



DOCKS AND HARBORS OPERATIONS MEETING

AGENDA

November 15, 2023 at 5:00 PM

City Hall Conf. Room 224/Zoom Webinar

<https://juneau.zoom.us/j/88418553651> or 1-253-215-8782 Webinar ID: 884 1855 3651 Passcode: 918317

- A. CALL TO ORDER (5:00pm in CBJ Room 224 & Via Zoom)**
- B. ROLL CALL (James Becker, Don Etheridge, Paul Grant, Debbie Hart, Matthew Leither, Annette Smith, Shem Sooter, Albert Wall and Mark Ridgway)**
- C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES**
MOTION: TO APPROVE THE 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.](#) October 18th, 2023 Minutes
- F. UNFINISHED BUSINESS**
 - [2.](#) Docks & Harbors ByLaws Amendment
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO RECOMMEND THE FULL BOARD APPROVE THE AMENDED BYLAWS AS PRESENTED.
 - [3.](#) Legislative Priority List
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TO RECOMMEND PROJECT X AND Y BE FORWARDED AS THE TWO PROJECTS TO BE CONSIDERED AS LEGISLATIVE PRIORITIES FROM DOCKS & HARBORS.
 - [4.](#) Proposed Action Items from Salmon Derby Weekend Survey
Presentation by Harbormaster

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TBD
 - [5.](#) Title 85 Changes
Presentation by Port Director

Committee Questions

Public Comment

Committee Discussion/Action

MOTION: TBD

G. ITEMS FOR INFORMATION/DISCUSSION

- [6.](#) Annual Report to the Assembly
Presentation by Port Director

Committee Discussion/Public Comment
- 7. Preparation for Joint Meeting with Assembly on December 18th
Presentation by Port Director

Committee Discussion/Public Comment
- [8.](#) Dive Inspection Report of Wayside Float & Ketchikan Breakwater
Presentation by Port Engineer

Committee Discussion/Public Comment
- [9.](#) Proposed Rate Policy Amendment
Presentation by Operations-Planning Committee Chair

Committee Discussion/Public Comment
- [10.](#) Angoon Trading Company - Lease Language: Assignment
Presentation by Port Director

Committee Discussion/Public Comment

H. STAFF AND MEMBER REPORTS

I. COMMITTEE ADMINISTRATIVE MATTERS

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

J. 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.



DOCKS AND HARBORS OPERATIONS MEETING MINUTES

October 19, 2023 at 5:00 PM

City Hall Conf. Room 224/Zoom Meeting

A. CALL TO ORDER: Mr. Ridgway called the meeting to order at 5:00 pm in CBJ Room 224 & Via Zoom

B. ROLL CALL

In attendance in-person or via Zoom: Paul Grant, Debbie Hart, Matthew Leither, Mark Ridgway, Annette Smith, Shem Sooter, Don Etheridge

Absent: James Becker, Albert Wall

Also in attendance: Carl Uchtyl – Port Director, Jeremy Norbryhn – Deputy Harbormaster, Scott Hinton – Port Operations Supervisor, Teena Larson – Administrative Officer, Emily Wright – CBJ Law, and Leah Narum – Administrative Assistant

C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES

Mr. Uchtyl said that in addition to a Special Order of Business being added after Public Participation, the Sub-Committee Request: City Community Dock Opportunities was moved from Unfinished Business to Items for Information as established in a prior board meeting.

Mr. Ridgway said that New Business items 5 and 6 will be combined into one item.

Mr. Uchtyl added that earlier iterations of the agenda included an update on Marine Exchange of Alaska P3 but that rendering drawing was not available. Other additions for Information Items will include Mr. Uchtyl discussing the MXAK P3 during staff report; and Mr. Grant and Ms. Wright will discuss updates from Law Department regarding ByLaws amendment.

MOTION BY MR. ETHERIDGE TO APPROVE THE AGENDA AS AMENDED AND ASK UNANIMOUS CONSENT.

Motion passes with no objection.

D. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS: None

E. SPECIAL ORDER OF BUSINESS

Mr. Uchtyl presented Leah Narum with a citation, plaque, and check naming her CBJ D&H Employee of the Quarter for the third quarter of 2023. He read highlights of her accomplishments as an Admin Assistant at Statter Harbor.

F. APPROVAL OF MINUTES

1. September 20th, 2023, minutes – Hearing no objection, the minutes were approved as presented.

G. UNFINISHED BUSINESS

2. Title 85 Proposed Changes

Mr. Uchtyl discussed the latest iteration of code changes by the City Manager, noting that the City Manager Rorie Watt left his position on September 29 and was drafting language on his last day. The new language on pg. 16, sub-paragraph (a)(2) was added in the last hour of Mr. Watt's last day. Mr. Uchtyl said this is an opportunity to thoughtfully consider how the Board wants to communicate with the City Manager's office and the Assembly in the future. In reference to the new language in (a)(1) on pg. 16, he said that code dictating the Board not to do something is unusual, rate setting requires Assembly approval, and Docks & Harbors does not do scheduling. He pointed out the volume of tour operations using Statter Harbor and said he wonders how that would fit in with this new language

directing the Board not to be responsible for “issues related to the interface between industry and citizens of Juneau, including the impacts of tours”. Regarding the addition of sub-paragraph, (a)(2) he said he believes that Mr. Watt was suggesting that the Docks Enterprise budget (not both Docks and Harbors budgets) be submitted to the Tourism Manager. Mr. Uchytel said the current budget approval process essentially already does this.

On Page 18, Mr. Uchytel said it seems odd to strike the paragraph here regarding limitation on authority and it is unclear why this change was made. Referencing page 19, Mr. Uchytel said the stipulation in sub-paragraph (a)(9) seems unnecessary to add as it is already implied in the regulations as they are. He added that many of these additions seem unnecessary in his opinion.

Committee Questions

Mr. Ridgway asked if the discussion at the September Operations meeting regarding regulation changes made it to the City Manager before he left, such as the discussion about buses at Statter Harbor. He wanted to know where these discussions and changes leave things?

Mr. Uchytel said besides the 30-minute board meeting on 9/28, there was no other meeting with the City Manager to ask what these changes would mean.

Mr. Grant asked if there has been any contact with the new City Manager, Katie Koester.

Mr. Uchytel said he has a meeting with Ms. Koester the following day and will ask about these changes.

Ms. Hart asked for help understanding this process. She asked if these changes proposed by the previous City Manager need the Ops Committee recommendation tonight and this will not go to the Board but to the assembly next for approval?

Mr. Uchytel said the City Manager working with the Assembly can do what they want, whenever they want regarding the timing of these changes, but he believes this is not the top priority of the new City Manager.

Ms. Hart asked for clarification about what the next move is? Is it to write a response to these changes that can go to the Assembly when these changes are brought to them?

Mr. Uchytel said he is looking for direction on this process from the Board, there are many ways forward.

Mr. Ridgway said regarding the deletion of “limitation of authority” and addition of sub-paragraph (9), he interpreted the City Manager saying the process the Board goes through to commit CBJ to long range port development or capital improvement plan projects are only as authorized. Is it possible the new language was meant to be interpreted as Docks and Harbors should proceed with their CIPs without seeking Assembly approval, *except* where it affects the cruise ship industry? Mr. Ridgway said he sees this new language as a change that allows the Board to forgo Assembly approval for CIPs that do not affect the cruise ships.

Mr. Uchytel said there is a CBJ process in place for CIPs that is not different for Docks and Harbors or other departments. He said that the premise of Mr. Watt’s changes, to be blunt, was that Mr. Watt wanted less input and action from the Docks & Harbors Board on cruise ship-related issues. Mr. Uchytel repeated that as most of the Boards actions go through the Assembly anyway, he does not see the need for any of these changes and there could be harm come from these changes.

Mr. Grant said at the last meeting he tried to break down (a)(1) into manageable parts. He does not think the changes achieve anything helpful.

Mr. Leither asked how changes to (a)(2) would change what the Board does. He said it sounds like the Board already does this.

Mr. Uchytel said he believes the intent was to have the Board go through the Tourism Manager for Port related things, although that is not exactly what the language says.

Public Comment

James Bibb, Juneau, AK - Representing Juneau Yacht Club (JYC)

Mr. Bibb said JYC wants to know more about these proposed regulation changes and wants D&H to remain a separate entity and supports things remaining as they are currently.

Committee Discussion/Action

Ms. Smith said it is unclear what Mr. Watt was trying to achieve. Her thoughts on these items are, why can't the board set rates if they are the ones familiar with the issues, saying the Board can't make any limits or policy issues on cruise ships, that is up to CBJ. She said these changes are unnecessary. Docks & Harbors just operates and manages the docks. She does not know why the Board would be taking direction from the Tourism Manager and not the Assembly.

Ms. Hart said she has a lot of concerns that these changes will hinder the Board, the Port Director, and staff from being able to do their work. She gave an analogy - what if the Assembly decided to give all the operational tasks and day-to-day management of the Eaglecrest gondola to an entity outside of the Eaglecrest management and Board? That seems ridiculous. A sub-committee on this issue would be a benefit. Boards exist because you need a forum to engage the public and execute your responsibilities, which in this case is to operate D&H smoothly given community needs, existing resources, and all the different community groups. She thinks separating the Board and the Port Director from the Docks would be a disservice to the community, the Cruise Industry, and the Assembly, and it breaks down the process of what the Board is for.

MOTION BY MR. GRANT: TO TABLE THIS ITEM WITHOUT UNANIMOUS CONSENT.

Motion seconded by Ms. Smith.

Objection by Mr. Ridgway - for purposes of further discussion.

Mr. Grant said his intention in moving to table without unanimous consent was to allow discussion. This item has come up for discussion 3-4 times and we seem to agree that the changes do not make sense and will not be helpful, so he is asking to table this until someone from the administration can come to the Board to explain what the goal is.

Dr. Leither said he agrees with Mr. Grant but he is concerned that the Ops Committee won't be asked to take this issue up again and a decision will be made without the Board's input. What if instead of continuing to workshop the proposed language, there is a letter drafted to the City's Manager's office explaining the Committee's concerns about the changes?

Mr. Ridgway spoke to his objection to the motion on the table. He said Mr. Watt would not have made these changes for no reason, but that he (Mr. Ridgway) does not know what those reasons are. He does not want the Assembly to take this up without input from the Board because he also thinks the changes

may be detrimental, so he would like to ask the City Manager's office what outcome they are trying to achieve? Speaking to Ms. Smith's comments, he said the Board does make decisions that affect tourism such as the improvements made at Statter Harbor affecting whale watching tours was a decision that went through the Board. He said he does not think the Board can claim their decisions do not have an impact on cruise ship tourism. He thinks Mr. Watt was trying to separate out what the tourism manager can do vs. what the Board can do and that it is a tricky issue. Rather than tabling this issue, it would be better to direct staff to author communication back to the new City Manager to say we don't know what the goal is, but this threatens the Board's relationship with its user groups.

Mr. Etheridge said he agrees with Mr. Ridgway. They need to address it, he likes the idea of having staff send communication asking for clarification on the intentions of the changes.

Mr. Leither asked if anyone knows how low of a priority this might be for the new City Manager.

Mr. Etheridge said he knows that there are Assembly members who support Mr. Watt's actions in this. Without mentioning names, he knows there are Assembly members that want more control over the tourism and think these changes will help with that.

Ms. Smith said she is confused because in her time on the Board, the Board has never had control over tourists or number of tourists.

Mr. Ridgway said he agrees.

Mr. Leither said he also agrees.

Mr. Ridgway said he does not share Mr. Uchtyl's outlook entirely on this issue. The City Manager is trying to manage the city, and this is a part of it. Maritime issues are part of the issues of managing the town. He doesn't know if this is the best way to do it or what the objective is, but he would like to think Mr. Watt's changes are intended for the betterment of Juneau not just a slap in the face to the Docks & Harbors Board. He has questions about what outcome the City Manager's office desires.

Ms. Hart said she appreciates the discussion and likes the idea of having a letter sent to the Assembly articulating the concerns of the Board. She said she understands why Mr. Grant moved to table this item but would like to respectfully ask him to remove or amend the motion.

Mr. Grant said he is convinced now that it would not be good to allow the changes to go before the Assembly as is.

Mr. Grant asked permission to withdraw his motion to table. Until the committee understands what the administration is trying to accomplish, the committee is kind of stuck, and he will leave it to someone else to move to draft communication to the Assembly expressing confusion about the objective of these changes and concerns with the wording.

Mr. Ridgway said he would be willing to work with Mr. Etheridge to try to reflect those sentiments in correspondence to the new City Manager. We have discussed this several times and would like to discuss what the administration would like to accomplish.

Mr. Grant said this would be a more useful discussion if they had a new Board liaison to the assembly.

Mr. Sooter asked if it would be appropriate to try to bring the Tourism Manager into the discussions?

Mr. Ridgway said someone can make a motion to write a letter with everyone's input to come before the full Board or just write a letter to be approved at the next Board meeting or something.

MOTION by MR. ETHERIDGE TO DIRECT STAFF TO DRAFT CORRESPONDENCE TO THE ASSEMBLY AND THE CITY MANAGER CONSISTENT WITH COMMITTEE DISCUSSION AND ASK UNANIMOUS CONSENT.

Objection by Mr. Ridgway - for purposes of discussion to say he believes it would be encompassed in Mr. Etheridge's motion that each of the committee members could have the chance to ask additional questions that have not come up yet in the minutes if necessary.

Objection removed by Mr. Ridgway.

Objection by Ms. Smith - for the purposes of discussion. She said she would like to see the letter address each proposed change and state the issues the Board has been discussing.

Objection removed by Ms. Smith.

Hearing no further objection, the motion passes.

Ms. Hart said the changes talked about the rate setting. We just set rates that will not take effect on the Docks until January 1st. She would like to ask if the Assembly was to approve the regulation changes, how would it impact the coming 9% rate increase.

Mr. Ridgway recommended to send all comments to Mr. Uchytel.

4. Downtown Safety Railing – Funds Transfer Request
Presentation by Port Director

Mr. Uchytel said on page 22 in the packet is a letter from the Board to the Assembly regarding the downtown safety railing. The Assembly did not respond. Mr. Uchytel is asking the Board for direction to move forward on the safety railing by working with Engineering to do a current year CIP for \$500,000 or whatever amount the Board chooses. He noted that the budget is stronger now than thought it would be in July.

Committee Questions

Mr. Ridgway asked how one would know from the letter that the railing would not be visually offensive.

Mr. Uchytel responded that there is wording in the letter specifying that the railing will be visually pleasant.

Mr. Leither asked if we need Assembly approval to start this process.

Mr. Uchytel said the Assembly has financial responsibility so they would have to approve the money transfer. If the CIP was approved the assumption is that the funds will also be approved.

Mr. Leither asked should we just directly request the money from the Assembly Finance Committee, or do we have to go through something to get to that point?

Mr. Uchytel said the process, as told by the Engineering Director, was to take this to Public Works and Facilities Committee and then work with the Finance Department to draft a funds transfer to the CIP project. Any money transfer will require Assembly permission.

Mr. Leither said he is asking because if the Assembly did not respond to the last letter why are we sending another one.

Mr. Uchytel said the last letter didn't specifically ask for a response but this next document for Public Works and Facilities would be specifically putting a request for action to the PWFC.

Mr. Grant asked if we need the approval of PWFC to move forward, and is there a different amount being proposed from the initial \$500,000?

Mr. Uchytel said yes, if PWFC thinks it is a bad idea it will not go forward. He asked Ms. Wright to confirm if this is true. He said staff thinks this is a \$2 million project and we have more in the fund balance now than we thought in July. This does qualify for Marine Passenger Fee funds.

Ms. Wright said legally there is nothing to prohibit the Assembly approving something that was disapproved by a committee, it is more of a practical issue if that ever happened.

Ms. Hart asked if it would be helpful to approach PWFC or Assembly and did a presentation on benefits of the railing project to raise priority level and use it as a chance to meet new Assembly members.

Mr. Uchytel said we have not had a joint meeting with the Assembly since 2019. Yes, we should be meeting with the Assembly, but it has not happened for unknown reasons. He recommended that the Board push for a joint meeting with the Assembly for many reasons, but for the issue of the safety railing, this should not be a hard sell and the details will be included in the request to PWFC.

Mr. Leither asked if the \$500,000 will buy us a completed fence, a certain number of feet, or the whole project?

Mr. Uchytel said the design and specifications are done. We need to outsource some CAD services. This number was based on the cost of fencing from a previous project, and it is a conservative estimate based on linear feet needed.

Public Comment: None

Committee Discussion/Action

Mr. Ridgway said he recalls when this was brought to the board over two years ago. The Assembly declined requested funds over concerns from Assembly members about access to the water and aesthetic value. He strongly suggests to include a drawing to help people visualize the final product to address those types of concerns.

MOTION By MR. ETHERIDGE: TO COMMENCE PROCESS TO CREATE CAPITAL IMPROVEMENT PROJECT (CIP) AND TRANSFER \$500,000 FROM THE DOCKS FUND BALANCE AND ASK UNANIMOUS CONSENT.

Ms. Smith objected.

Roll Call Vote

Paul Grant - Yes

Debbie Hart – Yes

Matthew Leither – Yes

Mark Ridgway – Yes

Annette Smith – No

Shem Sooter – Yes

Don Etheridge – Yes

Motion Passed.

