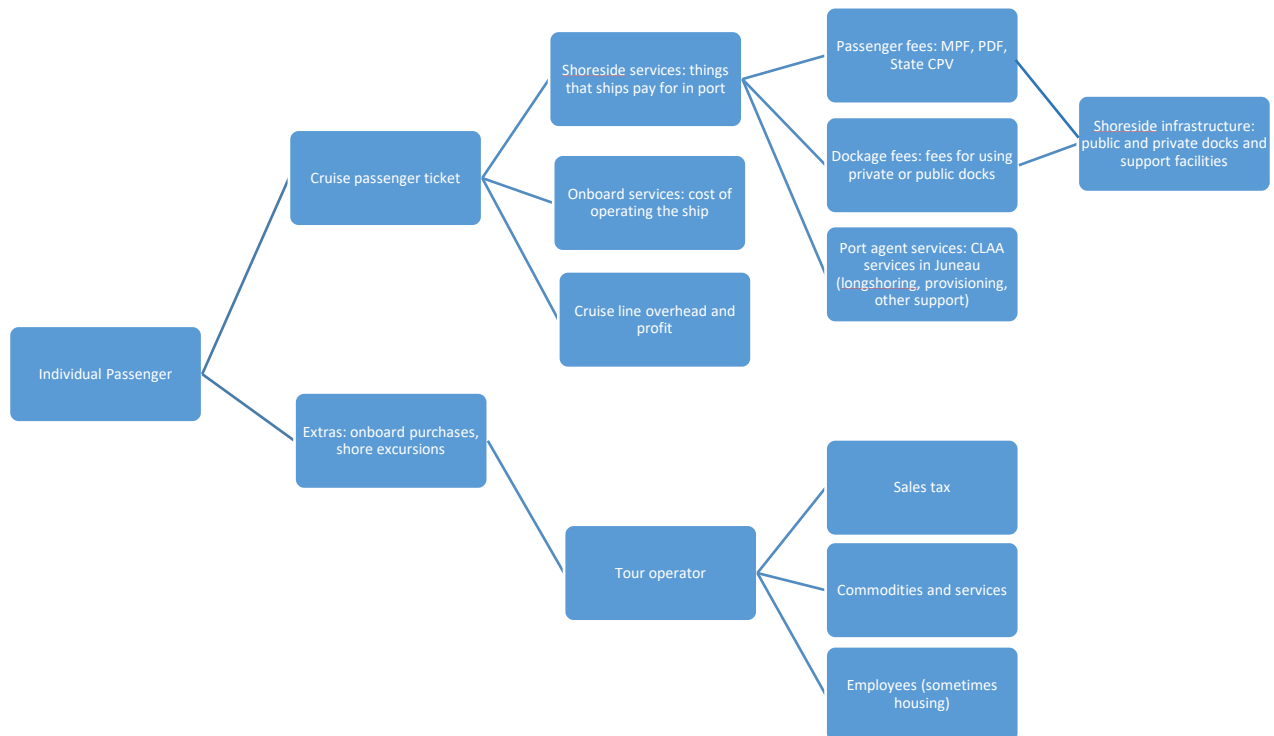
Capital investments were previously limited by the negative fund balance carried forward from fiscal year 2022 and the likelihood of a slower than scheduled cruise season. At the time, CBJ received a number of worthy requests and we have budgeted funds to start some of the proposed projects, anticipating more funding in the coming years. Attachment A shows CBJ's long-term visitor infrastructure needs.

Notably, this year's budget dedicates \$10,000,000 to the Seawalk, anticipating agreement on a Franklin to AJ Dock connection. Other recommended infrastructure funding includes funding for reconstruction of Marine and Homestead Parks, \$1 million towards the Capital Civic Center, wastewater improvements that were originally funded for FY21, improved signage, and extra funds to finish the circulator study.

The above proposal represents a conservative approach that meets our debt and negative fund balance obligations, and lays the groundwork for future infrastructure priorities. The following sections will discuss passenger fee use in a larger context and provide some priorities to consider going forward.

Passenger Fees and cruise economics

The below chart provides a very high level overview of cruise economics. The key takeaway is that all public and private cruise tourism infrastructure in Juneau is paid for out of the same pot of money. As we contemplate how we use passenger fees and dockage fees, it is important to remember that private tourism development does not necessarily represent new economic activity and that public and private shoreside services are all competing for the same slice of revenue generated by cruise passenger bookings.



Dockage fees

Acknowledging the larger economic picture and the constraints associated with using passenger fees, it is important to recognize that passenger fees are one revenue stream for infrastructure maintenance. Another option is raising dockage fees to be more competitive with the private docks. Fees charged by the private docks demonstrate what the market will support. Past discussions about dockage fees at the Assembly level deferred to Docks & Harbors' rate study. That study recommended an 11% increase across the port and harbors. The report mostly focused on harbor rates.

