



DOCKS AND HARBORS BOARD MEETING AGENDA

June 27, 2024 at 5:00 PM

Port Director's Conf. Room /Zoom Webinar

<https://juneau.zoom.us/j/85927225379> or (253)215-8782 Webinar ID: 859 2722 5379 Passcode: 263394

A. CALL TO ORDER: (5:00pm in the Port Director's Conference Room & via Zoom)

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

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. May 30th, 2024 Board Minutes

F. NEW BUSINESS

2. Golden North Salmon Derby – Request for 2025 Launch Ramp Donation
Presentation by Port Director

Board Questions

Public Comment

Board Discussion & Action

MOTION: TO APPROVE DONATING A CY2025 DOCKS & HARBORS LAUNCH RAMP PERMIT TO TERRORTIAL SPORTSMEN, INC IN SUPPORT OF THE AUGUST 2024 GOLDEN NORTH SALMON DERBY.

3. Boat Shelter Sale (AF-028) - William Suss
Presentation by Port Director

Board Questions

Public Comment

Board Discussion & Action

MOTION: TO WAIVE THE BOARD'S RIGHT ITS RIGHT OF FIRST REFUSAL TO PURCHASE BOAT SHELTER AF-028.

G. ITEMS FOR INFORMATION/DISCUSSION

4. Title 85 Changes – Unintended Consequences
Presentation by Board Member Smith

Board Discussion/Public Comment

5. Seating New Board Members - Assembly Communication
Presentation by Port Director

Public Comment/Board Discussion

6. Vessel Disposal Surcharge/Regulations Changes
Presentation by Harbormaster

Board Discussion/Public Comment

7. Aurora Breakwater Work Float – Management Plans
Presentation by Harbormaster

Board Discussion/Public Comment

8. Potential Re-designation of Aurora G Float Boat Shelter to Finger Moorage
Presentation by Harbormaster

Board Discussion/Public Comment

9. Aurora Phase IV - Update
Presentation by Port Engineer

Board Discussion/Public Comment

10. Statter Phase IIID (Curb, Gutter & Paving) - Proposed Plan
Presentation by Port Director & Port Engineer

Board Discussion/Public Comment

H. COMMITTEE AND MEMBER REPORTS

1. Operations Committee Meeting Report
2. Assembly Lands Committee Liaison Report
3. South Douglas/West Juneau Liaison Report
4. Member Reports

I. PORT ENGINEER'S REPORT

J. HARBORMASTER'S REPORT

K. PORT DIRECTOR'S REPORT

L. ASSEMBLY LIAISON REPORT

M. BOARD ADMINISTRATIVE MATTERS

- a. Ops/Planning Committee Meeting - Wednesday July 17th, 2024
- b. Board Meeting - Thursday July 25th, 2024

N. ADJOURNMENT

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

DOCKS AND HARBORS BOARD MEETING MINUTES

May 30, 2024, at 5:00 PM

Port Director's Conf. Room /Zoom Webinar



<https://juneau.zoom.us/j/83856903848> or 1-253-215-8782 Webinar ID: 838 5690 3848 Passcode: 781870

- A. **CALL TO ORDER (5:00pm in the Port Director's Conference Room & via Zoom)**
- B. **ROLL CALL:** The following members attended in person or via zoom- James Becker, Debbie Hart, Matthew Leither, Shem Sooter, and Don Etheridge.

Absent: Paul Grant and Annette Smith.

Also in attendance: Carl Uchytel – Port Director, Matthew Sill – Port Engineer, Matthew Creswell – Harbormaster, Teena Larson – Administrative Officer, and Melody Musick—Administrative Assistant.

- C. **PORT DIRECTOR REQUESTS FOR AGENDA CHANGES- No Changes**
MOTION By MR SOOTER TO APPROVE THE AGENDA AS PRESENTED.
Motion passed without objection.

- D. **PUBLIC PARTICIPATION ON NON-AGENDA ITEMS-** None

E. **APPROVAL OF MINUTES**

- 1. April 25th, 2024, Board Minutes

Hearing no objection, the minutes were approved as presented.

F. **NEW BUSINESS**

- 2. Trucano Family LLC ATS 750 New Lease- Mr. Uchytel referenced page 28 in the packet which is the image and chart that shows the 7 acers of Trucano Family property, lease end dates, and percentage of property filled. Trucano Family wants to put both ATS 750 and ATS 842 on the same lease schedule as Trucano Family ATS 750 lease expires this year. Trucano assumes responsibility for appraisals that occur every five years and CBJ Law has approved placing both properties on the same schedule. On page 40 Mr. Uchytel referenced an arial view image of both Trucano Family LLC ATS 750 and ATS 842. The ATS 750 plot is 50% filled and the ATS 842 is approximately 33% filled. The amount of property filled is used by appraisers to determine fair market value. The new appraisal for ATS 750 values the property at \$11,267, the former appraisal value being \$11,082 in 2021. CBJ ordinance allows renewed lease with the approval of the Board and then the Assembly. The draft of the new lease provided by CBJ law is included in the packet for review, standard detailed lease.

Board Questions—

Mr. Leither asked if CBJ owns ATS 361, ATS 556, and the other surrounding plots of property?

Mr. Uchytel said that he cannot confirm 100% that all the 7 acres are CBJ owned. ATS 361 and ATS 556 are owned by Trucano Family. Most of the property is owned by CBJ.

Mr. Leither asked if Trucano has a right to renew the lease or is CBJ allowed to deny Trucano the ability to renew the lease?