H. NEW BUSINESS

4. Resolution 3045 in Support of full funding ADOT Harbor Facility Grant

Mr. Uchytel said Resolution 3045 and 3046 are initiated from the AAHPA that met in Ketchikan the last week of September. Resolution 3045 is the one the Board seen and has been recommending since 2006. There are two applicants this year for the Tier II grant. It is Juneau (Aurora Harbor) for \$5M and Sitka for \$2.6M. Mr. Uchytel said he is hopeful that the Legislators and Governor will sign off on it. This grant is very advantageous to us. He said he did receive word from ADOT that they did approve our waiver request to be able to apply for this grant. We would not have been eligible due to not having the current grant closed out on the same facility.

Mr. Etheridge commented that this will be the only action tonight for both of these Resolutions before going to the Assembly.

Committee Questions

Mr. Leither asked if this is sent to the Legislature after the Assembly?

Mr. Uchytel said his plan is to meet with Senator Kiel and ask if he would sponsor the language for Resolution 3046. The AAHPA has a Legislature fly in every February and they will lobby for Harbor interests.

Public Comment – None

Committee Discussion/Action -

MOTION By MR. ETHERIDGE: TO RECOMMEND THE ASSEMBLY ADOPT RESOLUTION 3045 AND RESOLUTION 3046 AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

5. Resolution 3046 in support of increasing maximum ADOT Harbor Facility Grant from \$5M to \$7.5M per applicant

Mr. Uchytel said this grant is something he drafted and is really trying to keep the Municipal Harbor Grant reset to the CPI. It was set in 2006 to limit the amount of maximum award to a municipality to \$5M per fiscal year and applying the CPI to current day it would be \$7.5M. This does not affect our application for Aurora Harbor. He wanted to push this through AAHPA because someday there may be an opportunity to use this program for match for the Statter Harbor Breakwater as well as the North Douglas Launch Ramp. Having it increased a bit would benefit us in the future.

Committee Questions

Mr. Grant asked if the increase to \$7.5M is just to account for CPI?

Mr. Uchytel said we also know that projects have escalated above CPI. He said this could take several sessions to get passed.

Public Comment - None

Committee Discussion/Action

MOTION MADE WITH RESOLUTION 3045.

6. Calendar Year 2024 Board Schedule

Mr. Uchytel said on page 29 in the packet is a proposed D & H Board meeting calendar. This is the time to let staff know of any and all changes including dates and times.

Committee Questions - None

Public Comment - None

Committee Discussion/Action

MOTION By MR. ETHERIDGE: TO RECOMMEND TO MOVE THE PROPOSED BOARD 2024 SCHEDULE TO THE NEXT FULL BOARD MEETING AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

I. ITEMS FOR INFORMATION/DISCUSSION

7. Sub-Committee Request: City Community Dock Opportunities

Ms. Hart said her interpretation of what the Board role is that part of our mission is to be a conduit to the public, users, industry that uses our resources, tool of the Assembly, and other facility type of organizations within the CBJ family. With that, we are in a unique place to create a sub-committee to discuss the downtown community dock opportunities that does not only exist to the cruise industry but the larger public. There are also other types of users, recreational, divers, swimmers, and the removed lightering dock. She believes there are a lot of reasons to create this sub-committee with providing an opportunity to hear from the public about their interests and needs for downtown. There are changes to title 85 and confusion with the changes so there may be an opportunity with this sub-committee to provide clarification. She said she loves the idea to have the Tourism Manager engaged. There are other entities overseeing the downtown corridor and it would be a great time to bring them together to share ideas. Ms. Hart went over a three slide power point presentation. She said the Board is under the direction from the CBJ Assembly and they can use the Board as a tool and provide guidance under title 85. A large benefit with that is that the Board can create a forum for public interaction and engagement and that is where this sub-committee would come in. With the concept of equilibrium in regards to the downtown corridor, there are people that are really happy with the way things are moving and there are people that are kind of unhappy. There are a full range of thoughts and currently we do not have an existing forum of a productive dialog happening and this is where the Docks & Harbors Board could serve our community really well. She went on to explain the productive zone of the equilibrium. In order for people to engage and come up with creative solutions, they have to be engaged and unfortunately some people will not engage until they are slightly irritated. When they are slightly irritated they will start to engage and read stuff in the newspaper, research things, talk to their neighbors, walk the docks, write notes, and talk to their friends. But if someone is irritated too much, they will be upset, write not pleasant notes, and they will not engage. The full concept it trying to keep people in the productive zone so you can get to the point of making incredible solutions and can bring the heat down on a sensitive topic. With this sub-committee proposal the Board has the opportunity to create this productive zone to finding solutions to some downtown issues. The idea initially for this sub-committee is to come up with some data points, information, engage a diverse set of stake holders to review the information and have a facilitated discussion on what the interests downtown are. She would like to see a lot of ideas and go through a process for exploring the pros and cons of those ideas.

Committee Questions

Ms. Smith questioned Ms. Hart's proposal of only talking about access to the downtown corridor in the spring, summer, and fall, but why not year-round. The people she talks to uses the downtown corridor year-round.

Ms. Hart said she would be happy to amend that to include year-round.

Mr. Grant said this is a broad-based planning effort and is called into question with some of the proposed amendments to our authorizing statute. Looking at our by-laws, it says a special committee will serve for a period of time or for the accomplishment of a specific task as determined by the Chair. No sub-committee will serve beyond the annual Board meeting unless reconstituted by the newly elected Chair. He said he is all about thinking about things in a broad sense, but under our by-laws structure a special committee is designed to accomplish a specific task within a limited amount of time. He asked Ms. Hart what she envisioned to be the specific task for the sub-committee to accomplish. Will it be a report at the end, or will this be an endless planning discussion?

Ms. Hart said the direction for the sub-committee could have some sideboards added to it. She is cautious having the direction too narrow is that it might stifle some of the creative opportunity of the initial part of the planning engagement. She would be happy with some initial suggestions on deliverables and time frames for this sub-committee.

Mr. Ridgway commented that the initial sub-committee forum could be to look at opportunity and come back with recommendations and then the recommendations would mold the sub-committee into following up on those recommendations.

Mr. Leither said his concern is we are in the midst of some people on the Assembly trying to reduce the Boards role in this area but now at the same time trying to engage stakeholders and bring people together in this huge effort and he believes we are already above the angry zone. To poke that hornets' nest makes him nervous. His frustration in his own career is when people want him to do something and he is not able to do them and it gets him above the equilibrium right away. He said we could come up with great ideas but then the Assembly could tell us we should not have been coming up with those great ideas and that would make people more angry than when they started.

Mr. Ridgway said he would be acceptable to more discussion at the Operations Committee to work more on this topic and provide input.

Mr. Grant suggested to think of a project that is of concern to all of us that has enough moving parts that this sub- committee could dig into. An example would be the (removed) lightering dock and see what comes from that.

It was noted that this sub-committee of one can meet one on one with other Board members.

Public Comment - None

8. Channel Drive Property for Sale on Docks & Harbors Leased Property

Mr. Uchtyl said on page 32 in the packet shows the lease property and the parcel is owned by Docks & Harbors. It is leased to Shayne Thompson who owns Angoon Trading company. He pays \$11,448 annually and he is currently selling his business which includes the building. The provision in his lease allows him to assign the lease to anyone. His lease area is about 0.4 of an acre of uplands. There is a warehouse that is 3600 sq/ft with an upstairs office and access to the waterfront. Latitude 58 is the realtor for this property and the asking price is \$865,000. The assessed value is \$404,000. This is being brought forward with the thought the Board may want to look at this with the potential for a boat yard haul out facility. The next two lots are .92 acres and are leased to DJG for \$6419 for both the lots. The

parcel nearest Angoon Trading is about 10' above mean high water and a lot of the area is not useable and would take some development. The other lot is more level with the driveway. The next two lots past DJG are Trucano Construction facilities. After Trucano is Chum Fun who operates a tour company that offers fishing expeditions. The property to the north is owned by Tlingit and Haida and has a construction company operating out of that building.

Committee Discussion

Mr. Grant asked what the next building to the north was?

Mr. Uchtyl said that is Western Marine Construction.

Ms. Hart said this is a great opportunity to look at this area for a replacement for the Fisheries Terminal.

Mr. Uchtyl commented that this is not a lot of property and there could be a lot of money for fill. There could be potentially more space than what Mr. Duvernay currently has. We also still have the \$2M from the Assembly for the UAS property purchase that we have not touched. Even if the Board thought this was a good idea, there are other projects needing funding and he does not believe we are financially in a position to pay the asking price.

Mr. Grant asked if the building was useful to Docks & Harbors for any other purpose?

Mr. Uchtyl said he does not believe we have needs for a warehouse facility.

Ms. Smith asked with looking at the marine charts in this lease area she was wondering if there is enough water for this area to be viable for a haul out facility?

Mr. Uchtyl said he did not look at the depths.

Mr. Ridgway said it varies.

Mr. Grant asked if we wanted to get a sizeable place for a boat yard and with the condition of the two DJG lots, could the City condemn those lots for the purposes of a boat yard?

Ms. Wright said that could be a pathway because of the public purpose at least enough to start in that direction. She would need to look at this further to advise if this would be successful.

Mr. Leither asked what would need to be condemned?

Mr. Grant said the lease holds interest in property that would be subject to condemnation. Because there is no development it may not be that expensive.

Mr. Uchtyl said those two lots have been appraised recently and it is around \$3200 per lease per year so it is not very much. He suggested to cancel the lease and state there is better marine development need than how it is being used currently.

Mr. Ridgway said the property is for sale and we own it. He will say he has a concern that we have a lot of lease property and he is not sure we have enough staffing to manage the portfolio that we have. Who would own the building and improvements on this lease if they walk out of their lease? Are they suppose to remove the building and fix the breakwater? The best resource for the lease properties is Teena. How much potential liability is out there on these leases. Are the leases paying the right amounts. There is a good process using our term contractor Horan & Company to appraise our leases. Wholistically looking at our portfolio, he may in the future suggest to carve some money out to have

good people look at our portfolio and see if there is any room for improvement in the management of our overall portfolio. Inclusive of knowing that we need a place for a boat yard. He said the last one he looked at the property leased to the Smith Brothers. He said he was surprised to know that was our property leased to the Smith Brothers and that property could potentially be used as a boat yard. Mr. Ridgway asked if the property for sale has the legal right to reassign the lease without Board consent?

Mr. Uchytel said originally this was a 55 year lease assigned to us in 2001 from the State. We continue to follow that State lease language until it expires and then if they want to re-lease it, we work with CBJ Law to start a new CBJ lease. There are provisions to assign that lease to someone else. Sometimes it might say with Board approval or no caveat.

Mr. Ridgway recalled at least one lease needed Board approval before the lease was reassigned.

Mr. Grant asked if the property for sale is still operating under the original State Lease? He has seen several state leases that say assignment of a lease is subject to approval by the state. If those terms are still in place it would give us some negotiating leverage over the price of the property. He would like to know if the assignability is subject to those conditions.

Public Comment - None

9. Docks & Harbors Board By-Laws - Proposed Update

Mr. Grant said on page 37 in the packet are our by-laws. He provided a brief history on how he became involved with this process. In terms of meetings, the changes start on paragraph twelve. He went through the by-laws and talked about the changes and why they were changed.

Committee Discussion

Ms. Smith asked if we are down to one Committee that everyone is a member of, why can't it just be a regular Board meeting. Why do we need to visit everything twice when everyone is a member of the only committee there is.

Mr. Grant said as a practical matter, things are assigned to the Operations committee that may need work to refine it and get it ready for the full Board. He believes this is a workable way to do things.

Mr. Ridgway said at the Operations meeting there is more discussion on a topic and at the Board level there is a motion and move it along. He sees a purpose for a committee meeting.

Ms. Wright said with the Assembly the Committee of the Whole is where they have their debates and discussion and things are moved around more easily. The Board could shift to just having one meeting if the Board wanted to. Regarding the change for removing a member, it can be the Board recommendation to remove a member but the final decision is with the Assembly. If the Board wants this changed, she can do that and bring it back to the next meeting.

Mr. Ridgway recommended to add the process to remove a member to make it more clear.

Mr. Grant wanted to point out there is a small change in the quorum on page 40 paragraph six. The full Board quorum has not changed but the Committee meetings has changed to adding the wording 50% plus one makes a quorum.

Mr. Ridgway said it really does not work when you have an odd number of members. He believes there may be a better wording.

Mr. Grant said he would think about that further.

Mr. Uchytel said we have been using the term Sub-Committee but should be Special Committee. He also said there is a term ratification in there and questioned why?

Ms. Wright said she would look into that.

Public Comment - None

J. STAFF AND MEMBER REPORTS

Mr. Scott Hinton commented that we are almost to the end of the Cruise Ship season. Two more boats left for this year.

Mr. Uchytel said there is the Assembly meeting on Monday and that will be the first meeting for the new City Manager. The Assembly will see the two resolutions and the 9% increase as well as Assembly assignments. He mentioned that he thought the Marine Exchange would have the renderings/drawings for this meeting but they were not able to get those finished. The Board has heard staff is serious about moving forward and the next steps would be an MOA for the public/private partnership. This is when public and private owner get together and jointly develop something; typically, the public side provides land and the private side brings money/finances. Marine Exchange is looking to expand their footprint in the Aurora/Harris area and has not been able to find land. There is potential space available on the South side of the Aurora Basin (Aurora Harbor Office). This is the potential for a P3. This will need to be all negotiated but the Marine Exchange would be willing to build a building that our staff would occupy for the Aurora Harbor Office for the right to use the property jointly with Docks & Harbors.

Mr. Uchytel provided the Engineer's Report –

- Secon is finishing a RAP (Recycled Asphalt Product) project at the Douglas Harbor Parking lot.
- Staff entered into an agreement for Douglas parking lot lights with Alaska Electric. They should be installed by the end of January.
- Harris Harbor Security gate contract has been executed with Mantle Industries and Carver Construction will install the gate. Docks & Harbors will work on the controls, lighting, and key fob.
- Staff is executing a contract with Carver to install epoxy on the Statter Harbor Restroom concrete floors.
- Our Administrative Supervisor has resigned effective November 3rd. This is being advertised.
- Staff has entered into a repair contract for the Travel Lift. This is owned by UAS and leased to Harri's Commercial Marine.
- Bayhouse Properties is proposing to build condos near Statter Harbor, Mitch Falk got a conditional use permit application in that he was denied and he appealed it. He has worked out an agreement with CDD to remove his appeal and proceed with a new conditional use design.
- The Hansen & Gress purchase and sales agreement is still pending after several months. It is at DNR currently.

Mr. Sooter asked where we are with the breakwater?

Mr. Uchytel said he entered into an agreement with PND Engineers to provide a report by mid December. We had Global Diving swim the float and they reported it is in excellent shape.

K. COMMITTEE ADMINISTRATIVE MATTERS

Next Operations Meeting - Wednesday, November 15th, 2023

L. ADJOURNMENT – The meeting adjourned at 7:41pm.

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
BYLAWS**

ARTICLE I. NAME, DUTIES, AND POWERS

1. NAME. The governing body of the City and Borough of Juneau Docks and Harbors shall be known as the City and Borough of Juneau Docks and Harbors Board, hereafter referred to as the Board.
2. DUTIES AND POWERS OF THE BOARD. The duties and powers of the Board regarding the operation of the municipally owned and operated port and harbor facilities are established by Charter Section 3.21 and Chapter 85.02 of the Code of the City and Borough of Juneau.

ARTICLE II. BOARD MEMBERSHIP AND APPOINTMENT

1. NUMBER OF DIRECTORS. The Board shall consist of nine (9) members.
2. APPOINTMENT. All Board members shall be appointed by the City and Borough of Juneau Assembly as provided by Section 85.02.010 of the Code of the City and Borough of Juneau.

~~—A new member shall be seated immediately upon the call of the roll at the first Board meeting after the new member is appointed.~~
3. TERM OF APPOINTMENT. As provided in Section 85.02.010, Board members shall be appointed for staggered three-year terms and until their successor is appointed. Appointment terms will not violate the conditions set forth in Section 85.02.010.
4. VACANCIES. When the conditions set forth in Section 85.02.030 of the Code of the City and Borough of Juneau occur, the Chair will notify the Clerk's Office that a vacancy exists.

Vacancies on the Board shall be filled by the City and Borough of Juneau Assembly as provided by Section 85.02.030 of the Code of the City and Borough of Juneau and the Assembly Rules of Procedure.

A member filling a vacancy shall be seated immediately upon the call of the roll at the first Board meeting after the new member is appointed.

5. MEMBERS. The duties and responsibilities of the Board members shall include but are not limited to those ~~be as~~ set forth in Sections 85.02.060, 85.02.063, and 85.02.065.

ARTICLE III. OFFICERS

1. OFFICERS. Officers of the Board shall consist of a Chair, Vice Chair and any other officers as the Board may from time to time deem necessary.

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
BYLAWS**

2. ELECTION OF OFFICERS. Officers shall be elected at the annual Board meeting or at such time as offices become vacant.
3. TERM. Each officer shall serve for a term ~~to extend until the next annual Board meeting or until such time as they vacate the office as provided in CBJC 85.02.010 and CBJC 85.02.030.~~
4. REMOVAL. Any officer may be removed from his or her office ~~by an affirmative vote of at least six (6) Board members at a meeting called for that purpose or by the Assembly in accordance with CBJC 85.02.010 or 85.02.030.~~
5. CHAIR. The Chair shall preside at all Board meetings, unless participating remotely.

The Chair ~~shall~~ may assign tasks to Board members and committees and ~~shall~~ is charged with ensuring that all business of the Board is carried out.

The Chair shall act as spokesperson for the Board and will have such other duties and responsibilities as delegated to him or her by the Board.
6. VICE CHAIR. The Vice Chair shall act as the Chair in the absence of the Chair, including when the Chair is participating remotely.

