



# DOCKS AND HARBORS BOARD MEETING AGENDA

March 28, 2024 at 5:00 PM

City Hall Conf. Room 224/Zoom Webinar

---

<https://juneau.zoom.us/j/86283956951> or (253)215-8782 Webinar ID: 862 8395 6951 Passcode: 256662

- A. CALL TO ORDER: (5:00pm in City Hall Room 224 & via Zoom)**
- B. ROLL CALL: (James Becker, Paul Grant, Debbie Hart, Matthew Leither, Mark Ridgway, Annette Smith, Shem Sooter, and Don Etheridge)**
- C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES**  
**MOTION: TO APPROVE THE AGENDA AS PRESENTED OR AMENDED.**
- D. PUBLIC PARTICIPATION ON NON-AGENDA ITEMS (not to exceed five minutes per person, or twenty minutes total time)**
- E. APPROVAL OF MINUTES**  
1. February 29th, 2024 Regular Board Minutes
- F. CONSENT AGENDA**  
A. Public Requests for Consent Agenda Changes  
B. Board Members Requests for Consent Agenda Changes  
C. Items for Action  
2. CIP Transfer (T-1074)  
Presentation by Port Director  
**RECOMMENDATION: THAT THE ASSEMBLY TRANSFER AND CLOSE OUT \$15,536.85 FROM CIP H51-122 (DOCK SECURITY STATIONS) TO CIP H51-123 (WEATHER MONITORING & COMMUNICATIONS).**  
**MOTION: TO APPROVE THE CONSENT AGENDA AS PRESENTED.**
- G. UNFINISHED BUSINESS**  
3. Former Ketchikan Breakwater for reuse in Juneau Harbor  
Presentation by Port Director  
  
Board Questions  
  
Public Comment  
  
Committee Discussion/Action  
  
**MOTION: TO APPROVE MOA WITH WESTERN MARINE CONSTRUCTION TO NEGOTIATE THE USE OF THE BREAKWATER AS A WORK FLOAT OFF AURORA HARBOR.**
- H. NEW BUSINESS**  
4. Proposed Location for CBJ Campground  
Presentation by Port Director  
  
Board Questions  
  
Public Comments

Board Discussion/Action

MOTION: FOR DOCKS & HARBORS NOT TO OBJECT IF THE ASSEMBLY DECIDES TO RELOCATE THE PROPOSED CBJ CAMPGROUND FROM 100 MILL STREET TO THE LITTLE ROCK DUMP FOR CALENDAR YEAR 2024.

- 5. PIDP Grant Update – Matching Grant  
Presentation by Port Director

Board Questions

Public Comment

Board Discussion/Action

MOTION: TO COMMIT FROM HARBOR FUND BALANCE - 20% OF PROJECT COST TOWARDS THE LOCAL MATCH FOR THE PIPD GRANT APPLICATION.

- 6. Auke Bay Loading Facility - Boatyard Trailer Procurement  
Presentation by Port Director

Board Questions

Public Comment

Board Discussion/Action

MOTION: TO DIRECT STAFF COMMENCE A PROCUREMENT PROCESS TO ACQUIRE A BOATYARD TRAILER FOR USE AT AUKE BAY LOADING FACILITY WHICH WILL INCLUDE EXPENDITURES FROM HARBOR FUND BALANCE.

**I. ITEMS FOR INFORMATION/DISCUSSION**

- 7. Budget Presentation to Assembly Finance Committee (AFC)  
Presentation by Harbormaster

Board Discussion/Public Comment

- 8. Vessel Disposal Surcharge (VDS)  
Presentation by Harbormaster

Board Discussion/Public Comment

- 9. Statter Harbor Breakwater Condition & Future Plans  
Presentation by Port Engineer & Port Director

Board Discussion/Public Comment

- 10. Juneau Harbors Infrastructure Fair  
Presentation by Port Director

Board Discussion/Public Comment

- 11. Title 85 - Update  
Presentation by Port Director

Board Discussion/Public Comment

**J. COMMITTEE AND MEMBER REPORTS**

- 1. Operations/Planning Committee Meeting Report

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

**K. PORT ENGINEER'S REPORT**

**L. HARBORMASTER'S REPORT**

**M. PORT DIRECTOR'S REPORT**

**N. ASSEMBLY LIAISON REPORT**

**O. BOARD ADMINISTRATIVE MATTERS**

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

**P. ADJOURNMENT**

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



# DOCKS AND HARBORS BOARD MEETING MINUTES

February 29, 2024 at 5:00 PM

City Hall Conf. Room 224/Zoom Meeting

**A. CALL TO ORDER:** Mr. Etheridge called the meeting to order at 5:00pm in City Hall Room 224 & via Zoom.

**B. ROLL CALL:** The following members attended in person or via zoom - Debbie Hart (arrived @ 5:01pm), Matthew Leither, Mark Ridgway, Annette Smith, Shem Sooter, and Don Etheridge.

**Absent:** James Becker, and Paul Grant

**Also in attendance:** Carl Uchtyl – Port Director, Matthew Creswell – Harbormaster, Jeremy Norbryhn – Deputy Harbormaster, and Teena Larson – Administrative Officer.

**C. PORT DIRECTOR REQUESTS FOR AGENDA CHANGES**

**MOTION By MR. RIDGWAY: TO APPROVE THE AGENDA AS PRESENTED AND ASK UNANIMOUS CONSENT.**

**Motion passed with no objection.**

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

**E. APPROVAL OF MINUTES**

1. January 25th, 2024 Regular Board Minutes

Hearing no objection the January 25<sup>th</sup> meeting minutes were approved as presented.

**F. UNFINISHED BUSINESS**

2. Vessel Disposal Surcharge (VDS) - Options

Mr. Creswell said at last week’s Operations Meeting he presented the Vessel Disposal Surcharge and Vessel Disposal costs presentation again which was shown at the December meeting. At the direction of the Board, he removed the liveboard component, and the last four option on page 17 in the packet and changed the second option on that page to say; require all uninsured vessels who wish to pay the monthly, semiannual, and annual rate to pay the Vessel Disposal surcharge even if in transient moorage. Currently the only vessels subject to the VDS are assigned stall holders. There are a large number of vessels that stay in Juneau year around but are not stall holders. It will be hard to determine how much revenue this change will bring. We currently collect around \$20,000 annually. He requested more time to work on providing the different options for potential revenue.

Board Questions

Ms. Smith asked how far in debt we are for vessel disposal so far this year? What is the average across years that we lose on vessel disposal by not having rates that pay for the vessel disposal?

Mr. Creswell said he does not have those numbers tonight. Looking back to the summer of 2023 we did not have a lot of disposals because we did not have a lot of impounds but he would put that number to be at \$60,000 to \$100,000. We are starting to take more of an aggressive stance on unseaworthy vessels. He expects his demolition costs to rise in the next few years until after the sea trials in the downtown harbors.

Mr. Ridgway asked Mr. Creswell how he would establish a reflective rate for the VDS?

Mr. Creswell said he could see this as a variable changing rate where once we receive a sufficient reserve in our VDS fund, the VDS may be able to increase or decrease year to year to keep us at an acceptable level of funds on hand to dispose of vessels. If this surcharge went up, and it was never

touched, the Harbors could be perceived of padding our pocketbook with a VDS fee going elsewhere and not used for the vessel disposal purpose.

Ms. Smith asked if it was possible to put the VDS fees in a separate fund?

Ms. Larson said we would need to work with our Finance accountant to set up a separate fund and then staff would need to establish a code in our system that points to that fund.

Mr. Sooter asked how much we would collect if we required all the uninsured vessels to pay into the VDS fund?

Mr. Creswell said that is what the admin staff is working on.

Mr. Leither asked if this would be required to go through the public notice period and through the Assembly?

Ms. Larson said yes.

Ms. Smith commented that the Committee was informed about Wrangel raising their vessel disposal fee to \$3. She asked Mr. Creswell if that fee was used, what would we be collecting?

Mr. Creswell said he has not calculated that. In FY23, just collecting from stall holders at \$.25 per foot, we brought in \$20,764.17. Raising that to \$2 per foot would be a eight fold increase and would increase our revenue to about \$160,000 per year with just the stall holders. With including the transient vessels, it could go well over \$200,000 in a single year. He wants to be careful how this fee is raised and implemented.

Mr. Ridgway commented that he remembers talk about the administrative burden for requiring transient vessels to show proof of insurance.

Mr. Creswell said he sees a true transient only staying three days to a couple of weeks. Our transients are non-stall holders and so that includes a lot of vessels. Our workaround is to include vessels paying the monthly, semiannual, and annual would be required to provide proof of insurance or be required to pay the VDS fee. It would be an administrative burden to require every visiting vessel to provide proof of insurance.

Ms. Smith asked if the transient vessels that are only in our harbors for a few days at a time, are our lowest risk vessels?

Mr. Creswell said yes. They come under their own power and leave under their own power.

Mr. Ridgway asked if we ask the large yacht owners for proof of insurance?

Mr. Creswell said no, they pay a reservation daily rate and would not be subject to this fee.

Public Comment - None

Board Discussion/Action

Mr. Ridgway commented he would speak in favor of the proposed motion. He likes the idea of a flexible rate and a separate account. When the target amount is reached, which could be the most we have paid out in a single year, we could then lower the amount. He would recommend staff to look at a lower amount to get to that target amount a little slower.

Mr. Leither said he would like to be cautious about this fee. At some point, we may have some unintended consequences where some boat owners just walk away from their boats because they are not willing to pay any more money and we end up compounding our issues. The bigger issue, this is happening in the year we drastically raised rates, we are raising rates again on the very people that were sensitive to the rate change we just made. We were able to pass the rate change through, but he is cautious to also do this increase in the same year. As a responsibility aspect, this is very reasonable, but he is still conscious about the backlash from the users.