Mr. Uchytel said that to answer the question one would have to review the legal doctrine and provide due cause for denying the right to renew the lease. Since Trucano has the lease, according to local ordinances, they have the right to renew their lease.

Mr. Leither said that previous questions were posed to understand whether ATS 750 and ATS 842 property could be used for a future boat yard.

Mr. Uchytel stated that he posed the idea to Trucano and they responded by stating that it would not be a financially beneficial endeavor.

Ms. Hart asked how ATS 750 is used to support the Juneau community?

Mr. Uchytel said that ATS 750 and Trucano is a private enterprise and via sub-leases to Petro Marine and construction companies provide services to CBJ Docks and Harbors and the surrounding community.

Public Comment—None

Board Discussion/ Action

Ms. Hart asked whether the current lease agreement rate is appropriate for the value of the property considering the services it provides to the community?

Mr. Uchytel said that the lease agreement rate is based on fair market value under CBJ ordinance. Fair market value is determined by the appraiser and if the Board felt that the value is unfair the Board could seek out another appraiser. Trucano can counter the appraisal. CBJ does not frequently challenge the appraisal value received from the term contractor.

MOTION by MR. SOOTER TO APPROVE THE NEW LEASE FOR TRUCANO FAMILY LLC FOR ATS 750 AND FORWARD TO THE ASSEMBLY FOR FINAL APPROVAL.

Motion passed unanimously.

3. Trucano Family LLC ATS 842 New Lease—Mr. Uchytel references page 40p. to show the “L” shaped plot of ATS 842. The acre property is appraised at a higher value due to being 33% filled. \$1.01 per square foot is fair market value, the total plot being appraised at \$20,909. The former appraisal value for the plot was \$20,470, tracking a \$500 value increase since the previous appraisal.

Board Questions—

Mr. Leither asked what are the buildings in the arial view image on page 40?

Mr. Etheridge stated that the building is a warehouse for Petro Marine.

Public Comment-- None

Board Discussion/ Action

Mr. Leither asked if there is a way CBJ could aid in making a boat yard on ATS 842 a profitable enterprise?

Mr. Becker said that the best location for the boat yard would be where the University of Alaska Southeast Technical Center or the property owned by the Marks in North Douglas. The price that UAS is asking for their property is unattainable for CBJ.

Mr. Uchytel said that it would be difficult to use the mentioned properties due to access off North Douglas, but he would continue to be in communication with Trucano about the potential for a boat yard.

Mr. Sooter asked if Trucano pays property taxes for the land and buildings on the property?

Mr. Uchytel confirmed that Trucano family does pay property taxes.

MOTION by MR. SOOTER TO APPROVE THE NEW LEASE FOR TRUCANO FAMILY LLC FOR ATS 842 AND FORWARD TO THE ASSEMBLY FOR FINAL APPROVAL.

Motion passed unanimously.

4. Resolution in Support of Statter Harbor Break Water—Mr. Uchytel referenced the grant agreement provided by the U.S. Army Corps of Engineers that was discussed and approved in the April Board meeting. On page 108, is the resolution created by CBJ in support of the Statter Harbor breakwater which will go before the Assembly for approval. Mr. Uchytel acknowledges errors in the verbiage of the resolution and will work with CBJ law to amend these errors. On page 108 line 14, “the installation would protect a number of public and private entities from wind and waves” will be changed as the breakwater will protect one public and one private entity. Line 35 states that the project will cost \$4M, which conflicts with the grant agreement that states \$3M. The accurate estimated cost is \$4M, which will be split between CBJ and the Army Corps. On page 109, line 53 states that Docks and Harbors will consult with the City Manager, instead of requiring a resolution, before committing to a capital improvement project. This interpretation of Title 85 changes conflicts with Mr. Uchytel’s interpretation, which will be worked on with CBJ Law before being presented before the June 17th Assembly.

Board Questions—

Mr. Becker asked what is the timeline of the breakwater?

Mr. Uchytel said that according to the Army Corps the planning will take 3 years. Docks and Harbors will be responsible for 20% of the total construction cost, approximately \$20M. Some of the funding can come from the Alaska Department of Transportation Municipal Harbor Grant. Funding can be raised from other sources.

Mr. Becker asked when will the breakwater be built?

Mr. Uchytel said that the timeline depends on how the Army Corps can raise funding. Mr. Uchytel hopes that it will not take 10 years to be built as each year the existing breakwater sustains more damage.

Ms. Hart asked if the Board is being asked to approve the resolution due to the new Title 85 Ordinance and understanding the role of oversight needed by the City Manager? Ms. Hart also asked if mapping the percentage of Statter Harbor users that are linked to commercial entities would be helpful to raise funding for the breakwater?

Mr. Uchytel stated that CBJ procedures need to be followed to submit capital improvement projects which includes the new Title 85 ordinance. Funding for the breakwater using the marine passenger fees will be utilized in the future when construction begins. In the past Statter harbor staff has recorded that 90% of the float was used for commercial purposes.

Public Comment—

Clayton Hamilton, Juneau AK

Mr. Hamilton asked what is the age of the current breakwater and how long would the new breakwater last?

Mr. Uchytel said that the current breakwater was built approximately 40 years ago. Marine construction has improved significantly. The design and construction will be conducted by the Army Corps. Once the design is finalized then an estimate can be made on the longevity of the new float.

Board Discussion/ Action—None.

MOTION BY MR. LEITHER TO APPROVE THE RESOLUTION IN SUPPORT OF THE US ARMY CORPS OF ENGINEERS AUKE BAY FEASIBILITY STUDY.