ARTICLE IV. COMMITTEES

1. STANDING COMMITTEES. There shall be the following standing committees of the Board:
 - * Finance
 - * Operations & Planning

~~The Chair Board shall appoint each Board member to serve on at least one standing committee. The Board Chair shall serve as a voting member of all standing Committees.~~

~~The Board or the Chair, upon ratification of the Board, shall appoint a Board member to serve as the committee cChair of each standing committee. No Board member shall chair more than one standing committee.~~

~~Unless otherwise directed by the Chair, all standing committees will function at the direction of the appointed committee Chair.~~

2. SPECIAL COMMITTEES. The Board or the Chair, upon ratification of the Board, may establish special committees to facilitate any Board business.

~~The Chair shall appoint two or more Board members and may appoint any individual that is not~~

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
BYLAWS**

~~a member of the Board to serve on any special committee established.~~

The Board or the Chair, upon ratification of the Board, shall appoint a Board member to serve as the committee cChair of each special committee.

~~Unless otherwise directed by the Chair, all special committees will function at the direction of the appointed committee Chair.~~

A special committee shall serve for a period of time or for the accomplishment of a particular task or tasks as determined by the Chair. No special committee shall serve beyond the annual Board meeting unless reconstituted by the newly elected Chair.

ARTICLE V. MEETINGS

1. REGULAR. The Board shall meet at least once each month at a place and time designated by the Chair.

~~The Board may act on any matter within its authority at a regular or annual Board meeting whether or not such item was identified in the notice of the meeting.~~

2. ANNUAL. An annual meeting shall be held on the last Thursday of July each year.

The annual Board meeting may be postponed by the Board to a certain day.

At the annual meeting, a Chair, a ~~v~~Vice Chair and other such officers as the Board shall deem necessary, shall be elected.

3. Reserved. EXCUSED ABSENCES. ~~Any absence of a member from a regular Board meeting shall be deemed unexcused unless the member is absent as a result of attending to official business on behalf of the Board, for extenuating medical reasons or for other significant cause, in which case the absence may be deemed excused by the Board Chair.~~

4. SPECIAL. Special Board meetings may be called at any time by the Chair or any three (3) Board members for good cause, which must be reaffirmed at the beginning of any special meeting. Any special meeting must provide at least 24-hours public notice of the meeting and the agenda, except in an emergency.

Only business identified in the notice of the meeting may be transacted at a special Board meeting.

5. COMMITTEE. Committee meetings may be called at any time by a committee Chair or by a majority of the committee's membership. Committee meetings must provide at least 24-hours public notice of the meeting and the agenda.

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
BYLAWS**

Any topic or item may be discussed that falls within the purview of the committee's charge as determined by the Chair, committee Chair, or a majority of the committee's membership.

6. QUORUM. For all Board meetings, a quorum shall consist of five (5) members in attendance or participating ~~via telephone~~ remotely. For all committee meetings, a quorum shall consist of a minimum of ~~three (3) voting committee members in attendance or participating via telephone~~ fifty percent (50%) plus one (1) of the voting members on the committee.

7. ADJOURNMENT, CONTINUATION, AND POSTPONEMENT OF MEETINGS. If a quorum is not present at a meeting, the Chair or committee Chair may adjourn such meeting to a time and place he or she determines most appropriate; provided that notice of the time and place of the adjourned meeting and the meeting agenda shall be given to each Board or committee member and the general public at least twenty-four (24) hours prior to such meeting.

If a quorum is present at a meeting, such meeting may be continued or adjourned from day to day and no additional notice of such continuation or adjournment need be given.

8. VOTES. No person other than a Board member is entitled to vote at any Board or committee meeting, except appointed members of special committees within those committees.

Each Board member shall be entitled to one (1) vote. No proxy votes may be used to constitute a quorum, transact business, or otherwise. To register a vote, the Board member must be present at the meeting or participating ~~via telephone~~ remotely at the time the vote is taken.

An affirmative vote of at least five (5) Board members is required for a main motion to pass the Board. An affirmative vote of the majority of committee membership is required for a main motion to pass a committee. The prevailing vote requirement may be reduced per CBJ Charter 3.16(e).

9. ORDER OF BUSINESS. The following order of business shall be observed at all regular, annual, or special Board meetings and committee meetings insofar as practicable or necessary:

- Call to Order
- Calling of the Roll
- Port Director Request's for Agenda Changes
- Public Participation on Non-agenda Items
- Approval of the Previous Meeting Minutes
- Consent Agenda
- Unfinished Business
- New Business
- Items for Information
- Staff, Committee and Member Reports
- Board Administrative Matters
- Adjournment

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
BYLAWS**

As the first order of business after the calling of the roll at the annual Board meeting or at the first regular or special meeting after an officer vacancy has been recognized by the Board, the Chair, Vice Chair and/or other officers shall be elected.

The Port Director may include under the consent agenda:

- A. Actions to Propose Regulations for Public Comment
- B. Bid awards that have received Committee concurrence
- C. Resolutions
- D. Other items requiring Board action which do not involve substantial public policy questions.

10. BOARD MEETINGS PUBLIC. All Board and committee meetings are open to the public, except that executive sessions may be held in accordance with AS 44.62.310.

11. CONFLICT OF INTEREST. No Board member shall vote or deliberate on any question in which he or she has a conflict of interest as defined by Chapter 01.45 of the Code of the City and Borough of Juneau.

Such a Board member shall not be counted in determining the quorum for such a vote.

12. TELEPHONIC REMOTE PARTICIPATION.

A. Board members are encouraged to participate in meetings by attending in person when possible. However, A a member may participate via telephone remotely in a Board or Committee meeting, if the member declares that circumstances prevent physical attendance at the meeting. If the Chair chooses to participate by teleconference remotely, the Vice chair shall preside.

~~B. — No more than the first three members notifying the Board secretary regarding telephonic remote participation in a particular meeting may participate remotely via telephone at any one meeting.~~

~~CB. The member shall notify the Board secretary, if reasonably practicable, at least four hours in advance of a meeting which the member proposes to attend by telephone remotely and shall provide the physical address of the location, the telephone number, and any available facsimile, email, or other document transmission service.~~

~~DC. At the meeting, the Board or Committee secretary shall establish a telephone remote connection when the call to order is imminent.~~

~~ED. A member participating by telephone remotely shall be counted as present for purposes of quorum, discussion, and voting.~~

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
BYLAWS**

~~FE.~~ The member participating ~~by telephone~~ remotely shall make every effort to participate in the entire meeting. From time to time during the meeting, the presiding officer shall confirm the connection.

~~GF.~~ The member participating ~~by telephone~~ remotely may ask to be recognized by the presiding officer to the same extent as any other member.

~~HG.~~ If the ~~telephone~~ remote connection cannot be made or is made then lost, the meeting shall commence or continue as scheduled and the Board secretary shall attempt to establish or restore the connection, provided that if the member participating ~~by telephone~~ remotely is necessary to achieve a quorum, the meeting shall be at ease, recess, or adjourn as necessary until the ~~telephone~~ connection is established or restored.

~~I.~~ ~~Participation by the telephone remotely shall be allowed only for regular, special, or committee meetings of the Board.~~

~~JH.~~ Any member of the public present remotely ~~with the member participating by telephone~~ shall be allowed to speak to the same extent he/she would if physically present at the meeting.

~~K.~~ ~~As used in these bylaws, "telephone" means any system for two-way communication.~~

ARTICLE VI. PUBLIC HEARINGS, RULES FOR PUBLIC PARTICIPATION, AND APPEALS

1. PUBLIC HEARINGS AND RULES FOR PUBLIC PARTICIPATION. The Board may hold public hearings in accordance with established City and Borough of Juneau procedures to take public or other testimony on any issue dealing with Board duties or responsibilities. Public testimony will be conducted according to the following rules, which will be available at the meeting:

A. The presiding ~~e~~Chair of the meeting will conduct the hearing.

B. The presiding ~~e~~Chair will open the hearing by summarizing its purposes and reemphasizing the rules of procedure.

C. The presiding ~~e~~Chair may set a time limit for public testimony, for individual speakers, or both if it appears necessary to gain maximum participation and conserve time, and may for the same reason disallow all questions from the Board members to members of the public. A majority of the Board or Committee may extend the time limit. The time limit for individual speakers shall be uniform for all speakers and shall be strictly enforced. Speakers shall not have the right to transfer their unused time to other speakers, but the presiding officer may grant additional time to a person speaking on behalf of a group present at the meeting.

D. Citizens will be encouraged to submit written presentations and exhibits to the Board

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
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~~via email HarborBoard@juneau.gov. Material submitted to the Port Director's Office more than three business days before a meeting and comprising 10 pages or less will be eligible for copying for that meeting. Material submitted less than three days before a meeting will be distributed by the Port Director at the meeting provided the submission contains at least 15 copies.~~

E. The presiding Chair ~~officer~~ will set forth the item to be discussed and will rule non-germane comments out of order.

F. All speakers, public, and members of the Board must be recognized by the presiding eChair.

G. Members of the public will precede their remarks by stating their names; and organizational affiliation (if applicable), and unless otherwise allowed by the presiding eChair, ~~their place of residence, the area of town they reside in.~~

H. Members of the Board will be recognized by their surnames.

I. Members of the Board will not direct questions to each other or to the eChair during the public participation except as to the conduct of the hearing.

J. Members of the Board may direct questions to a member of the public only to obtain clarification of material presented. The questions may not be argumentative, nor may they have the effect of unreasonably extending the time limit applicable to public speakers.

K. The public may direct questions to the Board or the administration. However, the Chair shall have discretion as to the appropriate manner and time for a response. In no case shall the Board engage in debate with the public.

L. The Port Director may participate in the same manner as members of the Board.

M. Reasonable accommodations are available upon request. To the extent allowed by law (i.e. A.S. 15.13.040 & A.S.15.13.145), a spokesperson designated by a person with a disability wishing to provide oral public testimony should advise the Board. Please contact the Clerk's office prior to any meeting, preferably 36 hours ahead, so arrangements can be made if other accommodation requests like closed captioning or sign language interpreter services are desired. The Clerk's office telephone number is 586-5278, TDD 586-5351, e-mail: city.clerk@juneau.org.

2. APPEALS TO THE BOARD. The Board will, in those instances allowed by the Code of the City and Borough of Juneau and under procedures established by the City and Borough of Juneau, hear and adjudicate public appeals regarding the application of Harbor rules, policies and procedures. ~~The Board will adopt rules of procedure for handling appeals.~~

ARTICLE VII. PORT DIRECTOR

**CITY AND BOROUGH OF JUNEAU
DOCKS AND HARBORS BOARD
BYLAWS**

1. PORT DIRECTOR. The Port Director serves at the pleasure of the Board as identified in Section 85.02.080 of the Code of the City and Borough of Juneau.

The Port Director shall have the duties and responsibilities, including but not limited to those, identified in Section 85.02.090, 85.02.110, and 85.02.130 of the Code of the City and Borough of Juneau.

ARTICLE VIII. EFFECTIVE DATE AND AMENDMENTS

1. EFFECTIVE DATE OF BYLAWS. These Bylaws, as amended, are effective _____.
~~June 9th, 2014.~~

2. AMENDMENTS. Any of these Bylaws may be amended upon recommendation by the Board to the Assembly, by an affirmative vote of six (6) Board members at any properly noticed regular or special meeting ~~called for and approved by the Assembly.~~

3. ADDITIONAL PROVISIONS. ~~Indemnification of Directors and Officers Each director and officer now or hereafter serving as such, shall be, and by virtue of this Bylaw provision hereby is, indemnified by the City and Borough of Juneau against any and all claims and liabilities to which they, their heirs, and personal representatives, have or shall become subject due to serving or having served as such director or officer, or neglected by them as such director or officer; and the City and Borough of Juneau shall reimburse each such person for all legal expenses (including attorney's fees) reasonably incurred by them in connection with any such claim or liability, provided, however, that no such person shall be indemnified against, or be reimbursed for any expense incurred in connection with, any claim or liability arising out of their own willful misconduct or gross negligence.~~

~~The amount paid to any director or officer by way of indemnification shall not exceed their actual, reasonable, and necessary expenses incurred concerning the matter involved. The right of indemnification, herein above provided for, shall not be exclusive of any rights to which any director or officer may otherwise be entitled by law.~~

Adopted via Resolution No. 3201 this _____ day of _____, 2023.

Attested by Municipal Clerk



**Engineering & Public Works
Department**
Marine View Building, Juneau, AK 99801
907-586-0800

MEMORANDUM

DATE: October 20, 2023
TO: CBJ Boards and Commissions
FROM: Denise Koch, Engineering and Public Works Director
THROUGH: CBJ Public Works and Facilities Committee
SUBJECT: DRAFT FY2025 CBJ Legislative Capital Priority List: Feedback Needed by December 1st

The Engineering & Public Works Department is requesting your input on the draft fiscal year (FY) 2025 Legislative Capital Priority list by December 1, 2023.

Legislative Capital Priorities are not a direct funding request. It is a way to articulate larger or more complicated funding needs for major projects to the Legislature, the federal delegation, and the public. This list represents the CBJ Assembly large scale priorities for a given year.

All CBJ boards and commissions are being invited to provide input on their top two projects that they would like to see on the list. They can either provide input on existing projects and project priorities or nominate a new project(s). Input may also include recommendation for removal of an existing project from this list. The information that your board or commission provides will be used by the Assembly to amend and reprioritize the draft list for the next fiscal year.

Guidelines and recommendations for input:

- A prioritized list is only useful if there is the discipline to keep it manageable and relevant. Please keep that in mind when making your recommendations.
- Please limit your recommendations to nominating and/or endorsing your top two projects. This will make your input more actionable for the Assembly.
- If your body would like to propose a new project, please use the Legislative Priorities Project Nomination form available at <https://www.surveymonkey.com/r/BCQJ9RX>. A printable PDF version is available upon request by emailing Ashley.heimbigner@juneau.gov.
- To be eligible a project needs to provide a capital asset with a life of more than 20 years and have a total project cost of over \$1 million (review the appendix of the draft list, 'Everything you wanted to know about the CBJ Legislative Capital Priorities' for more information).
- Comments, endorsements, and recommendations for removal of existing projects listed in the DRAFT provided should be addressed to the Assembly and are due to ashley.heimbigner@juneau.gov no later than December 1, 2023.

See the schedule below for more information. Thank you for your time and participation in this important planning process.

City and Borough of Juneau
FY2025 LEGISLATIVE CAPITAL PRIORITIES DEVELOPMENT SCHEDULE

ACTION	FY25 DRAFT TIMEFRAME
Prepare and distribute draft LCP to CBJ Board, Commissions & advisory groups request for review and input.	October 20, 2023
Input for new draft requested by	December 1, 2023
Presentations to Boards and Commissions:	
	Planning Commission Introduction Oct 24, 2023; Final Approval Nov 14 or Dec 12, 23
	Systemic Racism Review Committee (SRRC) Introduction: October 24, 2023
Administrative Review & Compilation	December 4-7, 2023
SRRC 2nd Review (with input and new projects)	December 12, 2023
PWFC for Review	December 18, 2023
Homework: Assembly Ranks Priorities	Due December 29, 2023
Finance Committee	January 2024
Assembly Review (Leg Breakfast + COW)	January 2024
CAPIS Deadline	Late Jan/Early Feb 2024
Distribute Priorities	February 2024

FY2025

LEGISLATIVE

CAPITAL PRIORITIES





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January 30, 2024

To The Honorable State and Federal Delegation:

This document presents the City and Borough of Juneau's Fiscal Year 2025 Legislative Priority List. The Legislative priority list provides information on long range capital projects identified as priorities for the community of Juneau. Descriptions of projects include cost and schedule information, a designation of who will be responsible for operating and maintaining the infrastructure, and what goals the project is advancing.

The projects included in the Legislative Priority List were compiled with input from CBJ Boards and Commissions and City staff. The Legislative Priorities will be used to inform requests to State Legislature, Federal Delegation and granting agencies.

It is the intent of the City and Borough of Juneau to update the Legislative Priority List annually to ensure the long-range capital improvement planning stays current, as well as to determine annual legislative priorities and assist with budget development. Please don't hesitate to reach out with any questions.