Mr. Ridgway said we do not want people walking away from their boats and he would like staff to ease into raising the VDS fee. Getting us to a healthy fund balance is what our rates should be based on.

Ms. Smith said she recognizes it is tough rising out of inaction from the Board where we did not raise rates. We did put in a large rate increase, but it was spread out over three years. She does not think to delay these three years because we are still losing money. We are requiring our people who have good responsible boats to keep their boats up and pay for the damage these other boats are causing. She said she supports this increase, even if it is a slow increase.

Mr. Sooter said he would be in favor of having more information before a final decision is made.

Mr. Ridgway said his understanding is this motion is for more information.

Ms. Smith said if we start including all vessels that are uninsured that we do not currently require to pay the VDS fee, that will mitigate the amount of the increase. It may end up being a very small increase.

Mr. Uchytel said any rate increase is a regulation change and will have to go through the Assembly. The rate increase in Wrangel was to incentivize boat owners to get their own insurance. Part of the thought for the VDS increase is to raise it to a point where it is better for the responsible boat owner to get their own insurance instead of paying the VDS fee. This is a disincentive for vessel owners to go without insurance. We can go through this whole process and decide when we want this to be effective.

Mr. Leither said he would be curious to see how close we could get to our needs by requiring the boat owners currently not paying the VDS fee to start paying. He pointed out that his own insurance will not cover loss due to freezing, thawing, pressure, weight of water or ice whether driven by the wind or not. He said, if his boat sank today, the Harbor would still have to pay for that boat despite the fact he has insurance. He pointed out having insurance is not the total solution to this problem.

Mr. Etheridge said that was his experience also with insurance. He commented that if his vessel sank, it would not be covered if it was due to a winter condition or negligence. If you don't shovel your vessel, it is classified as negligence.

Mr. Leither asked if there was a way to have all vessel owners who have insurance that does not cover a sunken vessel to pay the vessel disposal surcharge? That would be unpopular, but if our goal is to mitigate our responsibility for raising boats, that may be the way.

Mr. Ridgway asked Mr. Creswell if the insured vessels are a burden to our Harbors enterprise?

Mr. Creswell said of the boats that sank in this last storm, two were insured and their insurance paid for the raising of the vessel. One of those two, insurance even paid for the disposal. He said he has not come across an insured vessel that did not pay to raise the vessel. The uninsured vessels are typically raised by the Coast Guard because of the pollution threat. They open the Oil Spill Liability Trust Fund which allows them to pay for raising the vessel and remove the pollutants. After that, it is on the owner and in most cases falls on us to dispose of the vessel.

Ms. Smith commented, in general terms, insurance does not cover negligence.

Mr. Ridgway commented that he believes we can ask staff to look into how hard it will be to look at the insurance to see what it covers.

Mr. Leither commented that it is reasonable to move this forward tonight but would like more information.

MOTION By MS. SMITH: TO PURSUE (1) RAISING VDS FEE TO ACCURATELY REFLECT WHAT IT COSTS TO DISPOSE OF A VESSEL AND (2) TO REQUIRE ALL UNINSURED VESSEL TO PAY VDS FEE EVEN IN TRANSIENT MOORAGE AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

3. Memorandum of Understanding (MOA) with AELP to complete Dock Electrification Design Efforts. Mr. Uchytel said in the packet starting on page 18 is a document that has been vetted through CBJ Law. He said substantive change from last week's Operations meeting is that AELP is proposing to reduce the scope of work they plan to execute with H3 to exclude construction management oversight. AELP has reduced the proposed rate by \$300,000 which is the construction administrative fee and added \$90,000 for AELP administrative oversight. CBJ Law and the Port Director have reviewed this and find it reasonable.

#### Board Questions

Mr. Ridgway asked who will be providing construction oversight?

Mr. Uchytel said AELP indicated they are supportive of having a single entity do the design from transmission to cable management system that hooks into the ship. They are hesitant about at some point coming up with the demarkation of ownership with what Docks & Harbors will own and what AELP will own. That is why they want to tease out the construction management. The idea moving forward is Docks & Harbors would get the design from H3 and then we would figure out construction contract management at the time of construction.

Mr. Ridgway said regarding the pending title 85 changes, this is a tourism related project. Will this be under the purview of the new Tourism Manager to manage this project?

Mr. Uchytel said this would be an example of Docks & Harbors having Engineering design management and future construction oversight, but the Tourism Manager would have visibility with everything going on which she is currently doing. The Tourism Manager is very involved in this project and consulting with industry. The Tourism Manager is aware that we have applied for an EPA Diesel Emission Reduction Act (DERA) grant which is \$1.5M and a Notice of Funding opportunity (NOFO) for the \$3B grant. Mr. Uchytel said he discussed this with engineering yesterday, and they have a grant writer who will take the lead on the grant writing on behalf of Docks & Harbors. If there are costs associated with external expertise, we will provide that. Mr. Uchytel said he will work with AELP to make sure their input is reflected in the grant application. This is a joint effort and one project where there are several entities working toward a CBJ goal.

Ms. Smith commented that she is uncomfortable with a company that is going to be doing the design, but no ownership in the construction. Especially if they have no ownership with design.

Mr. Uchytel said the direction we are going is with a qualified engineering architect firm from California that AELP believes can competently complete the work. Any construction project we do, there is never a guarantee we will receive a design package from an engineering architectural firm and that the construction will go smoothly. Engineering firms can be held liable for gross emissions in failures, but it

does not happen very often. The alternative would be to do a Design-Build where the engineering design package is embedded with the construction company and in a Design-Build you negotiate a price. This is a fixed price, you get what you get, and the owner really has no input in the design or construction. We are looking at a Design-Bid-Build. AELP will figure out the part with the cable run, and Docks & Harbors will review the float and the cable management system.

Mr. Creswell said he is currently at the Port of Miami. This is the final project of his three-year PPM training program. Miami is on a larger scale, but in the same situation we are with dock electrification. They received a directive to complete an electrification project for up to ten cruise ship berths. They are getting close to being able to go live with the first five systems, but they can only run three systems at a time because that is all the power the grids can handle. The Miami project is an example of what happens when a project is rushed, some of the shortfalls they have seen, and what they could have done better. They have talked extensively about picking the right contractor who has marine electrification experience. He said he will have a detailed report in about six to eight weeks to share with the Board. Spending time in the Port of Miami, hearing what went right, what went wrong, and what could have gone better, may be able to help Juneau from a lot of headaches.

Public Comment - None

Board Discussion/Action

Mr. Ridgway commented, looking at the MOA without the contract to review is a little concerning but he is in favor of the motion.

MOTION By MS. SMITH: TO APPROVE PROPOSED MOA WITH AELP TO COMPLETE ENGINEERING DESIGN EFFORTS FOR DOCK ELECTRIFICATION AND ASK UNANIMOUS CONSENT.

Motion passed with no objection.

4. Title 85 Proposed Changes

Mr. Uchytel said in the packet starting on page 37 is Assembly discussion relating to Title 85 changes. He sent out the link to the Board members for the entire COW meeting. Essentially, the Assembly intends to move forward with proposing changes to Title 3 which would empower the Tourism Manager and make changes to Title 85 that will remove some of the responsibilities of the Docks & Harbors Board in areas of tourism and tourism related functions. He does not have the dates of the April meetings, but his understanding is the proposed changes in the packet will be introduced in April and acted on at the following Committee of the Whole meeting. Mr. Uchytel lost connection.

Mr. Adkison said Ms. Woll proposed changes regarding rates and fees and Ms. Adkison read those changes. [*Rates and Fees: The Manager or the Managers designee is authorized to adopt and enforce regulations under chapter 01.6 regarding the rates and fees for the cruise ships and passengers after consulting with the Port Director and presenting the proposal to the Docks & Harbors Board.*] She said Ms. Woll is working on another amendment clarifying why the Dock limitations of authority regarding long-term projects were struck. This proposed change will add another section making it clear what the intent of that change is. The proposed changes will be available April 1st.

Mayor Weldon said she spoke with some of the Board members after the Committee of the Whole meeting where this was discussed. She wanted to remind the Board, when we hired the Tourism Manager, we knew there was going to be a need for changes. This is not to try to take authority away from the Board, but trying to give authority to the Tourism Manager so she can deal with all things' tourism. The Assembly still wants a public process for the fee changes so that was added back in, and Ms. Woll's change read by Ms. Adkison has already been adopted. The other change Ms. Woll is working on will be brought back to the April meeting. This change is nothing against the Board, but the



Tourism Manager has to have authority when talking to the Cruise Companies when she is representing the City. We do not want her to have to get authorization from the Board and Assembly before doing so.

Board Questions

Mr. Ridgway questioned where the line with tourism operations is. When we approve CIPs for additional slips that whale watching boats will use, is that something we need the Tourism Manager involved in? Has the Assembly thought of a way we can interact in an organized meaningful fashion with the Tourism Manager, so we are not asking her about things she is not concerned with.

Mayor Weldon said this detail has not been figured out yet. When there was the request to build the fifth dock, the Assembly realized they needed to be at the policy level. This is an attempt to write something at the policy level. Mr. Watt started this, and it may not have been the best effort. It came across as harsh and that was not the Assembly intent. Where we go from here, she is not 100% sure. The hope is that Ms. Pierce and Mr. Uchytel can have a frequent dialog to address all need-to-know operations. At this moment, we are not touching any Dock revenue.

Mr. Ridgway commented that he understands this is going to be a learning process.