Motion passed unanimously.

G. ITEMS FOR INFORMATION/DISCUSSION**5. Grant Strategy & Grant Updates**

Mr. Uchytel said that Mr. Sill has been busy working on two grants. First being the Port Infrastructure Development Program (PIDP) grant for the drive down float at Aurora Harbor which was sent out May 3rd. Second, the EPA Dock Electrification project which was a collaborative effort with the CBJ grant writer Ashley Heimbigner and Mr. Sill. Starting on page 110 is the grant report and on page 135 are the enclosures. Mr. Uchytel asked Mr. Sill to brief the Board on the grant writing efforts.

Mr. Sill reported that the EPA grant requires a 10% match which would be \$6,570,236 from CBJ. The grant is for \$58,330,000 for a \$64,900,236 project. Mr. Sill is working with an engineering consultant under AELP to create the design for the cruise ship dock electrification. The grant is focused on converting port infrastructure to zero emissions.

Mr. Uchytel said that the EPA has \$3 Billion to which all ports across the nation can apply. There were 90 days to apply for this grant funding. On page 136 there is a resolution of support from the Assembly for the EPA grant.

Mr. Sill said that regarding the PIDP grant, the federal agencies were very responsive to the nature of public opportunity for fishermen.

Mr. Uchytel said that efforts are being made for the Alaska Department of Transportation Harbor Facilities grant, which would represent the community match for the PIDP grant drive down float. The Board would have to commit \$2.5M, the grant application would go through DOT, the application would be due in August. Aurora Phase IV would prevent the ability for another grant in Aurora Harbor, however a waiver may be requested. Another consideration for the Alaska Department of Transportation grant funding would be to put zincs in the Statter Harbor pilings. Both A and B floats in Statter harbor do not have zinc anodes. In the past Docks and Harbors has been successful in receiving grant funding from ADOT. Docks and Harbors would have to come up with approximately \$500,000. Aurora Phase IV has \$5M from FY2022 1% sales tax and funding from the legislature that is approved for the match, which is awaiting the governor's signature. In the past, the governor vetoed this program, if approved there will be \$10M for the project. Part of the grant agreement states that a contractor must be obtained by the end of the year if the project is approved. The governor has been invited to speak at the ribbon cutting ceremony for Aurora Phase III at the H float, which is planned for June 20th. Taku Harbor has \$750,000 from the 1% sales tax to replace the approach dock. Mr. Uchytel said that Docks and Harbors has applied for Dingell-Johnson Sport Fish Grant, which is a 25% and 75% split with CBJ funding 25%. Mr. Uchytel will be reaching out to Fish and Game for an update on the status of the grant. The Wayside dredging project has funding from the 1% sales tax initiative. The design has been outsourced to PND.

Board Discussion/Public Comment—None.

6. Seadrome Bank- Beach Access

Mr. Uchytel referenced the image on page 138 of the Seadrome property. The current Board meeting is being held in the Seadrome building and will be in the future due to construction on Rm. 224. This allows the Board members to become acquainted with the property Goldbelt plans to raise and build out into the tideland space for a tourism-related facility. Mr. Uchytel said that he wants the Board to have a good understanding of what is CBJ property and what is Goldbelt property.

Board Discussion/ Public Comment—

Mr. Becker asked what has the Board decided?

Mr. Uchytel said that the Board has not made any decisions. Mr. Uchytel anticipates Goldbelt will make an offer to purchase the entire property to give them flexibility in their building plans. The Board will

have to decide what lands to retain or whether it will be better to sell to obtain funding for other projects. Those discussions have not been finalized.

Public Participation

Clayton Hamilton, Juneau AK

Mr. Hamilton asked if the tideland property has been assessed and what is the value of the assessment?

Mr. Uchytel said that the assessment is complicated due to the patch work of property shared by Docks and Harbors and Goldbelt. The uplands property is owned by Goldbelt, and the tidelands are owned by Docks and Harbors. An appraiser has valued the various parcels; however, Mr. Uchytel does not have those values presently.

7. Douglas Boat Fire

Mr. Creswell said that he received a call around 5:15pm to report the fire at Douglas Harbor. When Mr. Creswell arrived the fire department was on site, with the initial responders being volunteers from the Douglas Fire Department. Mr. Creswell said that the fire is believed to be started by a 27ft liveaboard vessel on the A float. The fire spread to two boats on either side of the original vessel. One vessel was a charter vessel, and the other vessel was a small sailing vessel. Mr. Creswell is in contact with the owners of the effected vessels. Two of the electrical pedestals suffered damage, they have been replaced and power is restored. The finger that the primary vessel in the fire was tied-to received relatively minor damage including decking replacement and an additional tub installed underneath the finger. Mr. Sill has ordered lumber for the repairs. The burnt vessel has been towed to Karl's Auto & Marine. The repairs for the burnt vessel are handled by the insurance company and not Docks and Harbors. The Fire Marshall is in possession of the two electrical pedestals to inspect whether the pedestals caused the fire. No official cause of the fire has been determined; current evidence shows that it originated from electrical issues from the boat. There were no individuals on the vessel at the time of the fire.

Board Discussion/ Public Comment

Mr. Leither asked if the boat who is believed to have started the fire had insurance and if the other boats affected by the fire had insurance.

Mr. Creswell said that the charter vessel has insurance and the sailing vessel and the vessel who is believed to have started the fire are uninsured.

Mr. Leither asked if the insurance requirements that went through 6 months ago had not occurred, would it have affected the way the situation is being addressed.