Sincerely,

Katie Koester
City Manager

City and Borough of Juneau
FY2025 LEGISLATIVE CAPITAL PRIORITIES DEVELOPMENT SCHEDULE

ACTION	FY25 DRAFT TIMEFRAME
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DRAFT FY2025 Legislative Capital Priority List (To be ranked by Assembly)

Rank	Project Name:	Purpose:	Amount Requested:	Goal:	Page #
	Pederson Hill Development	Development	\$3M	Increase workforce and market rate housing with further development of Pederson Hill Subdivision.	8
	Juneau Douglas North Crossing (JDNC)	Economic Impact Analysis and/or PEL Study	\$18M (prev. \$12M)	Economic Development	9
	North State Office Building Parking	Partial Funding	\$30M	State/legislative Parking, Auke District infill Development	10
	Telephone Hill Redevelopment	Site work	\$2M	Prepare for Redevelopment	11
	CBJ Radio System Replacement	Procurement, Design, Site Construction/Improvements, Installation	\$12M (prev. \$14M)	Provide adequate and sustainable radio communications for CBJ public safety agencies and response partners to communicate effectively during routine events and disasters locally, regionally and statewide.	12
	JSD Wide HVAC and Heating Control System Upgrades	Feasibility Study, Conceptual Design, Final Design, Engineering, Permitting	\$6.4M	This project will upgrade the HVAC and Heating Controls Systems for all schools in the City and Borough of Juneau, improving the facilities' energy efficiency, safety, and security.	13
	Mendenhall Wastewater Treat. Plant Compliance: Fats, Oil, and Grease & Grit Removal	Design, Construction	\$5.95M	Return the Mendenhall Wastewater Treatment Plant to permit compliance, reduce treatment costs, and extend the useful life of the plant.	14
	Lemon Creek Multimodal Path	Design, Permitting, Property	\$8M	Advance Long-term Goal of a New Non-Motorized Route	15

DRAFT FY2025 Legislative Capital Priority List (To be ranked by Assembly)

Rank	Project Name:	Purpose:	Amount Requested:	Goal:	Page #
	Capital Civic Center	Partial Funding	\$10M, SOA (prev. \$5M); \$35M Federal Delegation (prev. \$30M)	Support convention and visitor economy	16
	JSD Wide Security and Safety Upgrades	Procurement, Design, Construction, Installation	\$2M	The security and safety of our staff, students, and community is our main priority, and with this project upgrade, the District feels that it is taking the necessary steps to bring our facilities into the technology age.	17
	Municipal Composting Facility Design and Construction & <u>Zero Waste Planning</u>	Planning, Design, Site Preparation, Construction	\$4M (prev. \$2.5M)	Construct a municipal compost facility as part of a broader Zero Waste plan.	18
	Aurora Harbor Rebuild – Ph IV	Design, Permitting	\$1M	Replace critical infrastructure and support maritime economy	19
	Auke Bay New Breakwater	Match Potential Federal Funding	\$5M	Increase moorage and renovate old economic development	20
	Waterfront Juneau Douglas City Museum	Partial Funding	\$2M	FY24 Draft Legislative Priorities #16	21
	North Douglas Boat Ramp Expansion	Planning, research, permitting	\$250K	FY24 Draft Legislative Priorities #18; Proj. Nom. for Harbors #27	22

DRAFT FY2025 Legislative Capital Priority List (To be ranked by Assembly)

Rank	Project Name:	Purpose:	Amount Requested:	Goal:	Page #
	Off-Road Vehicle (ORV) Park Development	Feasibility Study, Conceptual Design, final Design/ Engineering/ Permitting, Fundraising Activity	\$5.7M	Reduce user conflicts and create new opportunities for outdoor recreation.	23
	West Douglas Extension	Future Development	\$4M	FY23 Draft Legislative Priorities #12	24
	Jackie Renninger Park Development & Pipeline Skatepark Improvements	Feasibility Study, Conceptual Design, Final Design, Engineering, Permitting, Fundraising Activity	\$4M	To provide access to parks and outdoor recreation services for Juneau's most underserved neighborhood.	25
	Bartlett Aurora Behavioral Health Center	Partial Funding	\$4M	This facility is constructed, BRH is requesting reimbursement.	26



PEDERSON HILL HOUSING DEVELOPMENT

AMOUNT REQUESTED: \$1M

AMOUNT SECURED: \$1.5M

TOTAL PROJECT COST: \$5M-\$15M

PROJECT DESCRIPTION & UPDATE:

The requested funding will provide for the study and design of a secondary access road to the Pederson Hill Subdivision. In the past year the Assembly agreed to work with the Tlingit Haida Regional Housing Authority (THRHA) to develop the remainder of Phase 1B and 1C. With that development underway any additional development will require a second access route for public safety and emergency response. This second access is an expensive requirement which needs to be funded before and future housing units can be planned on this CBJ property. This second access will make available up to 26 acres of CBJ owned property for development and disposal.

PUBLIC PROCESS:

There will be an opportunity for public comment to the Planning Commission during planning and to the Assembly during all phases of development.

TIMELINE: Once funding is secured, design can be complete within 18 months.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Increase workforce and market rate housing with further development of Pederson Hill Subdivision.



Photo Credit: Juneau Empire

JUNEAU DOUGLAS NORTH CROSSING (JDNC)

AMOUNT REQUESTED: \$2M

AMOUNT SECURED: \$2M for PEL; \$250,000 CBJ; \$7M Congressionally Directed Spending; \$16.454 USDOT RAISE Grant

TOTAL PROJECT COST: \$280M-\$320M (depending on alternative)

PROJECT DESCRIPTION & UPDATE: A second crossing from Juneau to Douglas Island has been a priority for the community since the early 80s. An alternate access to the heavily populated Douglas Island will increase safety; if the only bridge now were to fail residents would be stranded and emergency services would be limited. It will reduce transportation times and open up new land to development. Thanks to Senator Murkowski, CBJ received \$7M in Congressionally Directed Spending in FY23. This will build on the analysis and public outreach currently underway through the Planning and Environmental Linkages (PEL) study.

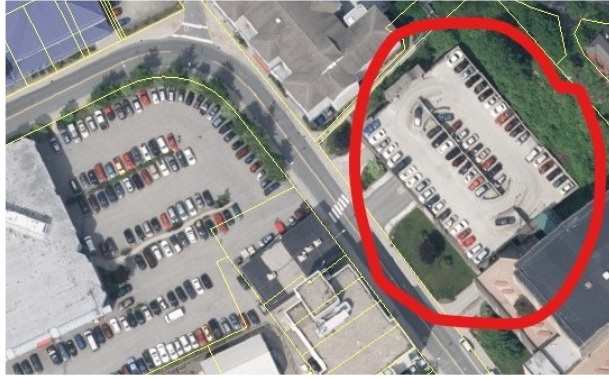
In another boon to the project, CBJ was awarded a 2023 USDOT RAISE grant which will provide funding through design. Prior to completing the 100% bid-ready design package, CBJ will solicit Federal Highway construction funding under the Infrastructure Investment and Jobs Act. CBJ applied for technical assistance funding to identify and pursue construction funding opportunities to bring the project to completion

PUBLIC PROCESS: Through the PEL process ADOT, with the help of DOWL Engineering, has engaged in multiple stakeholder and public meetings, surveys, and listening sessions to identify both public sentiment on the project and potential alternatives. Project status, alternatives, reports and stakeholder meeting updates are available at jdnorthcrossing.com. The NEPA process will include thorough public process as a preferred alterative is vetted.

TIMELINE: The PEL study is expected to be complete by spring of 2024. Building on the work of the PEL, NEPA should take 24 months. Design will take an additional 18-24 months.

WHO WILL MAINTAIN AND OPERATE? State of Alaska.

GOAL OF PROJECT: Community safety and economic development.



AAK'W VILLAGE DISTRICT PARKING

AMOUNT REQUESTED: \$30M

AMOUNT SECURED: \$5M SOA; \$5M CBJ Voter Approved Sales Tax

TOTAL PROJECT COST: \$40M

PROJECT DESCRIPTION:

Building a garage with greater capacity would expand parking for State employees, the Legislature, and the Aak'w Village District, freeing up current parking lots for development and infill. This parking garage provides parking for the State of Alaska, just North of the State Office Building. The current garage is old and in need of major repairs. This project could be seven stories, creating a total of over 450 parking spaces, with a total net increase of approximately 300 new parking spaces.

PUBLIC PROCESS: This project was designated as a CBJ Legislative Priority in 2021, 2022, and 2023.

TIMELINE: Architect has been selected and condition assessment and preliminary design is underway. Once full funding is secured, 24-36 month design and construction timeline.

WHO WILL MAINTAIN AND OPERATE? TBD

GOAL OF PROJECT: State/Legislative parking, Aak'w Village District infill development.



TELEPHONE HILL REDEVELOPMENT

AMOUNT REQUESTED: \$2M

AMOUNT SECURED: \$450,000

TOTAL PROJECT COST: unknown (\$10M placeholder)

PROJECT DESCRIPTION:

This project will prepare the roughly 3 acres of CBJ owned property in Downtown Juneau which is adjacent to the State Office Building for redevelopment. This project will include removal of hazardous materials, and environment cleanup, potential demolition of existing structures, a redevelopment study, site preparation, utility and infrastructure upgrades, and re- subdivision. The outcome of this project will be independent buildable lots which are sized appropriately for redevelopment with infrastructure that can be utilized to maximize density and the property will be redeveloped to meet the goals of the Assembly and the state capital.

PUBLIC PROCESS:

In August and October 2023, the City held public meetings to encourage community dialog regarding this project. The CBJ Assembly will continue to provide the public opportunities to comment on this project. There will be opportunities for public comment to the Planning Commission during planning and to the Assembly during all phases of redevelopment. Project information is available at <https://juneau.org/engineering-public-works/telephone-hill>.

TIMELINE: An inventory of utilities, property and hazards is currently underway. A draft development plan will be publicly reviewed in the first quarter of 2024. Depending on the outcome of that plan a phased redevelopment approach could begin in 2024.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Redevelop over 3 acres of property in downtown Juneau for the best and highest use.



CBJ RADIO SYSTEM REPLACEMENT

AMOUNT REQUESTED: \$12,000,000

AMOUNT SECURED: \$500,000; \$2M CBJ Voter Approved Sales Tax

TOTAL PROJECT COST: \$17,200,000

PROJECT DESCRIPTION:

The CBJ has determined that the current radio system must be replaced due to equipment obsolescence, to enhance coverage and correct capacity shortfalls while conducting modernization as a means of securing enhanced network reliability, resiliency and interoperability. Project phases would include procurement, engineering/design, site construction/improvements (shelters, buildings, generators, towers, UPS, etc.), microwave improvements, procurement, and installation of radio site equipment (transmitters, receivers, antenna systems, etc.) and end user equipment (portable and mobile radios). Deficiencies with the current system impact multi-agency responses and have been documented during numerous police, fire and EMS events with partners such as the Airport, Public Works, Alaska State Troopers, FBI, Coast Guard and the Navy. A comprehensive upgrade is needed to enhance radio communications and increase interoperability with municipal, state, and federal partners. Senator Murkowski has added \$2M as Congressionally Directed Spending in the FY24 appropriations bill that is awaiting Congressional action.

TIMELINE: Once funding is secured, all work could be performed within 4 years.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Provide adequate and sustainable radio communications for CBJ public safety agencies and response partners to communicate effectively during routine events and disasters locally, regionally and statewide.



JUNEAU SCHOOL DISTRICT-WIDE HVAC AND HEATING CONTROL SYSTEM UPGRADES

AMOUNT REQUESTED: \$6.4M

TOTAL PROJECT COST: \$6.4M

PROJECT DESCRIPTION:

This ambitious project entails the comprehensive enhancement of HVAC and Heating Control Systems across all 13 schools within the City and Borough of Juneau. This initiative serves a dual purpose: firstly, it will significantly improve the early detection and notification of system issues and emergencies, thereby enhancing the district's responsiveness to outages and failures. Secondly, these system upgrades will provide the maintenance department with centralized access to control systems for all schools, streamlining system management and increasing efficiency. As a result, emergency response times will be markedly reduced, as issues can be identified swiftly. Importantly, this upgraded system is expected to yield substantial energy cost savings for the district, representing a win-win solution for both school facilities and the environment.

TIMELINE: Once funding is secured, design and construction complete within 28 months.

WHO WILL MAINTAIN AND OPERATE? Juneau School District

GOAL OF PROJECT: This project will upgrade the HVAC and Heating Controls Systems for all schools in the City and Borough of Juneau, improving the facilities' energy efficiency, safety, and security.



MENDENHALL WASTEWATER TREATMENT PLANT COMPLIANCE: FATS, OIL, AND GREASE & GRIT REMOVAL

AMOUNT REQUESTED: \$5.95M

TOTAL PROJECT COST: \$5.95M

PROJECT DESCRIPTION:

Fats, Oils and Grease (FOG) requires special treatment, typically prior to the treatment basin. The foam from FOG degrades plant performance at the Mendenhall Treatment Plant. This project would install a grease collection vessel with a skimmer and vortex vessel to control incoming grease and finer grit. The Mendenhall Treatment Plant is currently operating under a Compliance Order by Consent with the State due to permit violations. Removing FOG before it disrupts the treatment process will assure more consistent plant performance. This project will design and construct the FOG and Grit removal equipment.

TIMELINE: Once funding is secured, design and construction within 30 months.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Permit compliance, reduce treatment costs, and extend the useful life of the plant.



LEMON CREEK MULTIMODAL PATH

AMOUNT REQUESTED: \$8M

AMOUNT SECURED: \$1.75M

TOTAL PROJECT COST: \$10M

PROJECT DESCRIPTION & UPDATE:

The requested funding would construct a multimodal path in Lemon Creek that connects residents to schools, shopping, jobs and services. CBJ is pursuing a DOT Reconnecting Communities grant for FY24 that will include robust public engagement, route selection and preliminary design, as well as a ADOT&PF Transportation Alternatives Program grant for the first phase of construction. The Assembly has appropriated 1.75M to advance design of the project as well as potential match for construction grant opportunities. The full route would connect the Glacier Highway / Vanderbilt intersection to Alaway Avenue and then on to Glacier Highway (near the old Walmart). This would provide direct access to the two largest mobile home parks in the community. CBJ also applied for FHWA FY23 Safe Streets for All (SS4A) supplemental planning funds for additional community planning and analysis of pedestrian, cyclist and motorist safety.

PUBLIC PROCESS:

This project has been identified as a priority by the 2017 Lemon Creek Plan adopted into the Comprehensive Plan. Designated as the number one Legislative Capital Priority in 2021 and 2022, and the 8th priority in 2023

TIMELINE: FY24 (ongoing) route analysis, public outreach, planning and preliminary design. Once full funding is secured, 18-24 months for design and construction.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Advance Long term goal of a new non- motorized route.



CAPITAL CIVIC CENTER

AMOUNT REQUESTED: Federal Delegation—\$35M; State of Alaska—\$10M

AMOUNT SECURED: CBJ- \$2M design; \$10M commitment from CLIA for CBJ Passenger Fees; \$5M CBJ appropriation requested; \$3M identified for Centennial Hall; \$6.5 Partnership Resources

TOTAL PROJECT COST: \$75M

PROJECT DESCRIPTION: This project will expand Juneau’s Centennial Hall by adding several meeting rooms, a theater, a community hall, a gallery and other public spaces. The old Juneau Armory would be removed. The Capital Civic Center will function as a multi-use civic and conference facility which will enhance Juneau’s prominence as a regional center for art, culture, and community engagement while attracting broad-based use and pride in Alaska’s Capital City.

PUBLIC PROCESS: Conceptual studies and outreach for Centennial Hall were performed in June of 2019 . Upgrades to the ballroom at Centennial Hall were completed in August 2023. The performing arts elements (new JACC) also received public input throughout the development of design for a stand alone facility. Merging the two facilities into a large, single, facility was presented to the Assembly by stakeholder organizations in 2020. The Assembly funded conceptual design in late 2021 appropriated \$2m to advance the project. NorthWind and JYW Architects teamed up for design and have worked with stakeholders to consolidate space and find design efficiencies.

TIMELINE: Once funding is secured, 3-3.5 year design and construction timeline.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Support convention, arts and visitor economy.



JUNEAU SCHOOL DISTRICT-WIDE SECURITY AND SAFETY UPGRADES

AMOUNT REQUESTED: \$2M

TOTAL PROJECT COST: \$2M

PROJECT DESCRIPTION:

This project will upgrade security cameras, phone systems, secure entryways, brush clearing, perimeter lighting, emergency egress lighting, back-up generators, and secured property. This project will increase the Juneau School District's security presence, which will help to deter vandalism, theft, and other criminal activities. The security and safety of our staff, students, and community is our main priority, and with this project upgrade, the District feels that it is taking the necessary steps to bring our facilities into the technology age.

TIMELINE: Begin design within 3 months of available funding. 35% review (and 3% expenditure) 4 months from start; 65% review (and 5% expenditure) 9 months from start; construction begins 14 months from start (25% expenditure) construction completed 28 months from start (100% expenditure).

WHO WILL MAINTAIN AND OPERATE? JSD

GOAL OF PROJECT: Security and safety of district facilities.



Photo Credit: Oregon State University

MUNICIPAL COMPOSTING FACILITY DESIGN AND CONSTRUCTION

AMOUNT REQUESTED: \$4M

AMOUNT SECURED: \$2.5M Congressionally Directed Spending

TOTAL PROJECT COST: \$6.5M

PROJECT DESCRIPTION:

This project will design and construct a commercial-scale composting facility to serve Juneau residents, businesses and institutions. CBJ will have the capacity to accommodate large scale producers such as grocery stores, and large restaurants and institutions (e.g., Bartlett Regional Hospital, CBJ, Juneau School District and Lemon Creek Prison) getting this waste out of both the sewers and the landfill. It is CBJ's intention to own the facility, but contract out the operations. In 2023 applied for a composting and zero waste grant through the Environmental Protection Agency for phase two of the project.

TIMELINE: CBJ will issue a request for proposals for site development, planning and design in FY23. Once funding is secured, 2 year design and construction timeline.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Divert waste from the local landfill as part of a broader Zero Waste initiative in order to extend the life of the landfill.



AURORA HARBOR REBUILD—PHASE IV

AMOUNT REQUESTED: \$1M

TOTAL PROJECT COST: \$11.5M

PROJECT DESCRIPTION:

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

PUBLIC PROCESS:

The project has been through a long term planning process with community outreach. It is the 4th phase of the larger reconstruction plans. Docks & Harbors has submitted a \$5M ADOT Harbor Facilities grant for FY25 Legislative consideration. If successful it will be locally matched with \$5M and nearly complete the rebuild of Aurora Harbor.

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

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Replace critical infrastructure and support maritime economy.