Ms. Smith said policy level is one thing, and the Board is not really interested in how many ships are in port in one day; our interest is in maintaining the docks, so they are ready for ships to dock. She is concerned with the last draft where she read the Docks budget and rate setting was the Tourism Managers responsibility. That is a concern because the Tourism Manager does not have anything to do with the Docks repair and maintenance. She is concerned with the budgeting and rate setting being taken away from the Board and staff because we are the ones involved with keeping the operations going.

Mayor Weldon said currently, our Docks have the lowest fees. Giving the Tourism Manager the ability to raise the fees is to be able to match the private Docks fees.

Ms. Smith said raising the rates is one thing, but she will have a concern if Ms. Pierce wants to lower any of our rates because she is not involved with the projects or maintenance.

Mayor Weldon said that is why the Assembly would want Ms. Pierce and Mr. Uchytel to have good dialog and discuss any issues. Anything Ms. Pierce does has to come through the Assembly and raising the rates will be a negotiated deal which would require Assembly approval. This may not be perfect, and may need changes in the future, but this is the first attempt at this.

Ms. Adkison pointed out that if the Manager asks for a reduction in the budget, the Board gets to send to the Assembly what operational impacts that will have on the Board operations.

Mr. Ridgway said the way the general powers are written, he does not read that it is exclusive to just our Docks Enterprise. He would like to set boundaries. The rate that we charge whale watching charters, and loading zone permit operators affect tourism, but those are Harbor operations. It is not clear in the proposed changes to this regulation this only pertains to Dock operations.

Mayor Weldon said she is not doing anything pertaining to whale watching operations at this time and they are trying to police themselves.

Ms. Smith asked if there could be a change to this, could it be made clearer that the change is only in Docks.

Mayor Weldon said Ms. Adkison is making notes to work on this more. She also commented that the Board and the Assembly need to have more meetings together.

Public Comment

James Bibb, Juneau, AK

Mr. Bibb said he is representing the Juneau Yacht Club and is a past commodore and liaison. The Yacht Club Board concern is that this change may impact how Docks & Harbors operates. He would like it known that the Juneau Yacht Club Board supports Docks & Harbors and does not support the changes if the Docks & Harbors Board feels this is detrimental to them. He is here tonight to learn and listen and to see if the Docks & Harbors Board needs support from the Yacht Club.

Mr. Clayton Hamilton, Douglas, AK

Mr. Hamilton said he would encourage the Board to work with this change because this could increase accountability to the public. The Tourism Manager would be accountable to report to the elected members of the Assembly and sometimes there is a little bit of a disconnect with the appointed members of the Board. He sees this and hopes the Board sees this as a positive change for the best.

Mr. Kirby Day, Juneau, AK

Mr. Day asked for clarification, is the Tourism Manager now responsible for changing rates for whale watching boats, loading permits, and vending booth permits because these are related to tourism?

Ms. Adkison said as it is currently written in the ordinance, the City Manager or the Manager’s Designee has control over rates with consulting with Docks & Harbors related to cruise ships and passengers.

Mr. Day said that sounds to him that it includes loading zone permits, Statter Harbor boats and vehicle fees. Is that the way the Board reads this as well?

Mr. Etheridge commented that is not how we want to read this.

Mayor Weldon said we need more clarity on those fees.

Board Discussion/Action

Ms. Smith asked if we get another look at this before Assembly approval or will this go directly to the Assembly for final approval? If so, what is the time frame.

Ms. Adkison said April 1<sup>st</sup> is the meeting the changes will be brought back to.

Mr. Ridgway requested that when Mr. Uchtyl meets with Ms. Pierce to keep the members up to date as they develop more clarity in boundary conditions.

NO MOTION

**G. NEW BUSINESS - None**

**H. ITEMS FOR INFORMATION/DISCUSSION - None**

**I. COMMITTEE AND MEMBER REPORTS**

1. Operations Committee Meeting Report –

Mr. Ridgway reported –

- The Committee forwarded the MOA with AELP to this Board.
- Reviewed the Vessel Disposal Surcharge.

- Mr. Creswell gave a brief update on snow damage.
  - The Committee heard a Port Engineer update on projects.
2. Assembly Lands Committee Report - None
  3. South Douglas/West Juneau Liaison Report - None
  4. Member Reports - None

**J. HARBORMASTER'S REPORT –**

**Mr. Norbryhn reported -**

- Both new Harbor Security Officers are working their shifts. They worked for two weeks shadowing Harbor Officers day operations to help them know and understand our facilities operations.
- We are gearing up for seasonal returns which are 30 days away.
- Dealing with all the snow put us about a month and a half away from our normal work so staff is trying to get caught up.
- Impound updated -
  - On Monday, there was the Silver Lady, Peggie Sue, Captain Cook, and Adventure Bound impounded.
  - We had two impound hearings today and it is to be determined by the hearing officer when those impound dates will be.
  - There are two boats we previously impounded over a month ago out for sealed bid auction and if they do not sell, we will put them on the Public Surplus site to see if they sell there.
  - There is one sailboat coming up for impound tomorrow, and a fishing boat on March 6<sup>th</sup>.

Ms. Smith asked if both Adventure Bound boats were impounded?

Mr. Norbryhn said yes, both boats.

Mr. Etheridge asked the status of the boat that the Harbor crew was shoveling off?

Mr. Norbryhn said he believes that is the Silver Lady. The crew hours were 10 to 12 hours to clean it up. Staff put pumps on the boat, and we are continually pumping it out. Since then, we issued him a safe condition of vessel and we did not hear anything back. This vessel was impounded on Monday.

Mr. Ridgway asked for Mr. Creswell to bring the expense for all the snow events back to the Operations Committee.

Mr. Norbryhn said Mr. Creswell had the numbers before the last snow event so those numbers will change. We brought back one of our Harbor seasonal people and he ended up staying longer due to short staffing.

**K. PORT DIRECTOR'S REPORT –**

**Mr. Uchytel reported -**

- He is in DC right now lobbying on behalf of the American Society of Civil Engineers this week. He is also taking the opportunity to meet with our elected officials for civil engineering projects and also Juneau Docks & Harbors projects.
  - He would say that Senator Murkowski, and Senator Sullivan are very supportive of the PIDP grants and that is the grant we want to reapply for. They are also very supportive of the Statter Breakwater. Senator Murkowski has put a congressional directed spending request for the Statter Breakwater study and the continued resolution for that budget item. That is the Energy and Water bill, which has been extended by one week. On March 8<sup>th</sup>, if everything goes well, the Senate will pass a clean budget and allow us to get going on the study.

- He met with Representative Peltola who is very complimentary of Docks & Harbors and what we have done in Juneau. She is a Juneau boat user, she has two kids in the Juneau school district, and has been here off and on for many years.
- He met with MARAD about the Sealift. D&H staff received permission from MARAD to sell the sealift and keep the proceeds. We purchased the sealift in 2012 for about \$640K and we sold it last year for \$250K. Of that \$250K we were able to keep \$225K. We would like to purchase a new yard trailer and we have been investigating who has a suitable apparatus that will work at our Auke Bay Loading Facility. Staff has identified a company in Canada but the requirements to buy American would disqualify that company. The direction Mr. Uchytel received from MARAD personnel was to go out with a RFP and see who responds. Staff thinks the Canadian Conolift Company is the only Company that meet our requirements. MARAD will support a buy American waiver if the Canadian company is the only company that can produce that device. The process forward will take a year. The other thing to note is in addition to the \$225K from the sale of the Sealift we will need to use about \$70K from our fund balance for the purchase of the new yard trailer suitable for the ABLF. He will start the process and draft the RFP when he returns.

Ms. Smith asked if he has an update on the Coast Guard Icebreaker?

Mr. Uchytel said yes but he would prefer sharing that information on a one-on-one basis.

Ms. Smith said she will be out of town but would like to get a quick email with what he knows.

Mr. Ridgway commented that he is very impressed with Mr. Uchytel's accomplishments.

**L. ASSEMBLY LIAISON REPORT –**

Ms. Adkison commented that she has taken notes regarding the title 85 concerns, and she will make sure our concerns are heard. If there are other concerns not noted, members can reach out to her to let her know.

**M. BOARD ADMINISTRATIVE MATTERS**

- a. Ops/Planning Committee Meeting - Wednesday March 20th, 2024

Mr. Ridgway and Ms. Smith said they will not be able to attend the March 20<sup>th</sup> meeting.

- b. Board Meeting - Thursday March 28th, 2024.

**N. ADJOURNMENT –** The meeting adjourned at 6:36pm

Transfer T-1074  
Manager's Report

**A Transfer of \$15,537 from CIP H51-122 Dock Security Stations to CIP H51-123 Weather Monitoring and Communications.**

This request would transfer \$15,537 from the Dock Security Stations CIP to the Weather Monitoring and Communications CIP. This project is ongoing, and provides real time current sensor/weather reporting and hosting to the Marine Exchange of Alaska's website. Funding is provided by a completed project that is ready to be closed.

The Docks and Harbors Board reviewed this request at the March 28, 2024 meeting.

**The Manager recommends approval of this transfer.**

Presented by: The Manager  
Introduced: April 01, 2024  
Drafted by: Finance

TRANSFER REQUEST FOR THE CITY AND BOROUGH OF JUNEAU,  
ALASKA

SERIAL NUMBER T-1074

It is hereby ordered by the Assembly of the City and Borough of Juneau,  
Alaska, that \$15,537 be transferred:

From: CIP

H51-122      Dock Security Stations      \$ (15,537)

To: CIP

H51-123      Weather Monitoring and Communications      \$ 15,537

The \$15,537 consists of:

Marine Passenger Fees      \$ 15,537

Moved and Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

\_\_\_\_\_  
Katie Koester, City Manager

Attest:

\_\_\_\_\_  
Elizabeth J. McEwen, Municipal Clerk

**MEMORANDUM OF AGREEMENT  
Between THE CITY AND BOROUGH OF JUNEAU  
And WESTERN MARINE CONSTRUCTION**

This agreement entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2024, by and between Western Marine Construction, a licensed company authorized to conduct business within Alaska, with its principal address 2775 Harbor Ave SW # A, Seattle, WA 98126, and the City and Borough of Juneau, through its Docks and Harbors Department (“Port”), 155 Heritage Way, Juneau, Alaska 99801. This agreement is effective upon execution by both parties.