Mr. Creswell said that insurance is required at this time.

Public Comment-- Clayton Hamilton, Juneau AK

Mr. Hamilton said that it is his understanding that the fire department used a hydrant that was in the Douglas lot. Do the standpipes work in the Harbor?

Mr. Creswell said the fire system at Douglas Harbor is a dry fire system and a hydrant is required. The hydrant is connected to a pumper engine, which connects to the dry fire system and then a hose on the docks connects to the standpipes. The first responders to the fire bypassed the usage of the dry fire suppression system and ran a hose directly to the fire. If the fire was larger the dry fire suppression system would have been utilized.

Ms. Hart said that the community response to the fire was amazing and prevented a significant fire event.

H. COMMITTEE AND MEMBER REPORTS

1. Operations Committee Meeting Report—Cancelled.
2. Assembly Lands Committee Liaison Report—None.
3. South Douglas/West Juneau Liaison Report—None.
4. Member Reports—None.

I. PORT ENGINEER'S REPORT

Mr. Sill reported—

- Aurora Harbor—The construction has been completed for weeks except for the electrical. The electricians are still gathering the needed components. Power is connected and checks will be completed in the next week to get power running. There are temporary power systems in place due to lead times. Planning on moving boats to the H float on Monday (06/03) which is contingent on the electrical system getting an inspection by the electrical engineer. The water samples have been submitted to ensure that the water is drinkable.

Board Questions

Mr. Leither asked about the status of the Harris Harbor gate?

Mr. Sill said that there is an electrical component to the security of the gate at Harris which needs to be installed by the electrical crew that is currently working at Aurora Harbor. There are cameras that still need to be installed, wires that need to be pulled and lights that need to be replaced. The work will be done by Alaska Electric starting tomorrow (05/31). Mr. Sill has hinges he will be installing because the hinges that the gate came with the gate were not substantial enough. There has already been vandalism and damage done to the new gate. Work on the gate will resume once the cameras have been installed. Estimated time for the gate being operational is 1-2 weeks.

J. HARBORMASTER'S REPORT

Mr. Creswell reported—

- Kevin Dugan- The Harbor Operations Supervisor had a stroke two weeks ago and is in Anchorage at the rehabilitation hospital. His mental capacity is unaffected but is currently non-verbal and suffered damage to his right side.
- Repairs to Statter Harbor Breakwater and Auke Bay Marine Station Dock—Those repairs have been completed. 4ft sections of bull rail have been installed on the outside of the Statter Harbor breakwater to relieve the stress on the breakwater from the cleats of larger vessels.
- New parking system—The new system is operational and there is an app to pay for parking which is live for the Taku lot and will be live for the Stater lot once some technical errors are corrected. The new parking system makes enforcement easier as there are mobile printers that issue the tickets. Staff are being trained on the new system.
- Aurora Harbor—Certified letters are being set out to Aurora Harbor patrons for Sea Trial Letters. Warning letters have been out ahead of time and therefore compliance and sea trails are operating smoothly.
- CT Lot—The buses were having difficulty making the left hand turn into the lot coming from the south, direction of the AJ Dock. The term contractors, Carver construction, hired Compass Concrete to cut the curb back to allow for the buses to have several more feet of space to make the turn into the CT lot. The concrete from the project is still being cured.

K. PORT DIRECTOR'S REPORT

Mr. Uchytel reported—

- Maritime Festival— Successful Maritime Festival in May, Coast Guard won the tug-o-war. The Navy vessel, William P Lawerance supported and participated in the festivities.
- Board Applications—The Docks and Harbors Board has four openings. The applications have been extended to June 10th and interviews are anticipated for July 2nd.
- Meeting with Tlingit and Haida—Mr. Uchytel and Mr. Creswell met with Tlingit and Haida on 05/29 about 4400 Thane Oar house. Tlingit Haida plans to leverage property that they purchased by Tee Harbor for their Cultural Immersion Center. Their environmental team is pitching the idea for a recycling and composting center which they have received grant funding to construct. Docks and Harbors is opposing the use of their leased property at 4400 Thane for the recycling and composting center. The lease that Tlingit and Haida signed states that the property would be used for a Cultural Immersion Center, and they would have to get support from the Thane Neighborhood Association. The Docks and Harbors Board would have to be convinced that the best use of the waterfront property is for the recycling center to receive approval. If Tlingit and Haida were to move forward with the plan there would be many steps that they would have to take to receive approval.
- Community Meeting—On 06/03 the Tourism Manger for CBJ will be presenting plans to extend the sea walk from Franklin Dock to the AJ Dock. The National Guard dock will be mentioned in the presentation. CBJ Engineering and the Tourism Manager have been negotiating with Petro Marine and Mr. Reed Stoops to acquire the tidelands at the National Guard Dock. It is unclear whether Docks and Harbors has jurisdiction over what occurs with the National Guard Dock tideland lease. Mr. Uchytel will attend the meeting. CBJ is not allowed to sell the National Guard tideland parcel due to the nature of receiving the tideland property from the state. The parcel is allowed to be leased with Docks and Harbors as the managers of the property.

Board Questions

Mr. Becker asked if the Franklin Dock wants the additional tideland property to install an additional on-off station?

Mr. Uchytel said that Reed Stoops, who is owner of the company that manages South Franklin Dock. The issue is that CBJ wants the sea walk to go through upper tideland property that Reed Stoops owns. Part of that easement negotiation, Mr. Stoops has expressed interest in obtaining the National Guard tideland parcel.