Photo Credit: Cathy Mahnke

AUKE BAY NEW BREAKWATER

AMOUNT REQUESTED: \$5M

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

PROJECT DESCRIPTION:

The requested funding would allow for the preliminary planning and design phases, including permit acquisition. This opens the opportunity for the construction of a new breakwater at the end of the Statter Harbor. The current facility has reached it's useful life and needs to be replaced. The new facility would allow for more moorage and provide economic stimulus to the community. CBJ would be the local sponsor for the US Army Corps of Engineers, who is federally responsible for the feasibility analysis, design and construction of the breakwater. Local match is required under federal law and is available through Docks & Harbors. Senator Murkowski has added \$500K as CDS in the FY24 appropriation bill and is awaiting Congressional action.

PUBLIC PROCESS: Identified as a Legislative Priority for FY2023

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

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Increase moorage and recapitalization of aging infrastructure.



WATERFRONT JUNEAU DOUGLAS CITY MUSEUM

AMOUNT REQUESTED: \$2M

AMOUNT SECURED: \$2M CBJ Voter Approved Sales Tax

TOTAL PROJECT COST: \$12M

PROJECT TYPE: Planning & Design

PROJECT DESCRIPTION:

This project will construct a new museum on the waterfront to house art and other local collections. The museum will leverage its waterfront location to become a destination for visitors and locals. It will also free up the current museum adjacent to the State Capitol for expansion of the Capitol campus.

PUBLIC PROCESS: Identified as Legislative Priority in FY2023

TIMELINE: Once funding is secured, 2-3 year design and construction timeline.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Grow the arts in Juneau and expand the Capitol campus.



NORTH DOUGLAS BOAT RAMP EXPANSION

AMOUNT REQUESTED: \$250,000

TOTAL PROJECT COST: \$20M

PROJECT DESCRIPTION:

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

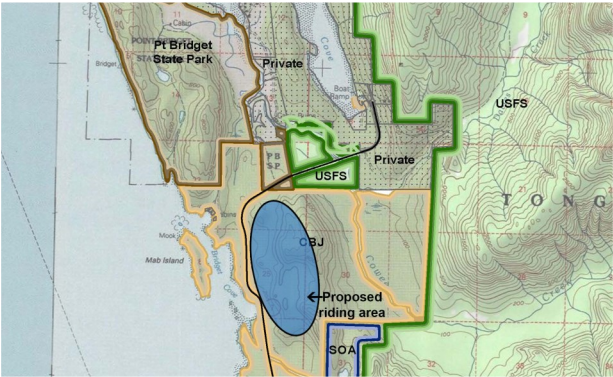
PUBLIC PROCESS: Docks and Harbors has solicited public input on the concept.

TIMELINE:

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

WHO WILL MAINTAIN AND OPERATE? CBJ

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



OFF-ROAD VEHICLE (ORV) PARK DEVELOPMENT

AMOUNT REQUESTED: \$5.7M

AMOUNT SECURED: \$300,000

TOTAL PROJECT COST: \$6M

PROJECT DESCRIPTION & UPDATE:

This project will address longstanding and unmet demand for sustainable off-road vehicle (ORV) recreation. This project will help meet demand for ORV recreation, provide a venue for training opportunities, reduce damage to sensitive habitats elsewhere, and reduce user conflicts.

PUBLIC PROCESS: A multi-year public process has been completed and design, permitting, and development of the 35-Mile ORV Riding Park is underway. This process includes stakeholders such as the Juneau Off-Road Association (JORA), Trail Mix, Inc., conservation organizations, and citizen advisory boards.

TIMELINE: Once required permits and funding is secured, 3 year design and construction timeline. More detailed project information available at <https://juneau.org/parks-recreation/project-list/entry/81872>.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: To meet growing demand for off-road vehicle recreation, avoid user conflicts, reduce ongoing damage to sensitive resources and landscapes, and stimulate economic activity by creating new opportunities for outdoor recreation that do not currently exist in Juneau.



WEST DOUGLAS EXTENSION

AMOUNT REQUESTED: \$4M

TOTAL PROJECT COST: \$7.5M

PROJECT DESCRIPTION:

This project will continue construction of the gravel surface pioneer road from near the current end of the Douglas Highway to Hilda Point. The road will promote development, increase opportunities for recreational access to public lands, and enable closer access to new growth development areas that are identified in the CBJ Comprehensive Plan. Road access will assist land owners in their on-the-ground investigations required for formulating future development plans.

PUBLIC PROCESS:

West Douglas Roadway corridor alignment has been approved by Assembly and Planning Commission. This project has been identified as priority 'New Growth Area' by CBJ Comprehensive Plan and West Douglas Conceptual Plan.

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

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: Support long-term development.



JACKIE RENNINGER PARK DEVELOPMENT & PIPELINE SKATE PARK IMPROVEMENTS

AMOUNT REQUESTED: \$4M

TOTAL PROJECT COST: \$4,075,000

AMOUNT SECURED: \$75,000

PROJECT DESCRIPTION:

This project will implement the master plan for Jackie Renninger Memorial Park, providing much needed access to outdoor recreation and open space for Juneau’s most underserved neighborhoods. This 4.6-acre parcel is home to the Pipeline Skate Park and a small public restroom. This project would ensure the surrounding neighborhood has convenient and safe access to a playground.

PUBLIC PROCESS:

In 2022 the Assembly appropriated funding to develop a master plan for Jackie Renninger Park which will be completed by the end of 2023. This process will result in a conceptual design that will be fully developed in a subsequent design phase.

TIMELINE: Once funding is secured, within 2 years of start date

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: To provide access to parks and outdoor recreation services for Juneau’s most underserved neighborhood.



BARTLETT AURORA BEHAVIORAL HEALTH CENTER

AMOUNT REQUESTED: \$4M

TOTAL PROJECT COST: \$17.75M

PROJECT DESCRIPTION:

The requested funding would partially mitigate construction inflation and associated costs Bartlett is absorbing for the project. The Center will provide much needed outpatient psychiatric service, crisis and community intervention and applied behavior analysis. In addition, it will house a new service to the community, crisis observation and stabilization with a total of 7 beds. The crisis center will be used by people in need across Southeast Alaska, and potentially statewide. The Aurora Behavioral Health Center will provide service based on the Crisis Now model which uses community based options to address long-term services for individuals who may be experiencing a behavioral health crisis in conjunction with other medical conditions complicating care.

PUBLIC PROCESS:

This project was identified as a priority in the master plan for the Bartlett Campus and been through many public meetings as it has made its way through planning, design and construction.

TIMELINE: Construction is scheduled to be complete in October of 2023.

WHO WILL MAINTAIN AND OPERATE? CBJ

GOAL OF PROJECT: The Behavioral Health Center will provide patients from Juneau and other Alaskan communities with expanded opportunities to receive mental health care closer to home in a modern fit-for-purpose facility.

APPENDIX

EVERYTHING YOU ALWAYS WANTED TO KNOW ABOUT THE CBJ LEGISLATIVE CAPITAL PRIORITIES LIST

by Katie Koester, Engineering and Public Works Director

Q: What are the Legislative Capital Priorities?

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

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

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

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

CBJ's "short list" of Legislative Priorities should have a limited number of projects on it. An attempt is made to phase projects so that funding requests range in size depending on available funds and objective. For the State Legislature, project descriptions are inputted into an online system lawmakers use to prioritize funding requests (CAPSIS). These are due in February.

Federal priorities are also solicited by the delegation through an online platform. The Assembly will designate projects that have a nexus with federal funding opportunities for submission to the delegation through the Legislative Priority process.

Q: What is a capital project?

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

Q: Is the Legislative Capital Priorities list just "wish list," and if so, what's the point of writing up a "wish list"?

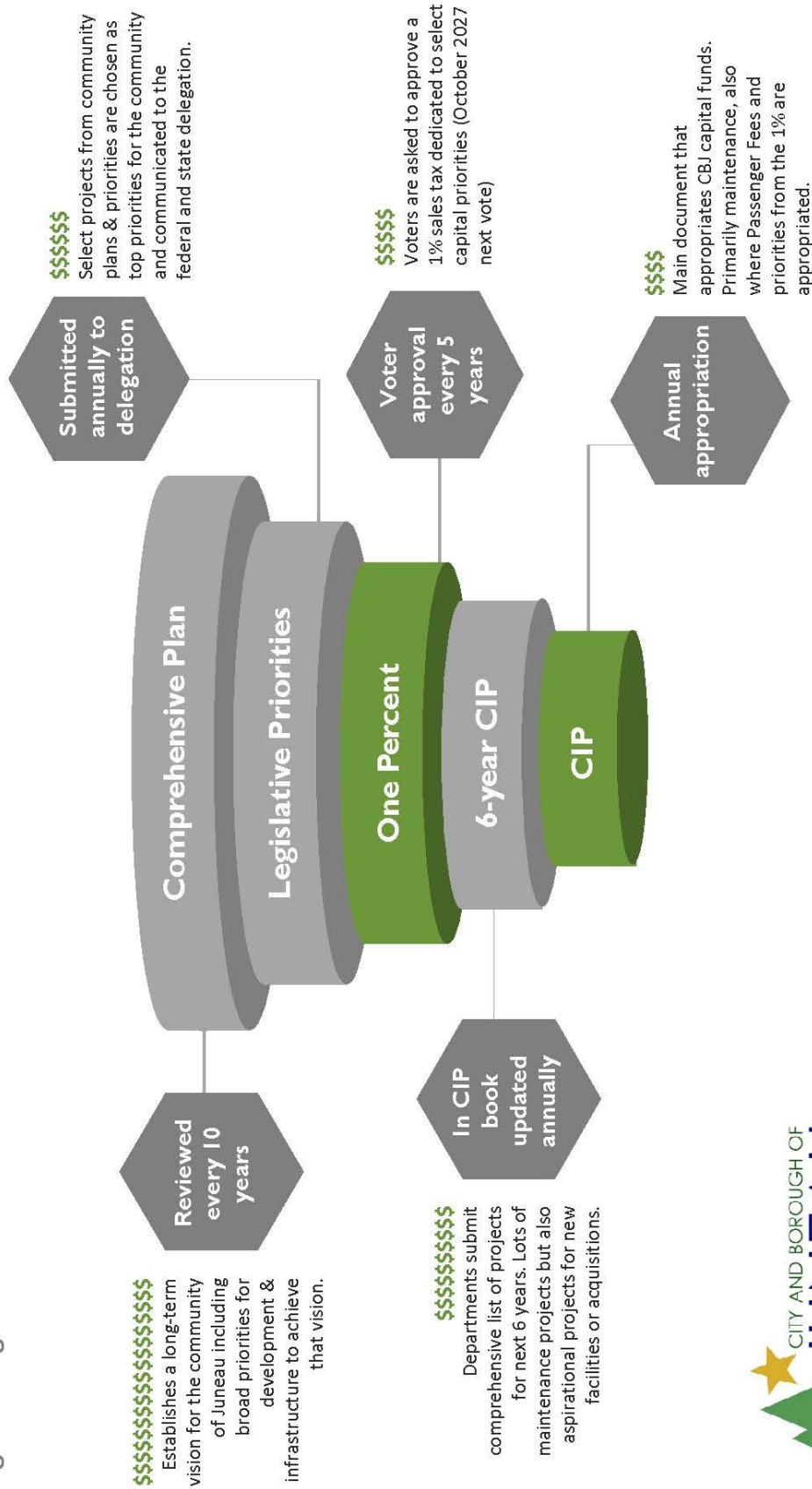
A: The Legislative Priorities list does include projects that are aspirational, and as such may have items that are so large or expensive, that it is hard to imagine completion in the near future. However, articulating these priorities helps guide the Assembly and the community through small steps that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

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

APPENDIX

CBJ Lists, Plans and Priorities

How do the many CBJ lists of projects, plans and priorities relate to each other? This diagram shows how each document informs the one below it. The dollar signs represents the general volume of funds needed, but only the green rings are lists that come with the commitment of actual dollars.



2023 LAUNCH RAMP SURVEY

ACTION ITEMS

- Better identify tie down and make-ready lanes.
- Develop a rack card or tri-fold pamphlet with launch rules, etiquette, and bathymetry.
- Develop a quick tutorial video on launch ramp use.
- Continue to designate lanes at Statter ramp for put-in and take-out on busy days. Consider installing permanent signage or electronic signage. Have staff on-site during peak use periods.
- Work more closely with tour providers at North Douglas to ensure their operations don't interfere with launch ramp operations.
- Install life rings and safety ladders on boarding floats.
- Modernize the parking management system at Statter Harbor ramp.
- Collaborate with TSI to explore options for public outreach on the possibility of extending the Amalga Harbor boarding float.
- Consider improvements to Echo Cove, including installation of boarding float.



Port of Juneau

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

From: Port Director
To: City & Borough of Juneau Assembly
Via: (1) Docks & Harbors Board
(2) City Manager
Date: ~~October~~ November xxth, 2023
Re: Title 85 - Clarification

1. Docks & Harbors respectfully requests clarification to proposed Title 85 changes pertaining to roles and responsibilities of the Board of Directors. Above all, it is Docks & Harbors desire to meet the expectations and goals set by the Assembly. After two presentations by the outgoing CBJ Manager at Board meetings, the proposed language in the enclosure was provided on September 29th. Specifically, this memo offers bulletized commentary to his recommended changes.

(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 assembly by resolution. The Board shall additionally be responsible for the day to day operation and maintenance of the municipal cruise ship docks, but not for rate 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.

- Codifying the Docks Enterprise responsibilities for day-to-day operations and maintenance CBJ owned docks may be appropriate; however, this is already accomplished without such language.
- Removing reference to “rate setting” is incongruent to managing operations & maintenance facilities. All rates must go through the Assembly for ratification; therefore, rate setting is only a recommendation from the Board. It would seem Board input to the Assembly regarding maintaining facilities would be appropriate, even if it is in an advisory role.
- Docks & Harbors has never scheduled cruise ships; therefore, prohibiting an activity in which there are no plans to execute seems extraneous.
- Language which removes Docks & Harbors scheduling/policy/issues responsibilities in mitigation of impact of tours may have unintended consequences. Docks & Harbors expends significant resources managing downtown and Statter Harbor parking lots, as well as deconflicting tour excursions from local users at Statter Harbor, North Douglas Boat Launch and Wayside Park float.

(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 85.02.060 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.

- Docks & Harbors Board already provides the proposed and amended budget by the last Thursday in January via the established Finance Department processes.
- If the intent of this change is to remove all Docks Enterprise budget responsibilities from the Board and into the general fund (municipal budget), this would imply that the Docks is no longer an empowered enterprise. Would this be the intent of this change?

85.02.065 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 as authorized in advance by the assembly by ordinance or resolution.~~

- By removing a paragraph entitled “Limitations on authority”, one could interpret this as providing more authority than what the Assembly wishes the Board to exercise.
- This paragraph places boundary conditions on what the Board may commit to and only with written authority from the Assembly. This appears to be a sound policy.
- It is unclear whether the intent of this extraction signals that the Board should not be involved in the Harbor Enterprise capital improvement plans.
- It is unclear to whether the removal of long range port development [sic] is suggesting the Board should not be engaged in the Long Range Waterfront Plan and/or including planning efforts along the Borough managed tide lands.

85.02.090 Duties and responsibilities of port director.

~~(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.~~

- Reviewing the proposed language and bulletized comments from 85.02.060(a)(1) above, this change only adds confusion. This paragraph only speaks to the responsibilities of the Docks & Harbor Board, not the Port Director’s role.
- The current Port Director, although not agreeing 100% with the three previous City Managers, has always taken direction from that position. Broadly speaking, if CBJ has a Port Director unwilling to take direction from the City Manager, then the wrong individual is the Port Director.
- The Port Director already works for 18 individuals, adding a 19th is not a lift.

2. It appears that the draft language encourages distancing the Docks & Harbors Board from issues related to the large downtown cruise ship docks. As a practical matter, Docks & Harbor recognizes its role to provide infrastructure and to improve operational efficiencies whether at the cruise ship docks, harbors or boat launches. Policy questions regarding the impact of the cruise industry has never been asked of Docks & Harbors. For instance, the Port Director was not included in the deliberations of the CLIA lawsuit, in the participation in the VIFT nor in the negotiations with the industry on port agreements, such as the five ship limit. Docks & Harbors Board and Staff are capable and willing to assist in any capacity directed. The tone of the recommended changes, in many ways, implies “don’t do something that you’re not already doing”. A better approach may be to maximize the efforts of the volunteer Board of nine individuals by leveraging their talents, knowledge and abilities, even if it is in the role of advisory. As an example, the Board has been consistent for many years that CBJ is exposed to unnecessary legal risk without a contiguous safety railing along the downtown Seawalk. The Board articulating this position adds a creditable voice to the maritime needs of the Juneau community. The decision to fund a project still remains with the elected Assembly.
3. Should the Assembly wish to entertain changes to ordinance on tourism policy, the following may want to be considered:

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. The board shall carry out its charge for matters pertaining to the harbors enterprise with vigor and resolve; and to the docks enterprise, as an advisory body to the assembly. In particular, and ~~without~~ limitation on the foregoing, the board shall:

4. Docks & Harbors Board recommends ~~scheduling discussion~~ at the joint meeting with the Assembly to better delineate ~~the potential~~ solutions to the identified problem statement. It is Docks & Harbors vision to work with all patrons, customers, stakeholders and elected officials to enact our mission statement: *Develop and provide opportunities, services and facilities to support marine related commerce, industry, fisheries, recreation and visitors.* Docks & Harbors wishes to expand the dialogue to mitigate potential unintended damage in the management, planning and operations of CBJ facilities covered under the proposed ordinance change.