WHEREAS, Western Marine Construction owns a currently idle, breakwater with the approximate dimensions of 180-foot by 24-foot, displacing 1000 tons; and

WHEREAS, it is the Port’s intention to utilized said breakwater as a convenient “work area” area in the form of an expanded net float in order to allow commercial fishers to more easily service their nets and perform other commercial fisheries related work off the Aurora Harbor Breakwater; and

WHEREAS, Western Marine Construction has expressed a desire to allow Docks and Harbors to utilize the breakwater while they attempt to sell the breakwater, until December 31<sup>st</sup>, 2027and enters into this agreement to express those desires and conditions therein. This MOA may be extended by mutual agreement.

**The Port and Western Marine Construction do hereby agree and warrant as follows:**

- A. Western Marine Construction agrees to allow the Port use of the breakwater for the intended purpose of providing a commercial fishing lay-down net float at no cost to the Port and in consideration of the agreed upon relocation services described herein.
- B. The Port will allow the breakwater to be positioned off the Aurora Harbor Breakwater until the net float/breakwater is sold or relocated upon mutual agreement. This is for the Port’s use of the net float for the purposes stated herein. The channel side of the float will be available for moorage of WMC barge.
- C. Western Marine Construction agrees to relocate the proposed net float to a mutually accepted area parallel and adjacent to the Aurora Harbor Breakwater on submerged lands managed by the Port. After consulting with a marine engineer at the Port’s expense, a proposed number of Western Marine Construction anchors will be determined and agreed to by mutual consent. Docks & Harbors will compensate Western Marin Construction for the agreed costs to reposition the proposed net float from across the channel to the designated location and for labor costs to set the anchors.
- D. Western Marine Construction agrees to allow the Port to manage and use said net float in a manner consistent with the goals established by the Port. The Port agrees, subject to appropriation, to defend, indemnify, and hold harmless Western Marine Construction with respect to any action, claim, or lawsuit due to the Port’s management or oversight of the public’s use of the, unless due to the sole negligence of Western Marine Construction.

E. If Western Marine Construction elects to move the net float and act pursuant to section K, Western Marine Construction will be liable for any damages which arise from or related to moving the net float.

F. The Port agrees to provide maintenance and repairs deemed necessary based upon semi-annual visual inspection of the net float, including any necessary pressure washing, minor concrete repairs, etc. The Port does not agree to provide structural repair or replacement and should such become necessary, the parties agree to negotiate the allocation of those costs in good faith. Should the Port wish to improve the net float in any way over and above necessary maintenance and repairs, written permission from Western Marine Construction is required.

G. The Port agrees to secure all local, state, and federal permits required to operate said net float in a manner consistent with this agreement.

H. The Port agrees to only maintain premises liability insurance for liability resulting from the Port's uses of the net float as outlined in this agreement.

I. Should the net float fail, Western Marine Construction will be liable and solely responsible to the extent the net float's failure was the result of their negligent use and care of the breakwater. Similarly, consistent with Section D, the Port will be liable and solely responsible to the extent the net float's failure was the result of the Port's negligent use of the net float. The parties' further agree that should the net float fail, to act in good faith in reaching appropriate allocation of costs and liability.

J. Either Party may terminate this agreement upon written notice to the other. The net float will be available for relocation no later than 30 days after either party elects to terminate this agreement, barring any unforeseen conditions such as weather or water conditions not in the control of the parties. Upon termination of this agreement, Western Construction Marine will relocate the net float/breakwater at no expense to the Port.

K. This agreement contains the entire agreement by the parties, and there are no written or oral promises or understandings between the parties that modify its terms. It may be amended only by written agreement of the parties, signed by their respective authorized representatives.

L. None of the provisions of this agreement are intended to create nor shall be deemed or construed to create any relationship between the parties other than that of independent parties entering into an agreement with each other solely for the purpose of effecting the provision of this agreement.

DATED: \_\_\_\_\_  
Carl Uchytel, CBJ Port Director

DATED: \_\_\_\_\_  
Kriss Hart, President

Form Approved by: \_\_\_\_\_, Law Department

Risk Management Review: \_\_\_\_\_, Risk Management



**Rock Dump Coalition**  
c/o Juneau Tours and Whale Watch  
190 Mill Street  
Juneau, Alaska 99801  
VIA E-MAIL: brett@juneautours.com

March 25, 2024

Mayor Beth Weldon  
155 Heritage Way  
Juneau, Alaska 99801

**Re. Proposed Relocation of the Mill  
Campground**

Mayor Weldon:

We are an ad hoc group of business owners, individuals and representatives of commercial enterprises in Juneau who are concerned and alarmed at the recent proposal to relocate the existing seasonal Mill Campground for persons experiencing homelessness to a new location immediately adjacent to Thane Road in the heart of a commercial area.

On Monday March 18, 2024, more than sixteen business owners and agents with a vital interest in our commercial operations, from the area we refer to as the Rock Dump Industrial Park, met to discuss and respond to the recent decision by the working committee of the CBJ City Assembly on March 11, 2024, to relocate the existing Mill Campground to the AEL&P owned storage lot on the corner of Thane Road and 100 Mill Street south of downtown Juneau.

We are all in agreement that 100 Mill Street is an unacceptable location. CBJ's alternate plan, allowing this population to disperse, is dangerous to everyone in Juneau. Reopening the former Mill Campground has proven very challenging to manage. We urge you to enact emergency efforts that increase safety, better meet the needs of the homeless, and resolve to work diligently to find a long-term solution.

We urge you and the members of the CBJ Assembly to resist unintentionally expanding the lawless and unacceptable behavior taking place in our community. Avoid opening a concentrated encampment for the homeless, in the middle of commercial activities. Allocate funds, city land and resources to existing service providers like the Glory Hall and St. Vincent DePaul's and other organizations as part of an emergency response; the critical first step towards a long-term care solution for this challenging and sometimes dangerous population, that nonetheless needs our compassion and support.

Letter to Mayor Weldon  
Relocation of Mill Campground  
March 25, 2024

All attendees agreed to forward a petition which is enclosed with this correspondence to you, the members of the CBJ Assembly and other CBJ officials. We agree that the existing Mill Campground is a blight on Juneau and should be closed immediately. We also are unanimous in our belief that the proposed relocation is ill-conceived and accelerates the already intolerable conditions our businesses, and the homeless population, are facing. Relocation to 100 Mill Street will cause needless harm to commerce and negatively impact tourism and the safe and beneficial use by local residents. The homeless will be forced to choose between living on the streets or camping on a fenced in gravel lot in a commercial area. We categorically reject the notion that the CBJ Assembly is required to relocate the existing Mill Campground without meaningful and timely public and commercial input or that it should allow this population to disperse into the community.

The homelessness problem in Juneau is chronic and sometimes acute, especially for individuals who are unable (due to the lack of available rooms), ineligible or unwilling to go into existing temporary housing, or who choose to live outdoors and avoid the law or society. Moving the Mill Campground to a suitable site warrants emergency measures, followed by a measured and studied approach to a permanent solution. Certainly, nothing justifies relocation of an existing highly problematic seasonal campground to a new location that will exacerbate conflicts and problems or, perhaps even worse, resigning to our fate and dispersing this population into the community at large.

The unintended consequences are potentially devastating to our city and its residents. How, we wonder, is it in the public interest for the CBJ to move the abundant and widely known problems associated with the Mill Campground into the middle of business operations vital to the public and to the Juneau economy?

Emergency measures are required to expedite relocation to a suitable site. The operation of the existing Mill Campground has shown that this population is a real and obvious danger, and after relocation, will be a danger to the hundreds of people who work in the Rock Dump Industrial Park, a blight and problem for visitors, tourists and locals alike with the potential to shut down the delivery of goods, fuel and the transportation of cruise passengers during an emergency at the camp. Ending all camping services, thereby forcing this population to disperse, spreads the danger broadly across all of Juneau. For this and other reasons we oppose the 100 Mill Street location or allowing the camping services to cease, which we have outlined in the attached petition.

There is also the optics of a homeless encampment to consider. How will Juneau residents perceive a homeless encampment, located on a fenced-in storage lot, in an

industrial area, across the street from a marijuana dispensary, in the view of the public? Some have already begun to refer to 100 Mill Street as ‘the cage.’ Will creating a concentrated encampment, in a place frequented by hundreds of thousands of visitors and tourists, in the vicinity of a shipping hub and fuel depot, project Juneau’s desired image to the world? Will the homelessness advocates in Juneau and abroad see this as a compassionate solution? Can this be the ‘band aid’, as it was described in the March 11 working committee meeting, the city needs until a better solution becomes available? Or is this simply more salt in the wound of a pervasive and growing problem facing our community?

Juneau, as a community, with the assistance and aid from the CBJ, provides significant resources for individuals suffering with homelessness and the myriad causes that lead to homelessness, including addiction to drugs and alcohol and mental illness. Moving the existing campground to the highly visible parcel on the Rock Dump adjacent to Thane Road will not solve the problems experienced by individuals suffering from acute addiction or improve the situation for these homeless campers. Relocation of the existing problematic campground to an unsuitable site will increase the suffering of Juneau citizens who rely on services provided by businesses in the Rock Dump Industrial Park. The intense scrutiny of the public and necessary security measures of businesses in the 100 Mill Street area will shine a spotlight (metaphorical and real) intensifying the feelings of hopelessness and shame the homeless population endures daily.