Mr. Leither asked for an update on how title 85, effective May 29th, has impacted operations.

Mr. Uchytel said that at the Assembly meeting in April there were deliberations on the title 85 changes, and they took the recommendations provided by the City Manager which were approved. Only time will tell what the impact of title 85 will be.

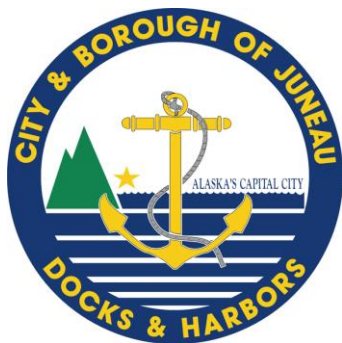
Mr. Uchytel acknowledged the departure of Teena Larson from her position as Administrative Officer. She will be missed by the Docks and Harbors family. Docks and Harbors will experience a period of adjustment with her departure. Mr. Uchytel anticipates a lot of changes with new Administrative Officer and four open seats on the Docks and Harbors Board.

L. ASSEMBLY LIAISON REPORT—None.

M. BOARD ADMINISTRATIVE MATTERS

- Ops/Planning Committee Meeting - Wednesday June 19th, 2024
- Board Meeting - Thursday June 27th, 2024.

N. ADJOURNMENT—The meeting was adjourned at 6:48pm.



Port of Juneau

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

From: Port Director
To: William Suss
Date: April 25th, 2024
Re: BOAT SHELTER (AF-028) – FOR SALE

1. In accordance with 05 CBJAC 40.020, Mr. William Suss provided notice of sale of Boat Shelter (AF-028) in Aurora Harbor on June 25th, 2024. Docks & Harbors has the first right of refusal to purchase this structure at fair market value.

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

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

3. The Docks & Harbors Board is waiving its right of first refusal to purchase Boat Shelter AF-028.

#

Presented by: COW
Presented: 04/01/2024
Drafted by: R. Palmer III

ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

Serial No. 2024-10(am)

An Ordinance Amending Chapter 85.02 Related to the Docks and Harbors Board Roles Related to Tourism.

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 of Juneau Municipal Code.

Section 2. Amendment of Section. CBJC 85.02.060 General powers, is amended to read:

85.02.060 General powers.

(a) Subject to state laws and City and Borough ordinances, the City and Borough Docks and Harbors Board shall generally exercise all powers necessary and incidental to operation of all port and harbor facilities in the public interest and in a sound business manner. In particular, and without limitation on the foregoing, the board shall:

- (1) Be responsible for the operation, development and marketing of municipally owned and operated port and harbors, including such facilities as boat harbors, ~~docks,~~
~~ferry terminals,~~ boat launching ramps, and related facilities except as designated by the manager assembly by resolution. The board shall additionally be responsible for the day-to-day operation and maintenance of the municipal cruise ship docks, including collection and enforcement of cruise ship and passenger related rates and

fees; but not for rate and fee setting, scheduling or policy issues affecting the cruise ship industry, or for issues related to the interface between industry and citizens of Juneau, including the impacts of tours.

(2) Prior to February 1 of each year, the Board shall direct the port director to submit a budget necessary for the duties outlined in this section to the manager for inclusion in the municipal budget submission to the Assembly. If the manager proposes a reduced budget to the assembly or if the assembly reduces the board's proposed budget, then the board shall inform the assembly within 30 days of the operational impact of such reductions.

(3) ~~(2)~~ Adopt pursuant to CBJ 01.60 and enforce regulations necessary for the administration of the facilities under its management.

(4) ~~(3)~~ Prescribe the terms under which persons and vessels may use the facilities and shall establish and enforce standards of operation.

(5) ~~(4)~~

(A) Within the docks and harbors appropriation and in conformity with the rates of pay established for municipal positions of similar responsibility, establish, and may amend, the pay plan for harbor employees.

(B) The Docks and Harbors Department shall conform to the City and Borough Personnel Management Code, the City and Borough Personnel Rules, Personnel Classification Plan, and the manager's policies relating to personnel. The Docks and Harbors Department shall utilize the services of the Human Resources and Risk Management Department when hiring or terminating any employee, when responding to grievances, in labor

1
2 agreement negotiation, and in substantial disciplinary matters. The City
3 and Borough Human Resources and Risk Management Director shall
4 annually certify that the Harbor Department Classification Plan conforms to
5 that utilized for employees of the manager.

6
7 (6) ~~(5)~~ Administer and dispose of City and Borough tideland, submerged land, and other
8 land as provided by the assembly, subject to the following limitations:

9 (A) No sale, purchase, or trade of land shall be made without prior review by the
10 assembly lands, housing, and economic development committee and
11 approval by the assembly.

12 (B) Unless otherwise designated in advance by the assembly, any lease of land
13 shall be limited to marine-related uses, and those uses accessory to tenancy
14 on the boat harbor or use of the port.

15 (C) All land transactions by the board in accordance with this section shall be
16 consistent with the land management plan.

17 (i) Land shall be leased as provided in title 53, provided that the
18 provisions of section 53.20.020 relating to a declaration of availability
19 and identification in the land management plan shall not apply.