#

TITLE 85 WATERS AND HARBORS¹

Chapter 85.02 DOCKS AND HARBORS BOARD²

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 assembly by resolution. The Board shall additionally be responsible for the day to day operation and maintenance of the municipal cruise ship docks, but not for rate 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 85.02.060 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.
 - (32) Adopt pursuant to CBJ 01.60 and enforce regulations necessary for the administration of the facilities under its management.
 - (43) Prescribe the terms under which persons and vessels may use the facilities and shall establish and enforce standards of operation.
 - (54) (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

¹**Administrative Code of Regulations cross reference**—Docks and harbors, Part IV, Title 5.

Cross reference(s)—Boat harbor, CBJ Code § 03.30.052; building regulations, CBJ Code tit. 19; litter in lakes and fountains, CBJ Code § 36.30.060; land use, CBJ Code tit. 49; waterfront districts, CBJ Code § 49.25.250; wetlands management, CBJ Code § 49.70.1000 et seq.; recreation, parks and community centers, CBJ Code tit. 67; marine passenger fee, CBJ Code ch. 69.20.

²Charter reference(s)—Docks and harbors board, § 3.21.

State law reference(s)—Port facilities grants, § 30.15.010 et seq.; boat harbor, dike, jetty, and breakwater facilities, AS 35.10.090 et seq.

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

- (5) Administer and dispose of City and Borough tideland, submerged land, and other land as provided by the assembly, subject to the following limitations:
 - (A) No sale, purchase, or trade of land shall be made without prior review by the assembly lands, housing, and economic development committee and approval by the assembly.
 - (B) Unless otherwise designated in advance by the assembly, any lease of land shall be limited to marine-related uses, and those uses accessory to tenancy on the boat harbor or use of the port.
 - (C) All land transactions by the board in accordance with this section shall be consistent with the land management plan.
 - (i) Land shall be leased as provided in title 53, provided that the provisions of section 53.20.020 relating to a declaration of availability and identification in the land management plan shall not apply.
 - (ii) For purposes of applying title 53 pursuant to this subsection (C), any action required by title 53 of the manager may be performed by the port director.
- (6) Shall administer the design and construction of all capital improvements on lands managed by the docks and harbors board unless otherwise specified by the assembly by resolution. The board may propose capital improvement projects to and apply for funding from state and federal agencies; provided, that such requests shall be subject to prioritization by the assembly with other municipal capital improvement funding requests prior to application for funds. The board shall, no later than November 30 each year advise the assembly of its recommendations for capital improvements to be included in the six-year capital improvement plan prepared by the manager.
- (7) (A) Shall enter into memoranda of understanding and similar agreements with public agencies for port or harbor purposes. Notwithstanding chapter 53.50, the City and Borough Docks and Harbors Board may negotiate and enter into contracts for goods and services; provided, that all legal services shall be provided by, or under the supervision of, the City and Borough Attorney, and further provided that all purchases shall be consistent with the requirements set forth in CBJ 53.50. All services provided by a City and Borough agency other than the City and Borough Attorney shall be pursuant to a memorandum of understanding or other instrument providing for payment or such other settlement as the manager and the board may approve.
- (B) Contracts for public improvements and, whenever practicable, other purchase of supplies, materials, equipment, and services, except professional services and services of officers and employees of the municipality, shall be 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.

(b) *Private dock reservations.* The docks and harbors board is authorized to execute a reservation agreement for private docks with the following essential terms:

- (1) *Scope.* The docks and harbors department may manage reservations, including moorage services, for any privately owned docks within the City and Borough of Juneau.
- (2) *Priority.* Docks and harbors shall prioritize reservations at municipally owned facilities.
- (3) *Compensation.* Docks and harbors shall receive fair market value for its services, which shall be determined by the docks and harbors port director.
- (4) *Liability.* The City and Borough of Juneau is not assuming control, maintenance, or responsibility of any of private property, including, but not limited to, vessels using a private dock or private docks and associated facilities. The City and Borough of Juneau is not responsible for the inability to make a reservation, reservation disruptions, reservation changes, market fluctuations, or vessel relocations.
- (5) *Public records.* All records received by the docks and harbors department related to public-private agreements are public records and subject to the Alaska Public Records Act and CBIC 01.70.

(Serial No. 2004-03b, § 2, 3-9-2004; Serial No. 2006-06, § 4, 4-3-2006; Serial No. 2013-29, § 5, 1-6-2014, eff. 2-5-2014 ; Serial No. 2019-19, § 5, 7-22-2019, eff. 8-22-2019 ; Serial No. 2022-02, § 2, 2-7-2022, eff. 3-10-2022; Serial No. 2022-48(b) , § 3, 1-30-2023, eff. 3-2-2023)

85.02.065 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 as authorized in advance by the assembly by ordinance or resolution.~~

~~(Serial No. 2004-03b, § 2, 3-9-2004)~~

85.02.080 Port director designated; appointment.

The chief executive officer of the municipal port and harbors shall be the port director appointed by the City and Borough Docks and Harbors Board only upon the affirmative vote of a majority of the entire board. The port director serves at the pleasure of the board. For purposes of Chapter 44.05, the port director shall have the status of a department director. The board shall establish the compensation and benefits to be provided to the port director. Personnel actions regarding the port director, including hiring, evaluation, discipline, and termination, shall be after consultation with the city manager.

(Serial No. 2004-03b, § 2, 3-9-2004; Serial No. 2005-32(b), § 5, 10-10-2005)

85.02.090 Duties and responsibilities of port director.

- (a) The port director is responsible for the overall supervision and direction of the operation of the municipal port and harbors. The authority and duties of the port director shall include the following:
 - (1) To be responsible for carrying out all applicable laws, ordinances, rules and regulations.
 - (2) To be responsible for carrying out policies established by the board of directors.
 - (3) In consultation with the City and Borough Personnel Director and consistent with that utilized by other City and Borough departments, to prepare and submit a plan of organization and a job classification

plan for the personnel employed in the docks and harbors department to the docks and harbors board for approval.

- (4) To prepare an annual budget as required by City and Borough ordinance.
- (5) To select, employ, control and discharge all port and harbor employees and such other employees as the assembly by ordinance hereafter places under the supervision of the port director subject to the provisions of the City and Borough personnel ordinance.
- (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.

(Serial No. 2004-03b, § 2, 3-9-2004)

85.02.100 Schedule of fees and charges.

- (a) The board shall, by regulations adopted pursuant to CBJ 01.60, impose a schedule of fees and charges for use of ports and harbors, and facilities designated by the assembly by resolution.

(Serial No. 2004-03b, § 2, 3-9-2004)

Chapter 85.05 DEFINITIONS

85.05.010 Definitions.

Whenever the following words and terms are used in this title they shall have the meaning ascribed to them in this chapter, unless the context clearly indicates otherwise:

Aircraft means aircraft of every kind or description which is able to alight upon or take off from water.

Assembly means the assembly of the City and Borough.

Aurora Harbor means that area of tide and submerged lands south of Norway Point which was dredged and constructed as a boat basin by the United States Corps of Engineers in 1963 and 1964 together with its breakwater, jetty, dolphins, docks, wharves, floats, ramps, gridirons, utilities, approaches, and appurtenances.

Board and *board of directors* mean the docks and harbors board.

Boat harbor means all facilities and appurtenances of Harris Harbor, Aurora Harbor, the Douglas Harbor, and the Don D. Statter Harbor Facilities at Auke Bay, all additions and improvements thereto, and the waters of Harris Harbor, Aurora Harbor, the Douglas Harbor, the Don D. Statter Harbor Facilities at Auke Bay float and dock, the entrances and exits of Harris Harbor, Aurora Harbor, and the Douglas Harbor and municipal wharves.

Boats means all vessels, ships, boats, skiffs and watercraft of every kind and description, and aircraft using or present in the boat harbor. The essential element of a boat is that its purpose and use is navigation as a means of transportation.

City and Borough means the City and Borough of Juneau, Alaska.

Derelict means any boat moored or otherwise located in the boundaries of the Juneau boat harbor facilities which is forsaken, abandoned, deserted or cast away, or which by appearance gives evidence of being forsaken, abandoned, deserted or cast away, or which in the opinion of any recognized marine surveyor is unsound, unseaworthy and unfit for its trade or occupation and which by any substantial evidence of neglect may be considered abandoned.

Douglas Harbor means that area of tide and submerged lands located north of the Bureau of Mines jetty which was dredged and constructed as a boat basin by the United States Corps of Engineers in 1962 together with its breakwater, jetty, dolphins, docks, wharves, floats, ramps, gridirons, utilities, approaches, and appurtenances.

Finger floats means numbered or lettered floats attached and connected to the master floats. All floats, now or hereafter installed, whether or not so connected with master floats, shall be suitably identified.

Float means a nonfixed pier.

Harris Harbor means that area of tide and submerged lands located between the Juneau-Douglas bridge and the University of Alaska Southeast Marine Technology Center which was dredged and constructed as a boat harbor by the United States Corps of Engineers in 1940, together with its breakwaters, dolphins, docks, wharves, floats, ramps, gridirons, utilities, approaches and appurtenances.

Houseboat means a dwelling built upon a barge, log raft or similar floating structure, constructed for habitation, and for which no other reasonable use appears or can be demonstrated.

Imminent danger of sinking means any condition where the lack of, or the failure of a pump or of power to the pump would materially contribute to the sinking of the vessel within 24 hours of such failure.

Master floats means the main or master floats reached by ramps from the dock or wharf approaches. All master floats shall be suitably identified.

Municipal wharves means Douglas Wharf, Juneau Fishermen's Terminal, Ferry Dock Wharf, Juneau Cold Storage Wharf, and the Alaska Steamship Wharf.

Port means those facilities located on the downtown waterfront, including the ferry terminal and lightering docks, which are not included under the term "boat harbor" and which are used for commercial purposes related to marine shipping, transportation, and tourism.

Port director means the duly appointed port director of the City and Borough.

The Don D. Statter Harbor Facilities at Auke Bay float and dock means those certain float and all facilities and appurtenances thereto, leased from the state, which are located in Auke Bay.

Transient vessel means any boat or vessel with a home port outside the City and Borough which has not occupied rented mooring space for more than 150 days.

(CBJ Code 1970, § 85.05.010; Serial No. 71-44, § 4, 1971; Serial No. 95-05am, § 5, 1995)

Cross reference(s)—Definitions generally, CBJ Code § 01.15.010.



Port of Juneau

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

From: Port Director
To: Assembly
Thru: (1) Docks & Harbor Board
 (2) City Manager
Date: November 30th, 2023
Re: FY2023 Review - Docks & Harbors Operations

1. In accordance with 85.02.045, *Docks and Harbors Board shall, no later than November 30th each year, provide the assembly with a written review of docks and harbors department operations during the preceding fiscal year. The review shall include fee schedules, revenues by source, operating expenditures, customers served, and any recommended amendments to the Downtown Waterfront Development Plan.* The Docks & Harbors Board reviewed this letter at its November 30th meeting.
2. The FY23 end of year financial report each Enterprise is operating with positive cash flow. As of FY22 end, the Docks Enterprise running a \$130,200 deficit.

End of FY22	Harbor Enterprise	Docks Enterprise
Revenue	\$4,911,500	\$1,642,500
Expenditure	\$3,988,600	\$1,772,700
Debt Service	\$665,900	none
FY23 Net	\$914,936.24	\$716,985.24
CIP Transfer	\$750,000	none
Fund Balance ^{1, 2}	\$1,998,736.24	\$1,687,800

Graphic representation of historic Port Enterprise and Harbor Enterprise budgetary information is provided in enclosure (1). As a reference point, Docks & Harbors manages nearly \$400M in capital assets throughout its infrastructure portfolio.

The CY23 cruise ship season was a record year with 1,646,862 passengers arriving to Juneau. This was a 29% increase over the prior year.

¹ Does not include \$791,271 of Bond Reserve

² Fund Balances as of 11/15/2022 are estimates and have not been finalized by Finance Department

Cruise ship passenger counts

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Large Cruise Ships ³	940,447	944,239	965,731	992,092	1,046,587	1,118,897	1,273,741	0	114,114	1,167,194	1,638,902
Small Cruise Ships	5,459	10,216	11,426	8,727	8,658	9,729	10,112	36	7,263	8,549	7,960
Total	945,906	954,455	977,157	1,000,819	1,055,245	1,128,626	1,283,857	36	121,377	1,175,743	1,646,862

3. The fee schedule, as required under 85.02.045 for FY24, is attached as enclosure (2). After Docks & Harbors held outreach patron meetings and the requisite public hearing, the Assembly approved amendments to twenty-six regulations relating to fees on November 6th, 2023. Each of these fees will be increased 9% effective January 2024, with the exception of small boat harbor moorage which will be phased-in 3%, 3% and 2.8% over consecutive new calendar years.
4. Docks & Harbors has been engaged in several capital improvement projects in FY23.
 - a. Statter Harbor Phase III (For Hire Commercial Float and associated uplands). A contract was awarded to Dawson Construction for \$1.5M to construct restrooms (men/women/family) and covered shelter in the Statter Harbor bus staging area which was completed in June. The men and women bathrooms will be secured for the winter but the family bathroom will remain open year-round.
 - b. Marine Park Deckover. CBJ Engineering completed the design efforts and then transferred the bidding/construction management to Docks & Harbors for execution. In April, this \$2.5M project was successfully completed by Trucano Construction on time and on budget.
 - c. Aurora Phase III. After securing a \$2M matching ADOT Municipal Harbor Grant in 2022, Docks & Harbors awarded a \$4.25M contract to Trucano Construction in April. Construction of “H Float” for sixty-foot vessel slips and transient moorage will be completed by June 2024.
 - d. Aurora Phase IV. The 2022 1% Sales Tax Initiative has provided Docks & Harbors with \$5M available in local matching funds to compete for the current year ADOT Harbor Grant funding. If the grant funding is approved by the Legislature and Governor, Aurora IV could be awarded in fall 2024.
 - e. Docks & Harbors continues to work closely with AELP to advance Assembly goals to electrify the CBJ owned cruise ship docks. As a prerequisite to , AELP has received the authority to proceed with purchasing the necessary infrastructure to upgrade the load tap changer transformer to the Franklin Dock Substation. A status update to the Assembly was provided in an August 31st memo.
5. In May 2023, Docks & Harbors submitted a FY23 MARAD (US Maritime Administration) Port Infrastructure Development Program (PIDP) grant for \$11.25M to construct an Aurora Harbor drive down float similar to the one at the Auke Bay Loading Facility (ABLF). Local match was not required for this grant application; however, the Docks & Harbors Board committed \$500K to supplement our submission. Though the application was strong, we were notified in October that we were unsuccessful.
6. CBJ tideland property, managed by Docks & Harbors, was sold to Hansen-Gress with a closing date of October 31st for \$118,500. This 4,177 sf parcel was leased to the building owner (formerly Juneau Electronics). The sale was required to allow Hansen-Gress to complete an exterior renovation project.
7. In June, CBJ completed negotiations with UAS/UA Lands Director to secure the leased waterfront property from UAS between Harris and Aurora Harbors, commonly referred as Juneau Fisheries Terminal. The new lease rent for the 2.8 acre property is \$100,000 annually. The appraised fair market value for this lease property would be \$230K annually. In consideration for the lower lease rent, CBJ agreed to provide

³ Revenue producing cruise ship passenger data only which is less than the total passenger embarkation

educational benefits including services provided by Docks & Harbors, Parks & Recreation, Transit and Eaglecrest.

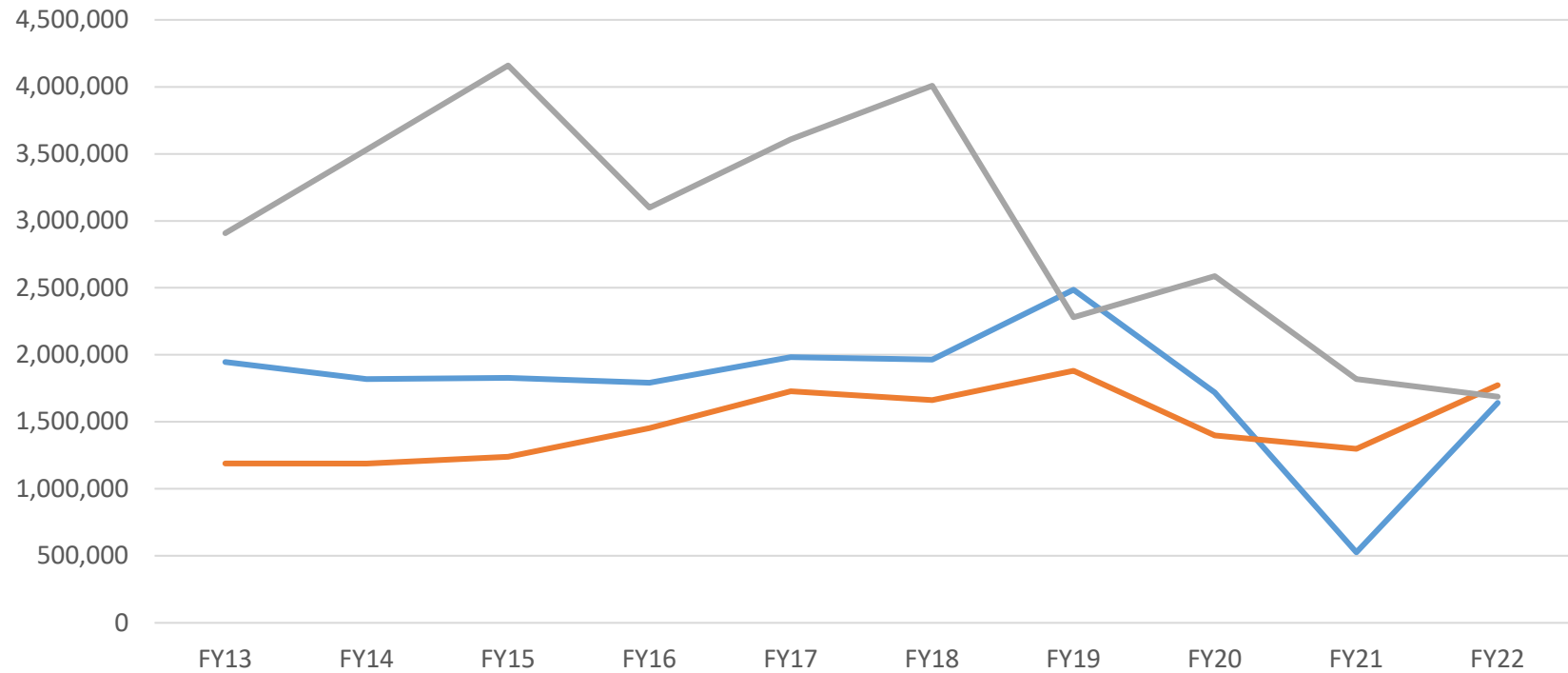
8. Although not required under code, Docks & Harbors has completed installation of self-rescue ladders at each of its four harbors. At the request of harbor patrons, Docks & Harbors will be installing a security gate into Harris Harbor and adding security parking lot lights at Douglas Harbor.
9. Docks & Harbors is most appreciative of support from the Assembly, especially support for the 9% rate increase. The Assembly's commitment will enable Docks & Harbors to continue to prosper with needed infrastructure improvements as well as keeping future rate increases to a modest level.