We need to do better. No more band-aids. No more delays.

Very Truly Yours,

Business Owner Representatives:

Michael Tripp

Owner - Timberwolf Ventures, Inc.

Brett Hutchinson

Land Operations Manager - Juneau Tours and Whale Watch

Andrew Green  
Port Manager – Cruise Line Agencies

Robert Janes  
Owner – Gastineau Guiding Company

Hayden Garrison  
Owner – G2 Properties, LLC

Kyle McDonnell  
Vice President of Business Development – Alaska Coach Tours

Daren Booton  
Owner – Alaska Shirt Company

Enclosure: Petition

(w/enclosure) CBJ Assembly Members  
    Robert Barr, Assistant CBJ Manager (w/enclosure)  
    Alec Mesdag, AEL&P (w/enclosure)  
    Alex Pierce, CBJ Tourism Director (w/enclosure)

# PETITION TO THE CITY AND BOROUGH OF JUNEAU ASSEMBLY

March 24, 2024

We, the individuals and business entities shown on the accompanying cover letter, seek redress from our local elected officials regarding the intolerable and unjustified continuation of illegal activities in our community that are ruining commerce, causing a continued blight on our community, and creating a clear and present danger to the public.

**WHEREAS** the City and Borough of Juneau (“CBJ”) has undertaken to relocate a seasonal camping ground for people experiencing homelessness, currently located on property owned by the AJT Mining Properties, Inc. known as the Mill Campground south of downtown Juneau, to the Alaska Electric Light & Power Company (“AEL&P”) outdoor storage lot on the corner of Thane Road and 100 Mill Street in the Rock Dump Industrial Area; and,

**WHEREAS** the Mill Campground, and the nearby street parking at the end of Gastineau Avenue adjacent to the existing campground, has become a source of open and notorious illegal drug use, drug dealing, and the sale of stolen goods during the camping season; and,

**WHEREAS** the individuals using Mill Campground have engaged in numerous acts of vandalism, chopping down trees close to powerlines, rerouting creeks, and setting fire to power poles endangering infrastructure necessary for the public good; and,

**WHEREAS** the individuals using the Mill Campground have illegally discarded an estimated seventy-four (74) tons<sup>1</sup> of trash at the site last year, and in the residential areas adjacent to the campsites that were collected and disposed of by the public at the public’s expense, and by local citizens at the risk of personal harm; and,

**WHEREAS** the individuals using the Mill Campground illegally discarded thousands of needles (measured as 19 gallons, dry weight)<sup>2</sup> used for illegal drug use at the site that were collected and disposed of by the public at the public’s expense, and collected in the adjacent areas by local citizens at the risk of personal harm; and,

**WHEREAS** individuals using the Mill Campground have regularly engaged in transactional sex at the site; and,

**WHEREAS** individuals using the Mill Campground are a constant threat to the businesses and residents located adjacent to and in the vicinity of the site, as well as on AEL&P property setting fire to power poles, cutting down trees, redirecting creeks and streams, illegally entering the campground through private property, and cutting down fences; and,

<sup>1</sup> According to CBJ findings as reported in the *Juneau Empire*, March 12, 2024.

<sup>2</sup> *Id.*

**WHEREAS** the concentration of individuals living at and visiting the Mill Campground routinely engage in numerous acts of belligerence, illegal conduct, and rude behavior characterized by frequent and sometimes armed confrontations and abuse to the citizens and visitors in the vicinity of the site, has a growing, negative impact on business activities, and especially the seasonal tourist trade that is a vital part of Juneau’s economy, as well as an impact on the well-being of nearby residents; and,

**WHEREAS** the Mill Campground serves many residents as an open drug scene for those who decline services for their mental health issues, treatment for drug and alcohol addiction, are hiding from society or the law, or go there to buy and sell drugs; and,

**WHEREAS** the CBJ is contemplating various alternatives to the utilization of the existing Mill Campground, including relocation as an emergency measure to the Rock Dump Industrial Park, or by closing the Mill Campground permanently and resigning to the fact that this population will disperse throughout the community, without review, study, or discussion within the community while bypassing public comment; and,

**WHEREAS** the CBJ Ordinance 49 addressing permissible uses at Section 21.200 precludes operation of campgrounds in industrial zoned property; and,

**WHEREAS** the CBJ working committee on March 11<sup>th</sup>, 2024, estimated the cost of relocating the existing Mill Campground to a new location will likely exceed \$100,000 in public funds, an estimated sum that does not include funds for safety and security, forcing businesses to bear the burden of securing, monitoring, and surveilling the 100 Mill Street area; and,

**WHEREAS** businesses in the Rock Dump Industrial Park have already incurred thousands of dollars in expenses for security equipment and anticipate 10s of thousands more to prevent the damage from vandalism of buses, break-ins, and theft of property experienced during the 2023/24 winter season because of their proximity to the City Warming Shelter operating in the Rock Dump. The affected businesses include but are not limited to: Gastineau Guiding Company, Timberwolf Ventures Inc. *aka Alaska Shirt Company*, Green Elephant, Alaska Marine Lines, M&M Tours, and Juneau Tours and Whale Watch; and,

**WHEREAS** warming shelter residents have already broken into and used nearby buses, vehicles, and facilities to engage in sex, illegal drug use, and the destruction of property for sport as evidenced by video footage from the Alaska Coach Tours bus lot; and,

**WHEREAS** there is great concern that the CBJ has been unable to uphold their part of the lease agreement with AEL&P during the 2023 camping season as outlined in Attachment B of the lease which includes the following monitoring schedule: 1) Park Ranger staff will visit one or two times a day to monitor, perform registration, maintain firewood stock, potable water availability, and general upkeep, 2) Parks and Recreation maintenance workers will visit a minimum of one time per day to pick up garbage and maintain an orderly and clean site, 3) Juneau Police Department officer will visit the site one time per day to maintain a safe facility, 4) The Homelessness Coordinator will visit the facility 3 times per week to perform intake; and,

**WHEREAS** businesses in the Rock Dump Industrial Park, including Alaska Marine Lines, Delta Western Petroleum, Petro Marine Services, and the AJ Dock are required to operate under the Federal Maritime Transportation Security Act of 2002, provisions related to Maritime Security (MARSEC), which mandate the maintenance of secure and restricted areas according to federal law and in coordination with international law, now face substantial, immediate and mandatory investments in security infrastructure and surveillance to fulfill the laws and protect operations from the lawless conduct of certain individuals who used the Winter Warming Shelter and those who will likely do the same near the proposed homeless campground at 100 Mill Street; and,

**WHEREAS** the CBJ has failed to provide time for these businesses to prepare for the relocation of the Mill Campground in advance of the 2024 tourist season; and,

**WHEREAS** seven tour and transportation companies operating in the Rock Dump Industrial Park have an obligation to cruise lines and cruise line passengers to provide reliable, safe and timely transport without the risk of unnecessary delays or sudden interruption of service; and

**WHEREAS** approximately 400,000 visitors arrive each season at the AJ Dock and walk or ride downtown along Mount Roberts Road and Thane Road; and,

**WHEREAS** businesses in the Rock Dump Industrial Park provide vital services that benefit all of Juneau residents, including Alaska Marine Lines which ships most of the goods that arrive in Juneau by sea, and various other vital businesses, including Sysco Food Services, Delta Western Petroleum, and Petro Marine Services, many of whom were negatively impacted by the winter homeless warming shelter, and will be further harmed by moving the homeless campground to the proposed site at 100 Mill Street; and,

**WHEREAS** the unacceptable risk of business interruption affecting all of Juneau during a criminal event or fire requiring emergency services to shut down Thane Road is dramatically increased by the presence of a homeless encampment rampant with crime; and,

**WHEREAS** many of the hundreds of employees at existing businesses located in the Rock Dump Industrial Park have already expressed fears for their personal safety and concerns about working in the proximity of a crime-ridden homeless encampment, especially those who work after normal business hours which include warehouse workers, bus drivers returning from their late shift, office staff arriving early or managing late shifts, and those who walk or ride their bicycles to work; and,

**WHEREAS** the CBJ has allocated no funds for security, nor offered support in the form of grants or short-term loans to businesses faced with unanticipated and unnecessary expenses to protect their operations and employees: and,

**WHEREAS** the concentration and relocation of individuals into a new campground, removed from current facilities and organizations that assist the homeless, and which are funded in part with CBJ funds, will perpetuate an intolerable situation and continue to foster and promote illegal acts and other behavior that is ruinous to the public safety and well-being of our community: and,





**WHEREAS** the CBJ support for homelessness interventions rose from \$500k per year on average to over \$5 million in 2023,<sup>3</sup> the CBJ has and continues to provide significant resources devoted to homeless individuals, those afflicted with drug and alcohol addiction, and mental health issues successfully in other Juneau locations; and

**WHEREAS** the permanent or temporary discontinuation of camping services will trigger dispersal of this population into the community, and likely a return to an unmanageable level of camping in doorways on Franklin Street and in the Marine Park: and

**NOW, THEREFORE**, we the petitioners, listed in the accompanying letter, request the CBJ act as follows:

- A. **Permanently close the Mill Campground, and suspend plans for the relocation of the campground to 100 Mill Street**, or any other location in or adjacent to commercial or residential property; and,
- B. Identify a CBJ-owned property or other property suitable for such an emergency encampment, **pass an emergency resolution to expedite the relocation to a suitable site by May 1<sup>st</sup>, 2024**, including, as necessary, the appropriation of funds to prepare such an encampment, funds to monitor, maintain and secure any such encampment, and allocate sufficient funds to care for the needs of campers at the new site.
- C. **Suspend any plans which consider temporary or permanent dispersion of this population into the community past the May 1<sup>st</sup> proposed deadline.**
- D. We also request, the **CBJ involve business and community leaders in seeking a long-term solution** for the shelter of individuals who are unable, due to lack of availability, unwilling, or ineligible to stay in existing temporary housing for persons experiencing homelessness.