20 (ii) For purposes of applying title 53 pursuant to this subsection (C), any
21 action required by title 53 of the manager may be performed by the
22 port director.
23

24 (7) ~~(6)~~ Shall administer the design and construction of all capital improvements on lands
25 managed by the docks and harbors board unless otherwise specified by the
assembly by resolution. The board may propose capital improvement projects to and

1
2 apply for funding from state and federal agencies; provided, that such requests
3 shall be subject to prioritization by the assembly with other municipal capital
4 improvement funding requests prior to application for funds. The board shall, no
5 later than November 30 each year advise the assembly of its recommendations for
6 capital improvements to be included in the six-year capital improvement plan
7 prepared by the manager.
8

9 (8) ~~(7)~~

10 (A) Shall enter into memoranda of understanding and similar agreements with
11 public agencies for port or harbor purposes. Notwithstanding chapter 53.50,
12 the City and Borough Docks and Harbors Board may negotiate and enter
13 into contracts for goods and services; provided, that all legal services shall be
14 provided by, or under the supervision of, the City and Borough Attorney, and
15 further provided that all purchases shall be consistent with the
16 requirements set forth in CBJ 53.50. All services provided by a City and
17 Borough agency other than the City and Borough Attorney shall be pursuant
18 to a memorandum of understanding or other instrument providing for
19 payment or such other settlement as the manager and the board may
20 approve.
21

22 (B) Contracts for public improvements and, whenever practicable, other
23 purchase of supplies, materials, equipment, and services, except professional
24 services and services of officers and employees of the municipality, shall be
25 subject to the competitive bidding and property standards and procedures
established in chapter 53.50, provided that the board may, for all contracts,

a class of contracts, or a particular contract, specify prior to issuance of a public solicitation that for purposes of applying chapter 53.50, all actions required thereby of the manager or the purchasing officer shall be performed by the port director, and provided further that any appeal of any protest of a contract so administered shall be from the bidding review board to the docks and harbors board and thereafter to the superior court.

(C) All contracts and purchases exceeding \$100,000.00 shall require prior assembly approval.

...

Section 3. Amendment of Section. CBJC 85.02.065 Limitation on authority, is amended to read:

85.02.065 Long-range port development and capital improvement project coordination. ~~Limitation on authority.~~

The Board of Directors of the City and Borough Docks and Harbors Board may commit the City and Borough to long-range port development or capital improvement plans or projects only after consultation with the manager as authorized in advance by the assembly by ordinance or resolution. ~~The manager may assign the visitor industry director as the client department or as a co-project manager for any project with a substantial relationship to cruise ship originating tourism.~~

1
2 **Section 4. Amendment of Section.** CBJ 85.02.090 Duties and responsibilities of port
3 director, is amended to read:

4 **85.02.090 Duties and responsibilities of port director.**

5 (a) The port director is responsible for the overall supervision and direction of the operation of
6 the municipal port and harbors. The authority and duties of the port director shall include
7 the following:

- 8 (1) To be responsible for carrying out all applicable laws, ordinances, rules, and
9 regulations.
10
11 (2) To be responsible for carrying out policies established by the board of directors.
12
13 (3) In consultation with the City and Borough Personnel Director and consistent with
14 that utilized by other City and Borough departments, to prepare and submit a plan
15 of organization and a job classification plan for the personnel employed in the docks
16 and harbors department to the docks and harbors board for approval.
17
18 (4) To prepare an annual budget as required by City and Borough ordinance.
19
20 (5) To select, employ, control, and discharge all port and harbor employees and such
21 other employees as the assembly by ordinance hereafter places under the
22 supervision of the port director subject to the provisions of the City and Borough
23 personnel ordinance.
24
25 (6) To prepare such reports as may be required on any phase of harbor activity.
(7) To attend all meetings of the board of directors and of standing committees except
where otherwise authorized by the board.
(8) To perform any other duty that may be necessary in the interest of the port and
harbor area.


(9) Consistent with the limitations of authority on cruise ship tourism in
85.02.060(a)(1), the port director shall take direction from the city manager, or
designee.

Section 5. Effective Date. This ordinance shall be effective 30 days after its adoption.

Adopted this 29th day of April 2024.


Michelle Hale, Acting Mayor

Attest:


Elizabeth J. McEwen, Municipal Clerk

Enterprise Board Appointment Process
Docks and Harbors Board Comments
June 2024

Duties and Responsibilities of the Docks and Harbors Board Defined

The duties and responsibilities of the Docks and Harbors (D&H) Board are defined in the D&H Board Bylaws and Title 85. Recently, the Board has undertaken the task of reviewing and updating its Bylaws. The revised Bylaws were approved by the Assembly in December 2023. Changes to Title 85 were approved by the Assembly on April 29th, 2024.

The pandemic significantly affected Docks & Harbors. The Board has taken on the task of evaluating expenditures and looking for opportunities for revenue growth. All code/regulation revisions are forwarded to the Assembly for approval.

Overall, the duties and responsibilities of the Docks and Harbors Board are well defined.

Skills and Knowledge Sets Required

An effective Docks and Harbor Board member must have the following attributes:

- Cares about what is going on with Juneau's D&H with a balanced, non-biased perspective.
- Wants to be involved and is committed to helping make a difference for all D&H users and the community.
- Committed to an open public process.
- A good listener and active participant in Board discussions.
- Capable of critical thinking.
- Analytical and forward focused.
- Good communication skills - both written and spoken.
- Active in some aspect of maritime activity – such as boating in general, sport fishing, commercial fishing, diving, tourism, marine service and supply, marine engineering and construction, etc.
- Mind reading skills highly desirable

The Board is **not** well served by an individual with a personal agenda regardless of their level of knowledge or experience.