Raising rates to be consistent with the private docks supports CBJ's efforts to achieve 'best ship at best dock' – if all docks cost the same, we eliminate financial barriers to moving ships around to mitigate congestion. We are in preliminary discussions with the industry about a model that will work for all parties. Under such a model, we can begin to contemplate a rational approach to passenger fee funding for all dock owners.

Private docks

Passengers arriving in Juneau on ships that dock at privately owned docks pay passenger fees to support shoreside services in the community. In recent years, CBJ has funded restroom maintenance and security for private dock owners. Additionally, CBJ and Princess Cruises jointly funded first-in-the-world shore power at the Franklin Dock.

Private dock owners typically submit passenger fee requests for maintenance and improvements and argue that all docks collect passenger fees, therefore all docks should receive the same level of maintenance funding. Currently, private docks generate more income in dockage than Docks & Harbors, and therefore are able to re-invest that money in infrastructure. If CBJ raises fees to parity with private docks, Docks & Harbors could operate on the same model, freeing up passenger fee funds to spend on

services and infrastructure improvements. With the possibility of an additional private dock, it is time to articulate a clear and rational process for funding all dock infrastructure, public and private. Under this model, the Assembly should consider several funding mixes:

- No passenger fee funding for maintenance at any dock
- Continue funding restrooms and security for all docks
- Fund restrooms, security, and a flat rate for maintenance for all docks
- Identify a list of reasonable expenses to be applied to all docks

Infrastructure Needs

This memo contemplates changes that shift the passenger fee budget toward major infrastructure projects. The FY24 budget includes \$10,000,000 for seawalk funding. Geotechnical work is scheduled to begin in March for a Franklin to AJ connection and a seawalk project would likely accompany a subport development. There is still a great deal of work to do, but we can safely anticipate funding seawalk projects in the near term.

Regardless of the eventual funding mix between passenger and dockage fees for the City docks, shore power should be considered a priority for passenger fee funding, likely through debt service. Docks & Harbors' bond package for dock electrification, along with FY23 passenger fee funding, should keep electrification at the CBJ docks moving forward and there are no additional FY24 funds proposed. When the project is ready to bid, there is a great deal of capacity for debt financing. We have a good idea of the infrastructure and investment needed to fund the City docks. Before considering additional dock electrification funding, it will be important to get a full picture of the opportunities and barriers associated with electrification at the AJ Dock or the Subport.

How Does a Fifth Dock Fit In?

Having a clear policy on funding for private docks will ease tension between public and private dock owners if a fifth dock is constructed. Additionally, it will be important to understand the public infrastructure needs associated with an additional dock and ensure they are adequately represented in the passenger fee budget. CBJ will also need to consider how a subport dock, and associated long-term berthing agreements, fits into our best ship at best dock objective.

Overall recommendation

I recommend that the Public Works and Facilities Committee consider the context and recommendations herein and refer the FY2024 Marine Passenger Fee budget to the Assembly Finance Committee.

Attachments:

Attachment A – Passenger Fee Infrastructure Needs FY24-28

Attachment B – Combined Passenger Fee Requests Table

Attachment C – Consolidated FY24 Passenger Fee Requests

Passenger Fee Infrastructure Needs FY24-28

	Total	FY24	FY25	FY26	FY27	FY28
Shore Power ASP+	\$ 20,000,000		bonding			
Shore Power CT-	\$ 10,000,000	\$ -				bonding
Seawalk South (Franklin to AJ)	\$ 25,000,000	\$ 9,500,000	\$ 15,500,000			
Seawalk Center (Triangle to Subport)	\$ 15,000,000	\$ 500,000			\$ 5,000,000	\$ 10,000,000
Seawalk North (Subport to Gold Crk)	\$ 10,000,000	\$ -		\$ 10,000,000		
NOAA Dock	\$ 10,000,000		\$ 1,000,000			
Small Cruise Ship Berth Facility (match)	\$ 10,000,000	\$ -			\$ 10,000,000	
Archipelago Museum	\$ 10,000,000		\$ 500,000			
Capital Civic Center	\$ 10,000,000	\$ 1,000,000				
Warner's Wharf	\$ 2,000,000	\$ -		\$ 2,000,000		
Fill Dock/Seawalk Holes	\$ 4,000,000	\$ -		\$ 4,000,000		
Marine Park	\$ 2,000,000	\$ 2,000,000				
USS Juneau Memorial Park	\$ 6,000,000	\$ -				\$ 6,000,000
Homestead Park	\$ 1,000,000	\$ 1,000,000				
Triangle Project (CLAW BACK)	\$ 2,000,000		\$ 1,000,000	\$ 1,000,000		
Visitor Circulator	\$ 170,000	\$ 20,000	\$ 150,000			
Waterfront Play Area	\$ 1,000,000			\$ 100,000	\$ 900,000	
Purchase AJ Dock	\$ 30,000,000	\$ -				
Purchase Franklin Dock	\$ 20,000,000	\$ -				
Float Franklin Dock	\$ 30,000,000	\$ -				
TOTAL	\$ 218,170,000	\$ 14,020,000	\$ 18,150,000	\$ 17,100,000	\$ 15,900,000	\$ 16,000,000