---

<sup>3</sup> [As per Deputy Manager Robert Barr’s presentation to the CBJ working committee on March 11, 2024]

# Maritime Administration FY 2024 Port Infrastructure Development Program (PIDP)



## FY 2024 PIDP How to Apply Webinar

**MARAD**  
U.S. MARITIME ADMINISTRATION

## Port Infrastructure Development Program Grant Overview



### ■ Port Infrastructure Development Program (PIDP) Grant Opportunity

- PIDP Grants provide Federal assistance to fund eligible projects for the purpose of improving the safety, efficiency or reliability of the movement of goods through ports and intermodal connections to ports.
- \$450 million\* appropriated for FY 2024 through BIL/IIJA:
  - \$112.5 million is reserved for “small projects at small ports.” A small port is defined as a coastal seaport, Great Lakes, or inland river port to and from which the average annual tonnage of cargo for the immediately preceding three calendar years from the time an application is submitted is less than 8,000,000 short tons, as determined by using U.S. Army Corps of Engineers data or data by an independent audit if the Secretary determines that it is acceptable to use such data instead of using U.S. Army Corps of Engineers data.
  - Discretionary grants awarded on a competitive basis
- Application submittal deadline is 11:59:59 E.D.T. on **May 10, 2024**.
- Applications must be submitted through [www.grants.gov](http://www.grants.gov).

\*- *Additional funding may be made available through the annual appropriations process. If so, the NOFO will be amended accordingly to announce additional funding availability.*

## Notice of Funding Opportunity (NOFO) Outline

### A. Program Description

- Program overview, changes from 2024, definitions

### B. Federal Award Information

- Amount available, award size, restrictions, availability of funds, previous PIDP awards

### C. Eligibility Information

- Eligible applicants, eligible projects, cost sharing, project components, application limit

### D. Application and Submission Information

- Application instructions, content and format of application, UEI and SAM, submission dates, funding restrictions, submission requirements

### E. Application Review Information

- Merit criteria, selection considerations, project readiness, statutory determinations, review process

### F. Federal Award Information

- Administrative and National policy requirements, program requirements, and reporting requirements

### G. Federal Awarding Agency Contacts

- Email address, phone number, website debriefs

### H. Other Information

- Confidential business information, publication and sharing of application information

## PIDP Program Description



The PIDP statute, codified at 46 U.S.C. 54301, establishes the port and intermodal improvement program to ***improve the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports.***

- PIDP is a discretionary grant program. Awards are made by the Secretary of Transportation on a competitive basis.
- Since inception in FY 2019, program awards total more than \$2.1 billion
- \$450,000,000 is appropriated for FY 2024 through BIL/IIJA
- Application evaluations include statutory and non-statutory criteria
- Applications must be submitted through [www.grants.gov](http://www.grants.gov).

## Port Infrastructure Development Program Grant Overview



### ■ Federal Award Information

- Guidance on Federal Award Information is in Section B of the Notice of Funding Opportunity (NOFO)
- Award size.
  - No minimum award size. No maximum award size (but see “Restrictions on Funding” below).
- Restrictions on Funding.
  - A maximum of \$112.5 million can be awarded for projects in any one state.
  - Small Projects at Small Ports.
    - \$112.5 million is reserved for small projects at small ports
      - No single grant award may be more than 10% (\$11.25 million) of this amount.
      - No more than \$11.25 million may be used for development phase activities.
  - Not more than \$33.75 million of the funds not reserved for small projects at small ports may be awarded for development phase activities for large projects that do not result in construction.

## PIDP Federal Award Information



### Federal Award Information for FY 2024 (cont'd)

#### Availability of Funds

- Goal is to obligate funds not later than September 30, 2027. Obligation occurs upon execution of a written grant agreement.
- Various administrative requirements, including transportation planning and environmental reviews, must be completed before a grant agreement can be executed.
- Goal is to expend funds within five years after obligation.
- A project's likelihood to be ready for obligation of funds by September 30, 2027 and the ability to liquidate these obligations within five years of obligation will be considered during the review process (readiness factor).

#### Previous PIDP awards

- Previous PIDP grant recipients may apply for funding to support additional phases of a project previously awarded funding. However, **to be competitive**, the applicant should show how the previously funded project met scope, schedule, and budget milestones and how the new phase will impact project benefits.

## PIDP Eligibility Details



### Eligible Applicants

- A State or political subdivision of a State or local government;
- An Indian Tribe or consortium of Indian Tribes;
- A public agency or publicly chartered authority established by one or more States;
- A special purpose district with a transportation function;
- A multistate or multijurisdictional group of entities; or
- A lead entity described above jointly with a private entity or group of private entities (including the owners or operators of a facility, or collection of facilities, at a port).

### Joint Applications

- If submitting a joint application, applicants must identify in the application the eligible lead entity as the primary point of contact and identify the primary recipient of the award.
- The applicant that will be responsible for financial administration of the project must be an eligible lead entity described above (i.e., not a private entity).
- Joint applications should include a description of the roles and responsibilities of each entity.



## PIDP Eligibility Details



### Cost Sharing and Matching

LGO

In general, Federal share may not exceed 80 percent of the cost of the project.

- The Secretary may waive that requirement for grants awarded to (1) a project located in a rural area or (2) for a Small Project at a Small Port.

The application must demonstrate sources of non-Federal funds being committed to the project. Applicants must provide documentation that the matching funds are committed prior to the obligation of funds for the project.

Matching funds may be:

- State funds, local funds, or private funds.
  - TIFIA or RRIF loans if the loan is repayable from non-Federal funds.
- Matching funds may not:
- Be counted as the non-Federal share for both this program and another Federal grant program unless otherwise authorized by statute.
  - Consist of previously-incurred costs or previously-expended funds unless first approved by DOT in writing after award announcement.

## PIDP Eligibility Details



**Eligible Projects shall be located either within the boundary of a port, or outside the boundary of a port and directly related to port operations or to an intermodal connection to a port.**

Eligible projects must improve the safety, efficiency, or reliability of:

- (I) the loading and unloading of goods at the port; such as for marine terminal equipment;
- (II) the movement of goods into, out of, around, or within a port; such as for highway or rail infrastructure, intermodal facilities, freight intelligent transportation systems, and digital infrastructure systems;
- (III) operational improvements, including projects to improve port resilience; or
- (IV) environmental and emissions mitigation measures, including projects for—
  - a) port electrification or electrification master planning;
  - b) harbor craft or equipment replacements or retrofits;
  - c) development of port or terminal microgrids;
  - d) provision of idling reduction infrastructure;
  - e) purchase of cargo handling equipment and related infrastructure;
  - f) worker training to support electrification technology;
  - g) installation of port bunkering facilities from ocean-going vessels for fuels;
  - h) electric vehicle charging or hydrogen refueling infrastructure for drayage and medium or heavy-duty trucks and locomotives that service the port and related grid upgrades; or
  - i) other related port activities, including charging infrastructure, electric rubber-tired gantry cranes, and anti-idling technologies.
- (V) port and port-related infrastructure that supports seafood and seafood-related businesses, including the loading and unloading of commercially harvested fish and fish products, seafood processing, cold storage, and other related infrastructure.

## PIDP Eligibility Details



### Eligible projects (cont'd)

Eligible projects also include projects to provide **shore power** at a port that services:

- Passenger vessels described in section 3507(k) of title 46, United States Code; and
- Vessels that move goods or freight.

*(Note: In FY2024, shore power projects shall be treated as satisfying the primary PIDP statutory purpose of improving the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports.)*

**Development phase activities** (including planning, feasibility analysis, revenue forecasting, environmental review, permitting, and preliminary engineering and design work) and port planning activities are eligible if the activities support one of the eligible project types listed.

- Funding will be prioritized for projects that will move into the construction phase within the grant's performance period.
- Applications for development phase activities are subject to an economic vitality analysis (either a small projects at small ports analysis or BCA for large projects).
- Under the FY 2024 PIDP, if an application includes right-of-way acquisition, the project will be considered a capital project.

## PIDP Eligibility Details



### Ineligible Projects

- Vessel construction, reconstruction, reconditioning, or purchase, *unless* the Secretary determines such a vessel is necessary for an environmental and emissions mitigation project (see NOFO Section C.3.a.(IV), AND is not receiving assistance under 46 U.S.C. chapter 537
- Projects within a small shipyard;
- Improvements to Federally owned facilities; or
- Fully automated cargo handling equipment or the installation of terminal infrastructure that is designed for fully automated cargo handling equipment:
  - If the Secretary determines such equipment would result in a net loss of good jobs or reduction in the quality of jobs within the port or port terminal.
  - In general, fully automated cargo handling systems transfer materials without the need, or with a significantly reduced need, for human assistance are ineligible.
  - Applicants who propose projects that include the acquisition of automated cargo handling equipment must provide the information outlined in Section C.3.a. of the NOFO.

## How to Apply, (cont'd) – Evaluation Criteria



### Summary of the Evaluation Criteria

#### Merit Criteria

- Achieving Safety, Efficiency, or Reliability Improvements;
- Supporting Economic Vitality;
- Leveraging Federal Funding; and
- Port Resilience.

#### Selection Considerations

- Climate Change and Sustainability;
- Equity and Justice<sup>40</sup>; and
- Workforce Development, Job Quality, and Wealth Creation.

#### Additional Considerations

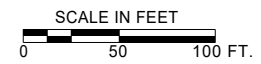
- Project Readiness
  - Technical Capacity; and
  - Environmental Risk.