Current Docks and Harbors Board Membership (2023 – 2024)

The current members of the Docks and Harbors Board are a diverse group of long time Juneau residents. All have experience in boating and individual members have the following professional experience:

- ~~1. Lawyer vacant~~
2. Retired marine construction and maintenance journeyman and tour boat captain
- ~~3. Downtown merchant with a day job vacant~~
4. Director of non-profit maritime organization
5. Retired commercial fisherman
6. SEARHC Employee
- ~~7. BRH Employee vacant~~
8. Captain of whale watching charter
9. Small business owner – service station

These Board members represent a well-rounded group that possesses skills and knowledge needed to be an effective board. In addition to what is apparent from their profession/resumes, each board member has gained, through Board work, varying degrees of knowledge pertaining to Juneau's docks and harbors.

DOCKS

COMPARATIVES

	FY23	FY24		FY25	FY26
	Actuals	Amended Budget	Projected Actuals	Proposed Budget	Proposed Budget
EXPENDITURES					
Personnel Services	\$ 1,290,500	1,447,500	1,532,500	1,607,500	1,633,100
Commodities and Services	1,051,000	1,095,000	1,195,800	1,238,400	1,256,100
Total Expenditures	2,341,500	2,542,500	2,728,300	2,845,900	2,889,200
FUNDING SOURCES					
Interdepartmental Charges	15,100	40,200	40,200	40,200	40,200
Charges for Services	2,487,800	1,800,000	2,579,500	2,625,000	2,625,000
Investment and Interest Income/(Loss)	34,900	67,100	45,100	62,300	64,600
Total Funding Sources	3,254,800	2,624,300	3,381,800	3,444,500	3,446,800
FUND BALANCE					
Beginning of Period	1,656,400	2,569,700	2,569,700	3,223,200	3,821,800
Increase (Decrease) in Fund Balance	913,300	81,800	653,500	598,600	557,600
End of Period Fund Balance	\$ 2,569,700	2,651,500	3,223,200	3,821,800	4,379,400
STAFFING	19.20	19.24	19.75	19.75	19.75

BUDGET HIGHLIGHTS

The Docks FY25 Proposed Budget shows an increase from the FY24 Amended Budget of \$303,400 (11.9%). The Docks FY26 Proposed Budget shows an increase from the FY25 Proposed Budget of \$43,300 (1.5%).

The significant budgetary changes include:

FY25 Proposed Budget

- Personnel services increased \$160,000 (11.1%) primarily due to the new Deputy Port Operations Supervisor and Harbor Security Officer positions, and wage and merit increases.
- Commodities and services increased \$143,400 (13.1%) primarily due to increased training and internal service costs.

FY26 Proposed Budget

- Personnel services increased \$25,600 (1.6%) primarily due to wage and merit increases.
- Commodities and services increased \$17,700 (1.4%) primarily due to internal service costs.