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Encl:

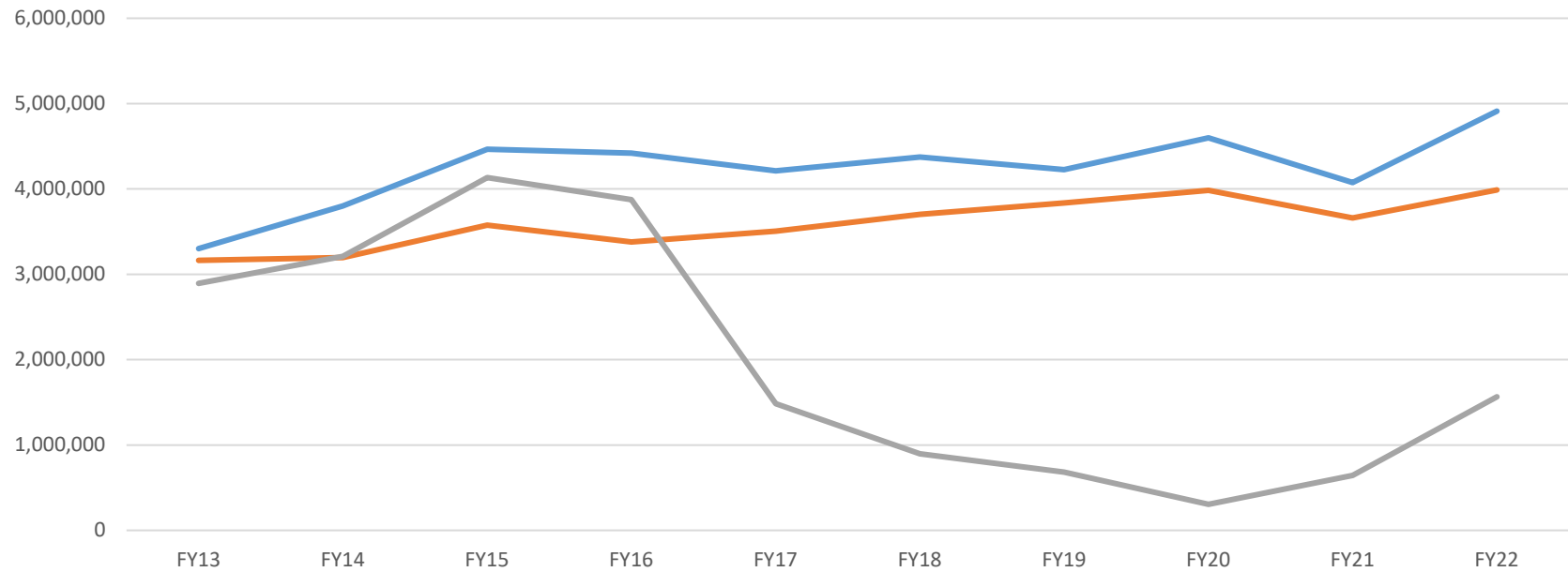
- (1) Budgetary Graphs (Docks Enterprise & Harbors Enterprise)
- (2) FY2023 & FY2024 Fee Schedule

Docks Overview



	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22
Docks Actual Revenue	1,946,900	1,820,000	1,828,400	1,792,800	1,983,100	1,964,484	2,485,900	1,718,800	526,000	1,642,500
Docks Actual Expense	1,189,800	1,188,500	1,238,600	1,454,100	1,727,600	1,663,167	1,881,100	1,399,100	1,297,800	1,772,700
Docks Fund Balance	2,907,240	3,531,061	4,159,525	3,098,254	3,609,037	4,009,076	2,279,623	2,586,600	1,818,000	1,687,800

Harbor Overview



	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22
Harbors Actual Revenue	3,301,200	3,800,400	4,466,300	4,418,400	4,213,000	4,374,735	4,227,700	4,597,600	4,076,700	4,911,500
Harbors Actual Expense	3,163,500	3,195,000	3,574,700	3,380,634	3,507,112	3,702,155	3,834,900	3,983,100	3,661,100	3,988,600
Harbors Fund Balance	2,893,416	3,210,757	4,133,190	3,874,843	1,485,483	895,149	682,000	305,000	642,500	1,565,400



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

Section G, Item 6.

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) Annual (July 1 – June 30)	5% discount on 6-month advance payment 10% discount on 12-month advanced payment	5% discount on 6-month advance payment 10% discount on 12-month advance payment
Intermediate Vessel Float and Port Field Office Float		
Daily (Oct 1 – Apr. 30)	61¢ per foot	66¢ per foot
Monthly (Oct 1 – Apr. 30)	\$4.60 per foot	\$4.97 per foot

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) Annual (July 1 – June 30)	5% discount on 6-month advance payment 10% discount on 12-month advanced payment	5% discount on 6-month advance payment 10% discount on 12-month advance payment

INTERMEDIATE VESSEL FLOAT (IVF)/STATTER HARBOR BREAKWATER RESERVATIONS		
	Effective thru March 31, 2023	Effective April 1, 2023
Reservations (May 1 – Sept 30)	Fishing Vessels \$1.50	\$1.62 per foot per day
	Other Vessels <65' \$3.00	\$3.24 per foot per day
	Other Vessels ≥ 65' \$5.00	\$5.40 per foot per day
	Other Vessels ≥200' \$3.00	\$3.24 per foot per day

Residence Surcharge

Effective July 1, 2023

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
 - Rates subject to be adjusted by CPI annually

Launch Ramp Rates

Section G, Item 6.

Effective July 1, 2023

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)	\$6.80
30 amp (120V, 1 phase)	\$10.20
50 amp (208V, 1 phase)	\$28.35
100 amp (208V, 3 phase)	\$97.52
100 amp (480V, 3 phase)	\$224.52

Connection Type	Summer Liveaboard Monthly	Summer Non-Liveaboard Monthly
20 and 30 amp	\$102.06	\$61.24
50 amp	\$204.11	\$122.47
100 amp/208 volt	\$476.27	\$285.76

Connection Type	Winter Liveaboard Monthly	Winter Non-Liveaboard Monthly
20 amp	\$136.08	\$81.65
30 amp	\$183.38	\$108.86
50 amp	\$340.19	\$204.11
100 amp/208 volt	\$816.46	\$476.27

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



DOCKS & HARBORS

Section G, Item 6.

155 Heritage Way
Juneau, AK 99801
(907) 586-5255 tel
(907) 586-2507 fax
www.juneau.org/harbors

FY24 Moorage Rates

DOUGLAS, HARRIS AND AURORA HARBORS		
	Effective thru December 31, 2023	Effective January 1, 2024
Skiff	\$340.19 per calendar year	\$370.81 per calendar year
Daily	66¢ per foot	.72¢ per foot
Calendar Month	\$4.97 per foot	\$5.12 per foot
Bi-Annual (July 1 – Dec 31) & (Jan 1 – June 30) Annual (July 1 – June 30)	5% discount on 6-month advance payment 10% discount on 12-month advanced payment	5% discount on 6-month advance payment 10% discount on 12-month advance payment
Intermediate Vessel Float and Port Field Office Float		
Daily (Oct 1 – Apr. 30)	66¢ per foot	.72¢ per foot
Monthly (Oct 1 – Apr. 30)	\$4.97 per foot	\$5.25 per foot

STATTER HARBOR		
	Effective thru December 31, 2023	Effective January 1, 2024
Skiff	\$340.19 per calendar year	\$370.81 per calendar year
Daily	66¢ per foot	.72¢ per foot
Calendar Month	\$8.28 per foot	\$8.53 per foot
Bi-Annual (July 1 – Dec 31) & (Jan 1 – June 30) Annual (July 1 – June 30)	5% discount on 6-month advance payment 10% discount on 12-month advanced payment	5% discount on 6-month advance payment 10% discount on 12-month advance payment

INTERMEDIATE VESSEL FLOAT (IVF)/STATTER HARBOR BREAKWATER RESERVATIONS		
	Effective thru December 31, 2023	Effective January 1, 2024
Reservations (May 1 – Sept 30)	Fishing Vessels \$1.62 Other Vessels <65' \$3.24 Other Vessels ≥ 65' \$5.40 Other Vessels ≥200' \$3.24	\$1.77 per foot per day \$3.53 per foot per day \$5.89 per foot per day \$3.53 per foot per day

Residence Surcharge

Effective January 1, 2024

Per Month	\$85.28 + \$28.43/person above four persons	
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- A 5% City & Borough of Juneau sales tax may apply to all fees
 - Rates subject to be adjusted by CPI annually

Launch Ramp Rates

Section G, Item 6.

Effective January 1, 2024

Recreational – Calendar Year (includes Kayaks) Matching registrations are required to obtain two additional permits. Please see 05 CBJAC 20.060 – Recreational Boat Launch Fees.	\$111.25 \$5 per additional permit
Recreational – Day	\$18.53
Commercial – Calendar Year	\$309.00 per trailer
Commercial – Day	\$37.08
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)	\$7.41
30 amp (120V, 1 phase)	\$11.29
50 amp (208V, 1 phase)	\$30.90
100 amp (208V, 3 phase)	\$106.30
100 amp (480V, 3 phase)	\$244.73

Connection Type	Summer Liveaboard Monthly	Summer Non-Liveaboard Monthly
20 and 30 amp	\$112.25	\$66.75
50 amp	\$244.73	\$133.49
100 amp/208 volt	\$519.13	\$311.48
100 amp/480 volt	\$1,223.67	\$726.78

Connection Type	Winter Liveaboard Monthly	Winter Non-Liveaboard Monthly
20 amp	\$148.33	\$89.00
30 amp	\$199.88	\$118.66
50 amp	\$370.81	\$222.48
100 amp/208 volt	\$889.94	\$519.13
100 amp/480 volt	\$2,076.53	\$1,201.42

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: \$1.24 per foot per day)
Please make Grid reservation at Aurora Harbor Office



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WAYSIDE PARK FLOAT INSPECTION
CITY AND BOROUGH OF JUNEAU, HARBOR MAINTENANCE
Juneau, Alaska



Submitted To:



City & Borough of Juneau
Docks & Harbors
76 Egan Drive
Juneau, Alaska 99801
907-586-0398

Submitted By:

Global Diving & Salvage Inc.
5304 Eielson Street
Anchorage, AK 99518
907-563-9060

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2.1 Work Location and Operating Conditions	4
2.2 General Float Conditions	5
2.3 Noted Damage Areas	5

1. INTRODUCTION

On September 27, 2023, Global Diving & Salvage mobilized a four-man dive team onboard the DSV "Ashley T", from our dock facility in Auke Bay, Alaska. A shallow air diving system with a digital underwater video recording system and specialized tooling were setup on the Ashley T to complete the scope of work as listed below. All work was completed by request per the current, Harbor Maintenance Term Contract.

SCOPE OF WORK

- Inspection of the underside of the Wayside Park Float, focusing on damage to the exposed flotation billets and glulam structural members.
 - Inspection was made in coordination with PND Engineers, Inc. who observed the video feed from the diver and directed the diver to examine certain areas of the float more closely.
- Provide a list of deficiencies noted, as well as the dive videos with audio in electronic format.

All diving activities were performed in accordance with the following regulations and industry guidance publications. Global personnel and their subcontractors follow the strictest requirement on the work site.

- Occupational Safety and Health Administration (OSHA) Construction Industry Standards, 29 CFR 1926
- Occupational Safety and Health Administration (OSHA) General Industry Standards, 29 CFR 1910
- Occupational Safety and Health Administration (OSHA) Commercial Diving Standards 29 CFR Part 1910, and Subpart T
- Occupational Safety and Health Administration (OSHA) Hazardous Waste Operations and Emergency Response, 29 CFR 1926.65 or 29 CFR 1910.120
- United States Coast Guard (USCG), 46 CFR 197, Subpart B
- ADCI (Association of Diving Contractors International), Industry Standards, 6th Edition

Prior to beginning diving operations, an onsite safety meeting was held to familiarize the crew with the scope of work and any hazards that may exist. The crew boat schedule for the day was noted along with potential weather hazards.

2. GENERAL FLOAT CONDITIONS

2.1 Work Location and Operating Conditions

The Wayside Park Float is a marine structure near Twin Lakes in Juneau, Alaska just southeast of Salmon Creek. A 120'x 20' floating dock, bridged to shore by a long walkway. The float grounds at minus tides, which required the dive operations to be conducted at high tide only.



Image 1 - Facility Layout

Weather conditions during the inspection were overcast with light veritable winds, and calm water in the area of the inspection. Due to the recent continuous rain, visibility was affected by a surface layer of fresh and saltwater 'brine' mix

which produces a layer of water that is milky and fuzzy to see through, additionally run off from shore added to the suspended particulars, limiting visibility during the inspection to 1 to 3 feet of water.

2.2 General Float Conditions

The float appears to be in very good overall condition. With the exception of the inshore wailer just to the south of the drive down ramp, the structure of the dock was found true to design. All of the inspected hardware was found to be in satisfactory condition with a locking nut secured. The float does appear to have a bow in it. The middle of the float bows up to 8" higher in the center than at the ends north and south. None of the hardware was found missing or broken.

No discrepancies were found between the plans provided by PND Engineer representative and the diver.



Figure 1 – Typical perimeter hardware, good condition and tight.

2.3 Noted Damage Areas

As previously stated, the float does appear to have a bow in the center. The diver inspection the joint at the intersection just to the south of the drive down ramp float, where it connects with the parent float. Cracks were located up to 8 feet in length in the parent float wailer beam. The cracks coincide with the engineer's belief that the float sat down in the southeast corner and caused stress fractures in the support. All of the hardware in this location appears to be intact and, with the exception of light surface corrosion, true to design. At the time of this survey there appears to be no sign of immediate structural failure.



Image 2 – Inshore connection to bridge cracks located at diver's hand and below.

The dock is secured in position by four dolphin-piling locations. The pile hoops securing the dock appear as designed, however the pads are heavily worn and should be replaced before they fail causing the steel hoops and piling interact directly. The wear pads are below 40% remaining and will start to see failure soon, causing metal-to-metal contact. These should be repaired, and if possible repaired with in kind materials.



Image 3 – Standard piling hoop, corrosion and deflection noted



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**CONCRETE FLOAT BREAKWATER INSPECTION
CITY AND BOROUGH OF JUNEAU, HARBOR MAINTENANCE**
Juneau, Alaska



Submitted To:



City & Borough of Juneau
Docks & Harbors
76 Egan Drive
Juneau, Alaska 99801
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1. INTRODUCTION

On September 27, 2023, Global Diving & Salvage mobilized a four-man dive team onboard the DSV "Ashley T", from our dock facility in Auke Bay, Alaska. A shallow air diving system with a digital underwater video recording system and specialized tooling were setup on the Ashley T to complete the scope of work as listed below. All work was completed by request per the current, Harbor Maintenance Term Contract.

SCOPE OF WORK

- Inspection of a concrete breakwater previously owned by the USCG, to support consideration of purchase by City of Juneau Docks and Harbors group.
 - Inspection was made in coordination with PND Engineers, Inc. who observed the video feed from the diver and directed the diver to examine certain areas of the float more closely.
- Provide a list of deficiencies noted, as well as the dive videos with audio in electronic format.

The inspection was considered a general assessment swim through. No non-destructive testing was performed during this inspection. The diver swam the perimeter of the float, paying particular attention to the chamfered edges, and where the mooring chain goes through the structure.

All diving activities were performed in accordance with the following regulations and industry guidance publications. Global personnel and their subcontractors follow the strictest requirement on the work site.

- Occupational Safety and Health Administration (OSHA) Construction Industry Standards, 29 CFR 1926
- Occupational Safety and Health Administration (OSHA) General Industry Standards, 29 CFR 1910
- Occupational Safety and Health Administration (OSHA) Commercial Diving Standards 29 CFR Part 1910, and Subpart T
- Occupational Safety and Health Administration (OSHA) Hazardous Waste Operations and Emergency Response, 29 CFR 1926.65 or 29 CFR 1910.120
- United States Coast Guard (USCG), 46 CFR 197, Subpart B
- ADCI (Association of Diving Contractors International), Industry Standards, 6th Edition

Prior to beginning diving operations, an onsite safety meeting was held to familiarize the crew with the scope of work and any hazards that may exist. The crew boat schedule for the day was noted along with potential weather hazards.