#### Statutory Determinations

# Harbors Overview

Section H, Item 5.

	FY24			FY25	FY26
	FY23 Actuals	Amended Budget	Projected Actuals	Proposed Budget	Proposed Budget
<b>EXPENDITURES</b>					
Personnel Services	\$ 1,827,400	2,132,900	2,135,300	2,252,400	2,288,700
Commodities and Services	1,890,400	2,377,800	2,372,500	2,428,400	2,476,000
Capital Outlay	7,300	-	-	-	-
Debt Service	683,500	683,600	683,600	694,400	699,100
Support to:					
Capital Projects	750,000	-	-	2,000,000	-
<b>Total Expenditures</b>	<b>5,158,600</b>	<b>5,194,300</b>	<b>5,191,400</b>	<b>7,375,200</b>	<b>5,463,800</b>
<b>FUNDING SOURCES</b>					
Charges for Services	3,740,200	3,705,000	4,275,000	4,325,000	4,375,000
Licenses, Permits, and Fees	386,000	360,000	400,000	412,000	424,300
Rentals and Leases	963,300	900,000	1,068,500	950,000	950,000
State Shared Revenue	467,400	350,000	463,000	350,000	350,000
Federal Revenue	11,000	-	-	-	-
Fines and Forfeitures	13,400	10,000	10,000	10,000	10,000
Investment and Interest Income/(Loss)	273,200	107,700	250,000	295,400	306,300
Support from:					
Pandemic Response	-	-	-	-	-
Capital Projects	-	-	-	-	-
<b>Total Funding Sources</b>	<b>5,854,500</b>	<b>5,432,700</b>	<b>6,466,500</b>	<b>6,342,400</b>	<b>6,415,600</b>
<b>FUND BALANCE</b>					
<b>Debt Reserve</b>					
Beginning Reserve Balance	791,900	795,400	795,400	795,400	795,400
Increase (Decrease) in Reserve	3,500	-	-	-	-
<b>End of Period Reserve</b>	<b>\$ 795,400</b>	<b>795,400</b>	<b>795,400</b>	<b>795,400</b>	<b>795,400</b>
<b>Available Fund Balance</b>					
Beginning of Period	2,246,500	2,938,900	2,938,900	4,214,000	3,181,200
Increase (Decrease) in Fund Balance	692,400	238,400	1,275,100	(1,032,800)	951,800
<b>End of Period Available</b>	<b>\$ 2,938,900</b>	<b>3,177,300</b>	<b>4,214,000</b>	<b>3,181,200</b>	<b>4,133,000</b>
<b>STAFFING</b>	<b>16.83</b>	<b>17.45</b>	<b>17.95</b>	<b>17.95</b>	<b>17.95</b>



Concept No 1

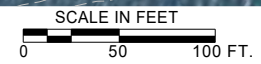
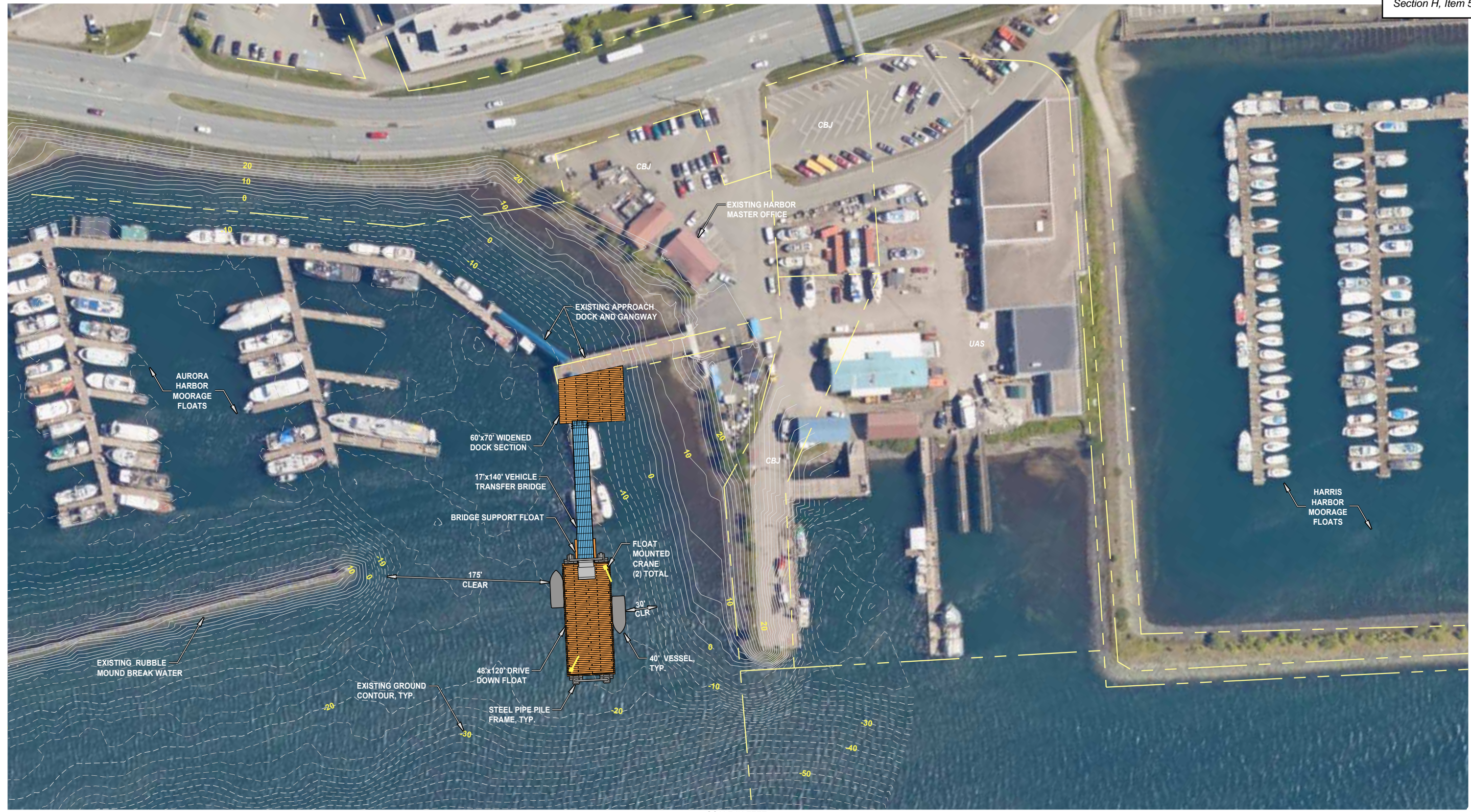


REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

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

**EXISTING CONDITIONS AND DEMOLITION PLAN**  
**AURORA HARBOR DRIVE DOWN FLOAT**

DESIGN:	BMI	DATE:	APRIL 4, 2023
CHECKED:	CRS	CONTRACT NO.:	DH24-0XX
APPROVED:		FILE NO.	232029 SHEET: 1 of 2



DH CAD TEMPLATE



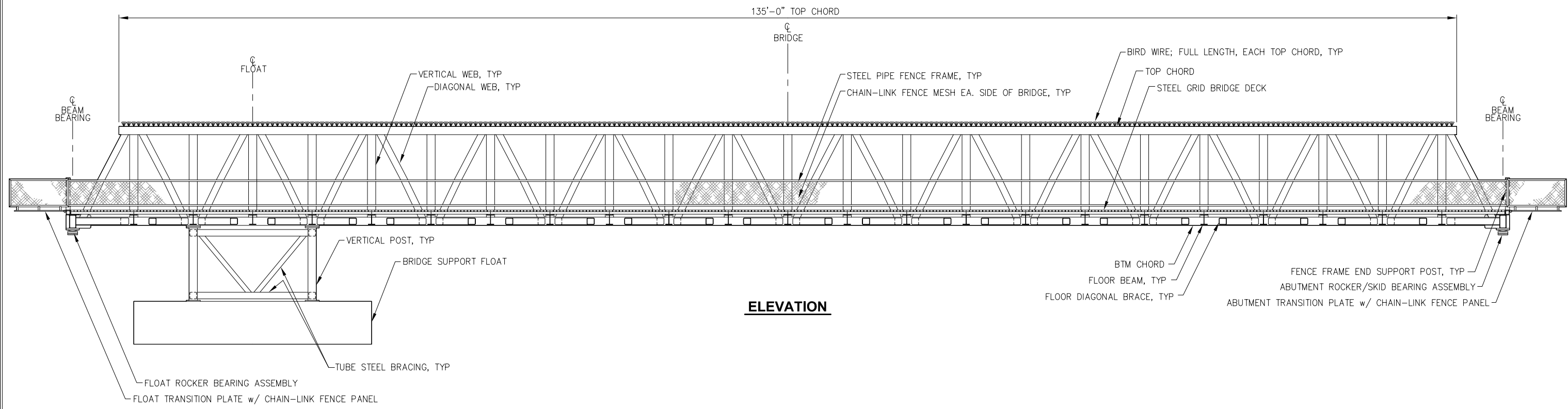
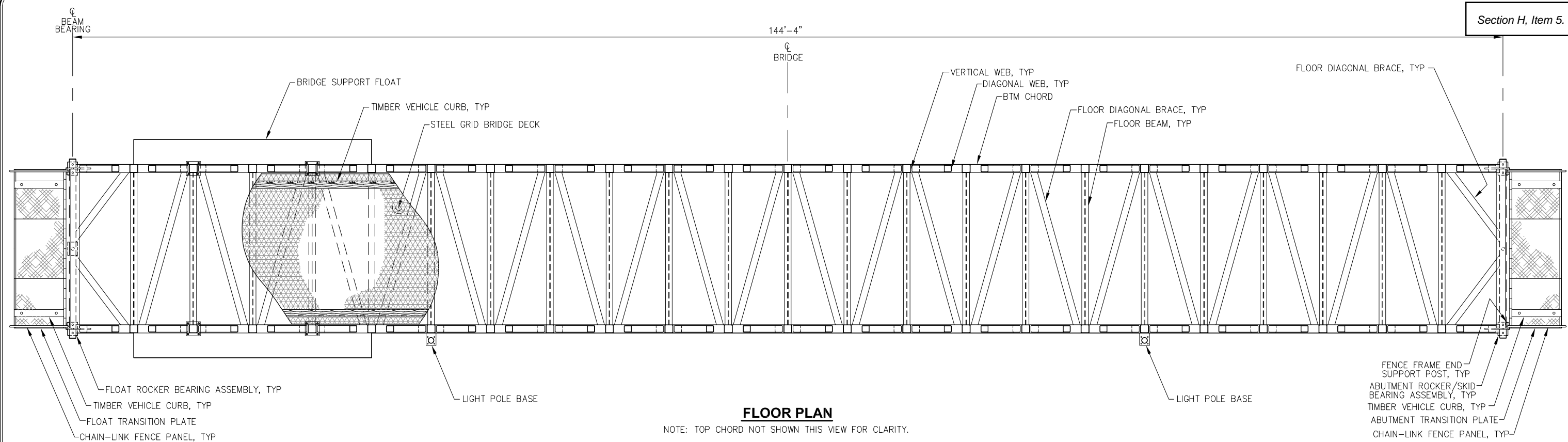
REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