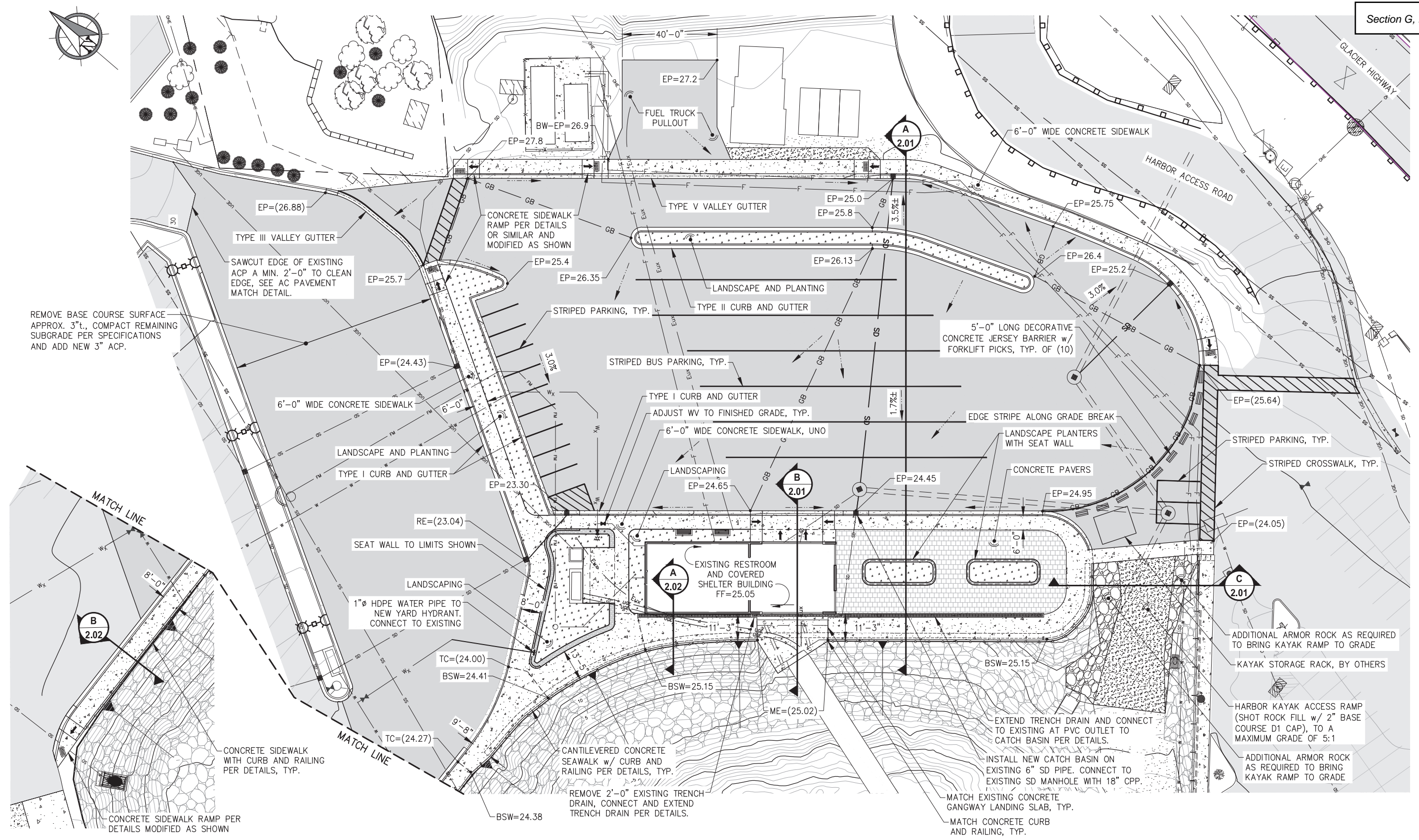


STATTER HARBOR IMPROVEMENTS
PHASE III(D) - UPLAND IMPROVEMENTS
35% ENGINEERS ESTIMATE
Prepared by: PND ENGINEERS, INC.
27-Jun-24

Section G, Item 10.



Item	Item Description	Units	Quantity	Unit Cost	Amount
1505.1	Mobilization	LS	All Req'd	\$258,125	\$258,125
2060.1	Demolition, Salvage & Disposal	LS	All Req'd	\$30,000	\$30,000
2202.1	Excavation and Disposal	CY	5,150	\$40	\$206,000
2202.2	Class A Shot Rock Borrow	CY	3,500	\$75	\$262,500
2204.1	Base Course, Grading D-1	CY	1,350	\$100	\$135,000
2204.2	Place Salvaged Base Course, Grading D-1	CY	200	\$50	\$10,000
2205.1	Armor Rock	CY	20	\$150	\$3,000
2401.1	Adjust Cleanout to Finish Grade	EA	3	\$1,500	\$4,500
2501.1	18-Inch CPP Storm Drain Pipe	LF	225	\$120	\$27,000
2502.1	Storm Drain Catch Basin, Type IV	EA	4	\$5,000	\$20,000
2502.2	Adjust Manhole to Finish Grade	EA	3	\$1,500	\$4,500
2502.4	Trench Drain	LF	140	\$350	\$49,000
2601.1	1-Inch HDPE Water Pipe	LF	35	\$100	\$3,500
2601.2	Yard Hydrants	EA	1	\$2,500	\$2,500
2602.1	Adjust Valve Box to Finish Grade	EA	5	\$1,500	\$7,500
2702.1	Construction Surveying	LS	All Req'd	\$50,000	\$50,000
2718.1	Signage	LS	All Req'd	\$10,000	\$10,000
2720.1	Painted Traffic Markings	LS	All Req'd	\$30,000	\$30,000
2726.1	1-ft thick MSE Wall Blocks	LS	All Req'd	\$30,000	\$30,000
2801.1	AC Pavement, Type II, Class B, 3-Inch Thick	TON	1,200	\$350	\$420,000
2870.1	Site Furnishings & Planters	LS	All Req'd	\$100,000	\$100,000
2910.1	Planting Soils	LS	All Req'd	\$30,000	\$30,000
2930.1	Exterior Plants & General Landscaping	LS	All Req'd	\$50,000	\$50,000
2970.1	Landscape Maintenance	LS	All Req'd	\$2,500	\$2,500
3303.1	6-Inch Thick Concrete Slab or Paver Stone	SY	350	\$300	\$105,000
3303.2	6" Concrete Sidewalk	SY	620	\$300	\$186,000
3303.3	Concrete Seawalk	SY	420	\$450	\$189,000
3303.4	Curb and Gutter, Types I-VII	LF	1,300	\$75	\$97,500
5120.1	Handrail	LF	375	\$350	\$131,250
5120.2	Decorative Jersey Barrier	EA	10	\$3,500	\$35,000
16000.1	Upland Electrical - Power & Lighting	LS	All Req'd	\$350,000	\$350,000
ESTIMATED CONSTRUCTION COST					\$2,839,375
CONSTRUCTION CONTINGENCY (10%)					\$283,938
PERMIT APPLICATIONS					\$15,000
FINAL DESIGN & CONTRACT DOCUMENTS (8%)					\$227,150
CONTRACT ADMINISTRATION & CONSTRUCTION INSPECTION (8%)					\$227,150
TOTAL RECOMMENDED PROJECT BUDGET					\$3,592,613



REVISIONS				
REV.	DATE	DESCRIPTION	DWN.	CKD.

PND
ENGINEERS, INC.

9360 Glacier Highway Ste 100
Juneau, Alaska 99801
Phone: 907-586-2093
Fax: 907-586-2099
www.pndengineers.com

DESIGN: BMI CHECKED: CRS
DRAWN: WRB APPROVED: _____

SCALE: 0 20 40 FT.
SCALE IN FEET

DATE: 11/30/2022

**35%
DESIGN
REVIEW**

CITY & BOROUGH OF JUNEAU, ALASKA
STATTER HARBOR IMPROVEMENTS PH III(D)
CBJ CONTRACT NO. DHxx_xxxx

SHEET TITLE:
**OVERALL SITE AND
GRADING PLAN**

PND PROJECT NO.: 182069 C.A.N. NO.: AECC250

1.04 21