2. GENERAL FLOAT CONDITIONS

2.1 Work Location and Operating Conditions

The concrete breakwater is a marine structure that was moored at the time of inspection off Norway Point, located 1.66 miles from the Wayside Park Float. The 24 foot by 180-foot concrete breakwater was previously owned by the USCG and was installed in Ketchikan. The City of Juneau Docks and Harbors group is considering the purchase of the breakwater from a contractor.

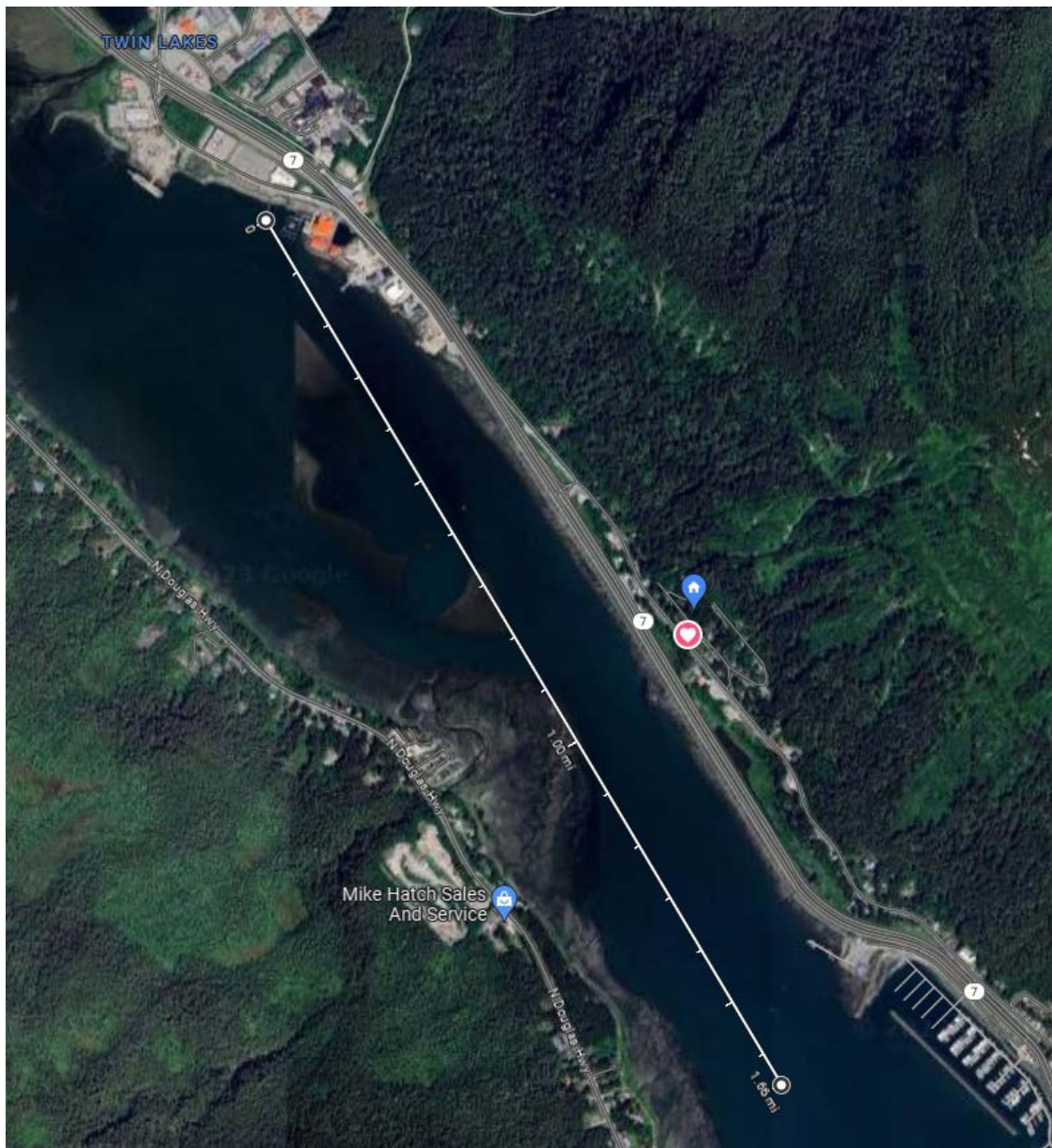


Image 1 – Current location of concrete breakwater.

Weather conditions during the inspection were overcast with light veritable winds, and calm water in the area of the inspection. Due to the recent continuous rain, visibility was affected by a surface layer of fresh and saltwater 'brine' mix which produces a layer of water that is milky and fuzzy to see through, additionally run off from shore added to the suspended particulars, limiting visibility during the inspection to 1 to 3 feet of water.

2.2 General Float Conditions

The float appears to be in excellent condition, with no signs of damage. The perimeter has a 1" chamfered edge around the bottom of the structure. With the exception of light marine growth and typical rust staining, the breakwater is in "as-built" condition.

No discrepancies were found between the plans provided and the dive inspection.

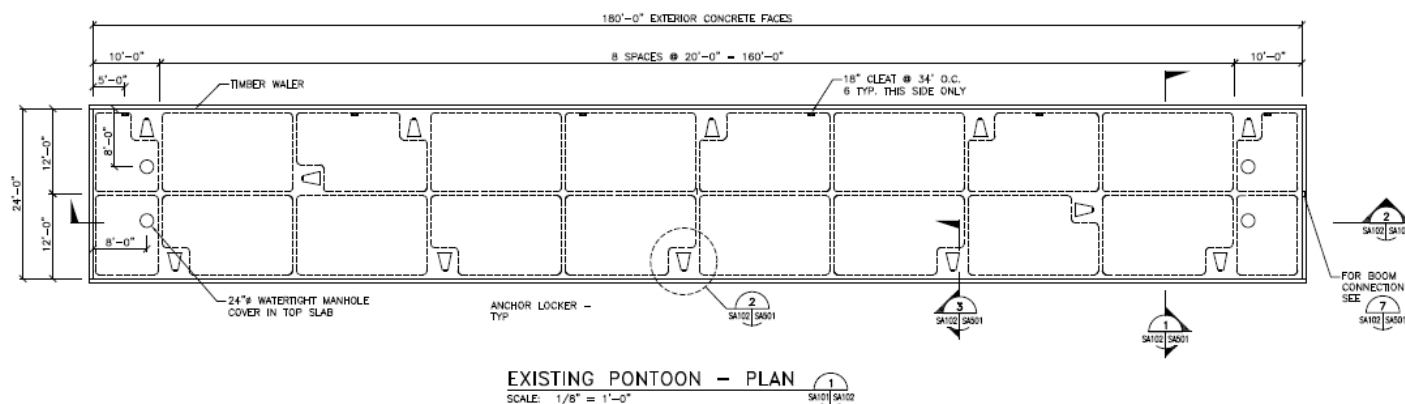


Figure 1 – Breakwater design.



Image 2 – Light marine growth with tubeworms throughout the surface.



Image 3 – Typical chain houser, very good condition with no damage noted.



CBJ Docks & Harbors - Rate Setting Policy

Introduction

The 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. The acquisition and improvement of the facilities have been financed from existing cash resources, issuance of revenue and general obligation bonds, and state and federal grant funds.

Harbors Enterprise – To account for operations, maintenance and capital improvement to the four City-owned boat harbors and numerous launch ramps.

Dock Enterprise – To account for operations, maintenance and capital improvements of the city-owned facilities, which are heavily used by over 500 cruise ships during the summer months.

Background

Over the last few decades, the D&H board has set and adjusted rates on an individual basis as the need arose for additional revenue or where significant changes in the quality of facilities or services suggested that a rate revision would be justified. As a result, some rates have not changed since 2005 while other have been adjusted multiple times as recently as this year. Starting in 2005, the board added a CPI adjustment to some rates and left some untouched.

While generally these rate adjustments were discussed in multiple public meetings, distributed via various media channels, and often presented at public comment opportunities, the impression remains with too many users of D&H facilities that the rate setting process is opaque and not justified by the underlying cost and services.

It is the intent of the CBJ Docks & Harbors Board to establish a rate setting policy which meets the following criteria:

1. It must be fair and reasonable
2. It must be consistent
3. It must be supported by data and an explanation of how the data justifies the rate
4. It must be sufficient to support the operations of docks and harbors

5. It must replace capital investments
6. It must build reserves for contingencies and future growth
7. Where currently significant disparity exists between the cost allocation to user groups these need to be adjust in a fair and appropriate manner

Approach

Components

In general, there are several components which must be considered when setting a rate:

1. Recovery of operational costs
2. Recovery of capital investment
3. Build a reserve for contingencies and to build new capital for future growth
4. Equity adjustment
5. Sticker shock

Rate Adjustment

After a rate has been set there should be consistency and predictability going forward. The proposed policy would be to apply the CPI adjustment annually on all rates and to set a review schedule for each rate based on issues such as the changes in the underlying cost structure as well as user demand and changes in the use of facilities or services. The underlying rate should be reviewed at least every five years and in order to provide stability for the user community not more often than every three years. The board will always have the discretion to deal with exceptional circumstances such as the 2020 COVID impact on cruise ship revenues.

Discussion

Rates must be fair and reasonable

Fair and reasonable is primarily a subjective issue of perception. However, by implementing a defined and consistent approach and striving to allocate an equitable share of the cost to every user the D&H board strives to be fair to all users.

Rates must be consistent

By establishing this rate setting policy we will have a consistent approach to every rate and rate change. This will give commercial users the ability to plan for future years. Normally CPI changes will be applied starting April 1st and base rate changes either January 1st or July 1st as determined by the Board. Other starting dates may be established by the Board at its discretion.

Rates must be supported by data and an explanation of how the data justifies the rate

Meeting this component of the policy will present a significant challenge to the Board as well as D&H staff. In order to create a starting point and baseline for the underlying components of each rate the Finance Sub-committee is recommending that a professional consultant firm be retained to perform a rate study

Rates must be sufficient to support the operations of docks and harbors

This item will also present a challenge for staff as in most harbors both the facility as well as the staff support multiple user groups each of which can have their own rate structure.

Rates must replace capital investments

This item can normally be clearly defined for each facility. Policies will need to be established in consultation with the CBJ Finance director for facilities where funds from multiple sources were used. The rate study is expected to provide guidelines determining remaining useful life and repayment schedules.

Rates must build reserves for contingencies and future growth

Setting a target for building reserves will be largely a board decision but the basis and need for additional reserves must be clearly defined.

Where currently significant disparity exists between the cost allocation to user groups these need to be adjusted in a fair and appropriate manner

In some cases where rates have not been adjusted in many years a large increase may be indicated. This should be recovered over a reasonable number of years.

Approved: _____
Don Etheridge
Board Chair

Attest:

Carl Uchytel
Port Director

Mr. Creswell said as he wrote the memo and came up with a couple of different options. During the Finance Sub-Committee they came up with the selection of raising the fee to \$1,700.

Public Comment: None

Board Discussion/Action: None

MOTION By MR. RIDGWAY: TO DIRECT STAFF TO COMMENCE THE PUBLIC HEARING PROCESS TO INCREASE 05 CBJAC 15.060 (VESSEL LIGHTERING FEE) FROM \$600 TO \$1,700 AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

2. Docks & Harbors Rate Setting Policy Statement

Mr. Uchytel asked everyone to look to page 47 of the agenda packet. He said the Operations/Planning Committee took a look at this policy last meeting and directed him to finalize it.

Board Questions: None

Public Comment: None

Board Discussion/Action: None

MOTION By MS. DERR: TO APPROVE PRESENTED DOCKS & HARBORS POLICY STATEMENT AND ASK UNANIMOUS CONSENT.

Motion passed with no objection

IX. Items for Information/Discussion

1. Docks & Harbors Board Annual Letter to the Assembly

Mr. Uchytel asked everyone to look at a draft of the letter on page 50 in the agenda packet. The first paragraph shows the ordinance with the requirements of the letter. The letter is due to the Assembly on November 30th, 2021. Mr. Uchytel said he started the letter showing past and current revenue. The attachments include graphs with budgeted and actual revenue going back to FY2013. He also included the fund



DOCKS & HARBORS BOARD CPI JUSTIFICATION

The 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. Unlike other municipal taxes such as sales tax and property tax, the increase in revenue is organically tied to inflationary economics. Service fees which Docks & Harbors rely upon for its operational budget is disadvantaged if these fees are not periodically adjusted.

CBJ Docks & Harbors Board has established a rate setting policy which meets the following criteria:

- 1. It must be fair and reasonable*
- 2. It must be consistent*
- 3. It must be supported by data and an explanation of how the data justifies the rate*
- 4. It must be sufficient to support the operations of docks and harbors*
- 5. It must replenish capital investments*
- 6. It must build reserves for contingencies and future growth*
- 7. Where currently significant disparity exists between the cost allocation to user groups these need to be adjusted in a fair and appropriate manner*

A discussion of how these criteria's have been applied to the proposed CPI adjustments are provided below.

Criteria 1 – It must be fair and reasonable

Is it reasonable?

Over time the cost of labor and materials changes, usually up, sometimes down. The best measure we have in Juneau of those changes is the Department of Labor Consumer Price Index for Urban Alaska (CPI). Applying the CPI keeps the rate reasonably in sync with the general cost of living. This is reasonable.

Is it fair?

In recent years a CPI adjustment has been applied to some rates and not to others. Applying the CPI to all rates is fair. Applying a "catch up" rate to rates not adjusted in many years is also fair, particularly to those that have had their rate revised and adjusted by the CPI in recent years. It is proposed that the "catch up" period be no more than 10 years and that it not exceed 5% in any one year. This is also fair.

Criteria 2 – Is it consistent

By applying an annual CPI adjustment to all rates which are based on an underlying cost which is subject to the change in the cost of goods and services we are consistent in applying rate changes to all user groups.

Criteria 3 – Is it supported by data and an explanation of how the data justifies the rates?

The CPI is supported by extensive data gathered by the U.S. Bureau of Labor Statistics and is generally recognized as the best available measure of the underlying change in the cost of goods and services.

Criteria 4 - Is it sufficient to support the operations of docks and harbors?

Currently this question does not have a clear answer. For those rates which have not been reassessed for a decade or more just applying the CPI evenly and applying a "catch up" factor as well, a further rate adjustment

may be necessary. Docks & Harbors is in the process of retaining the services of a qualified firm to determine whether the base rate to which the CPI is being applied is appropriate or whether additional rate changes should be considered. The application of the CPI where it has not been applied historically is an interim measure until we have better data.

Criteria 5 - Is it sufficient to replace capital investment?

As in the previous question Docks & Harbors will be better able to answer this question once the rate study has been completed.

Criteria 6 – Will it build reserves for contingencies and future growth?

As in question 4, Docks & Harbors will be better able to answer this question once the rate study has been completed.

Criteria 7 – Does it address disparities between user groups in a fair and appropriate manner?

As in question 4, Docks & Harbors will be better able to answer this question and determine the best approach to setting a rate if a large increase is indicated once the rate study has been completed.

*Approved by Docks & Harbor Board
January 27th, 2022*

reach an agreement with the lessee on the lease rent adjustment, the Board shall pay for an additional appraisal and have the appraisal undertaken in accordance with the requirements set out in 05 CBJAC 50.050. The Board shall establish the lease rent adjustment based on this additional appraisal. In the event the Lessee disagrees with the lease rent adjustment, the lessee may appeal to the Assembly. The decision of the Assembly shall be final.

(c) **Subleasing.** Lessee may sublease Leased Premises or any part thereof leased to Lessee hereunder; provided, that the proposed sub-lessee shall first apply to CBJ for a permit therefore; and further provided, that the improvements on the Leased Premises are the substantial reason for the sublease. Leases not having improvements thereon shall not be sublet. Subleases shall be in writing and be subject to the terms and conditions of the original lease; all terms, conditions, and covenants of the underlying lease that may be made to apply to the sublease are hereby incorporated into the sublease.

(d) **Assignment.** Lessee may assign its rights and obligations under this lease; provided that the proposed assignment shall be approved by CBJ prior to any assignment. The assignee shall be subject to all of the provisions of the lease. All terms, conditions, and covenants of the underlying lease that may be made applicable to the assignment are hereby incorporated into the assignment.

(e) **Modification.** The lease may be modified only by an agreement in writing signed by all parties in interest or their successor in interest.

(f) **Cancellation and Forfeiture.**

(i) The lease, if in good standing, may be cancelled in whole or in part, at any time, upon mutual written agreement by Lessee and CBJ.

(ii) CBJ may cancel the lease if it is used for any unlawful purpose.

(iii) If Lessee shall default in the performance or observance of any of the lease terms, covenants or stipulations thereto, or of the regulations now or hereafter in force, or service of written notice by City without remedy by Lessee of the conditions warranting default, CBJ may subject Lessee to appropriate legal action including, but not limited to, forfeiture of the lease. No improvements may be removed by Lessee or other person during any time Lessee is in default.

(iv) Failure to make substantial use of the land, consistent with the proposed use, within one year shall in the discretion of CBJ with approval of the Assembly constitute grounds for default.

(g) **Notice or Demand.** Any notice or demand, which under terms of a lease or under any statute must be given or made by the parties thereto, shall be in writing, and be given or made by registered or certified mail, addressed to the other party at the address of record.