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

**CONCEPT NO. 1**  
**AURORA HARBOR DRIVE DOWN FLOAT**

DESIGN:	BMI	DATE:	APRIL 4, 2023
CHECKED:	CRS	CONTRACT NO.:	DH24-0XX
APPROVED:		FILE NO.	232029 SHEET: 2 of 2



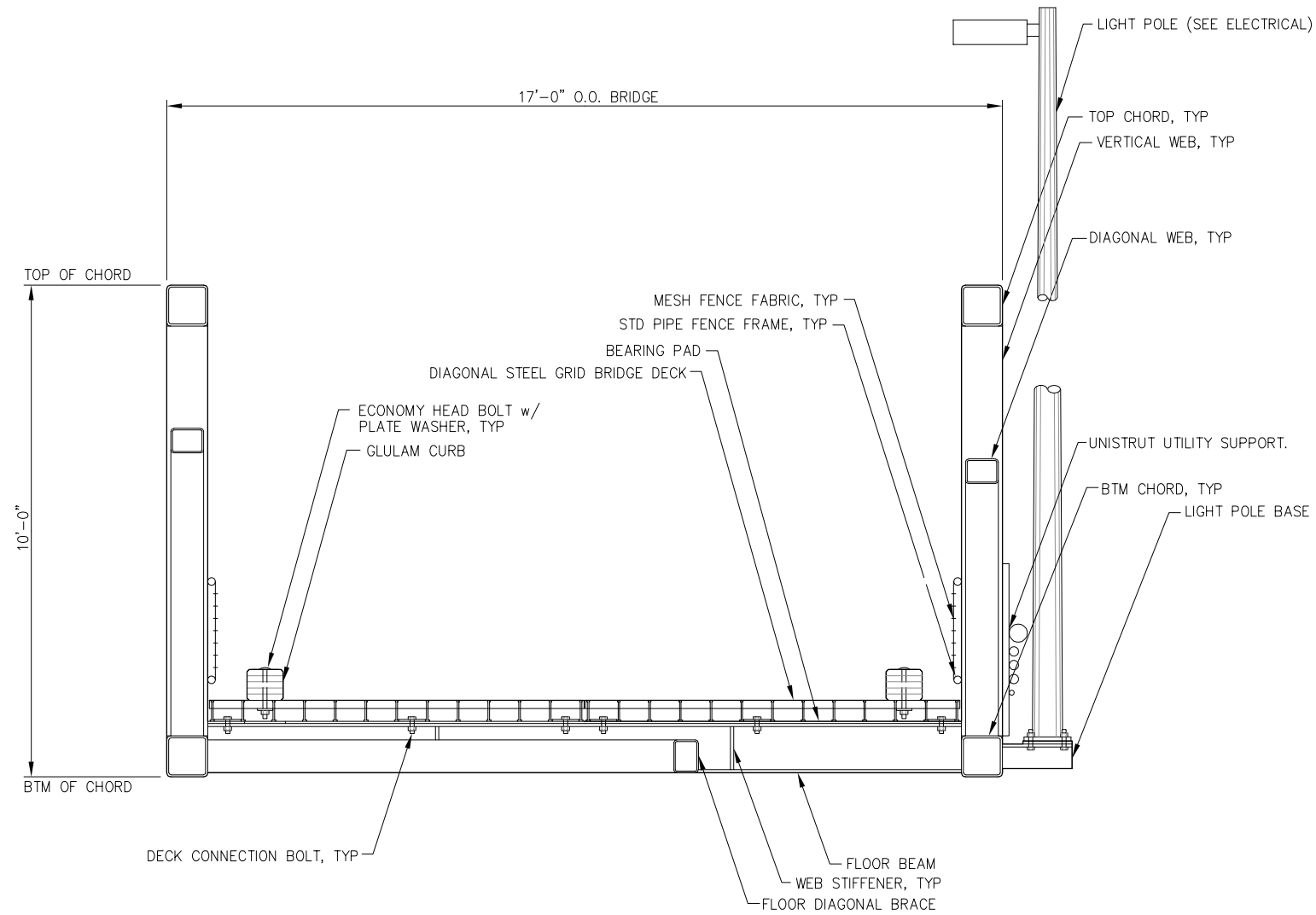


REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

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

PRELIMINARY DESIGN  
 TRANSFER BRIDGE PLAN AND ELEVATION  
 AURORA HARBOR DRIVE DOWN FLOAT

DESIGN:	BMI	DATE:	APRIL 26, 2023
CHECKED:	CRS	CONTRACT NO.:	DH24-0XX
APPROVED:		FILE NO.	232029 SHEET: 1 of 5



**TYPICAL TRANSFER BRIDGE SECTION**

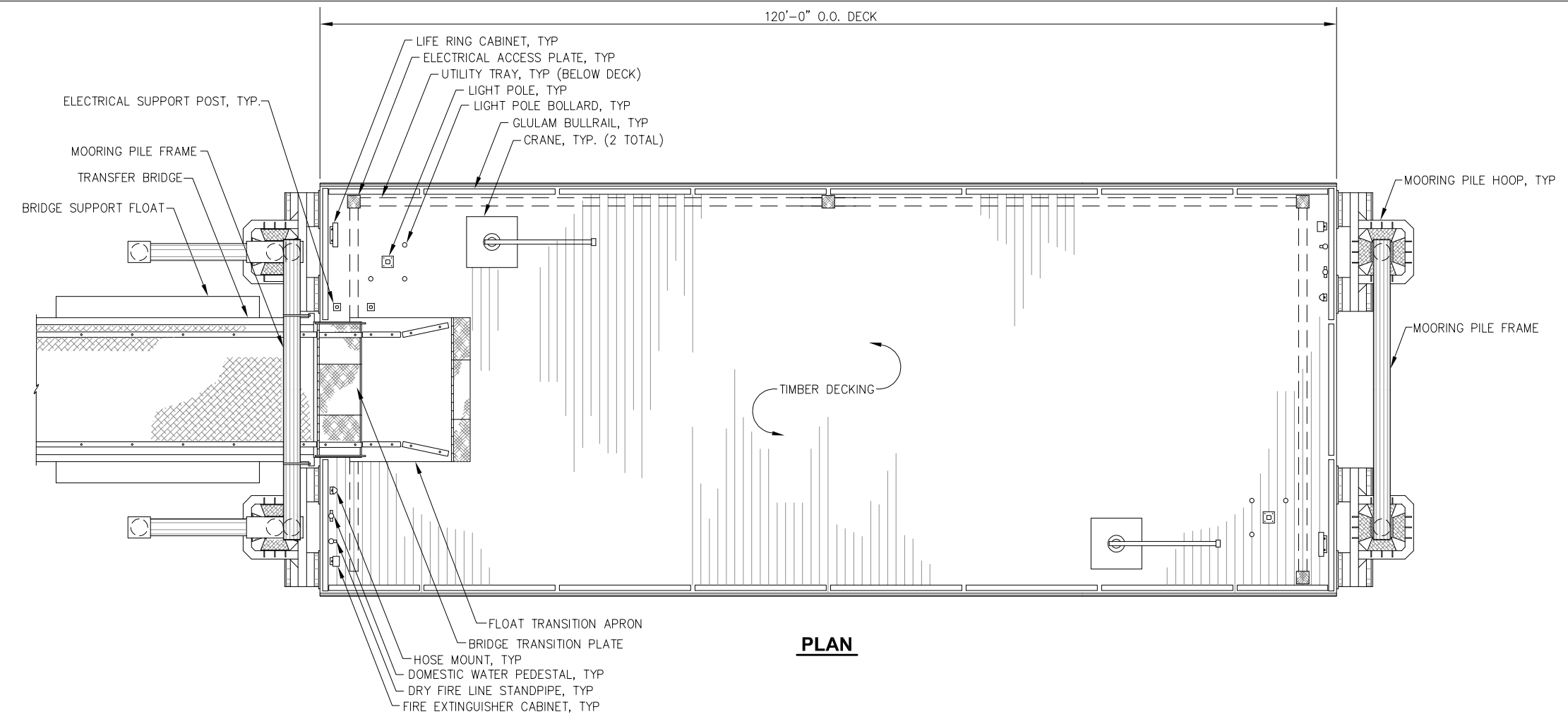


REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

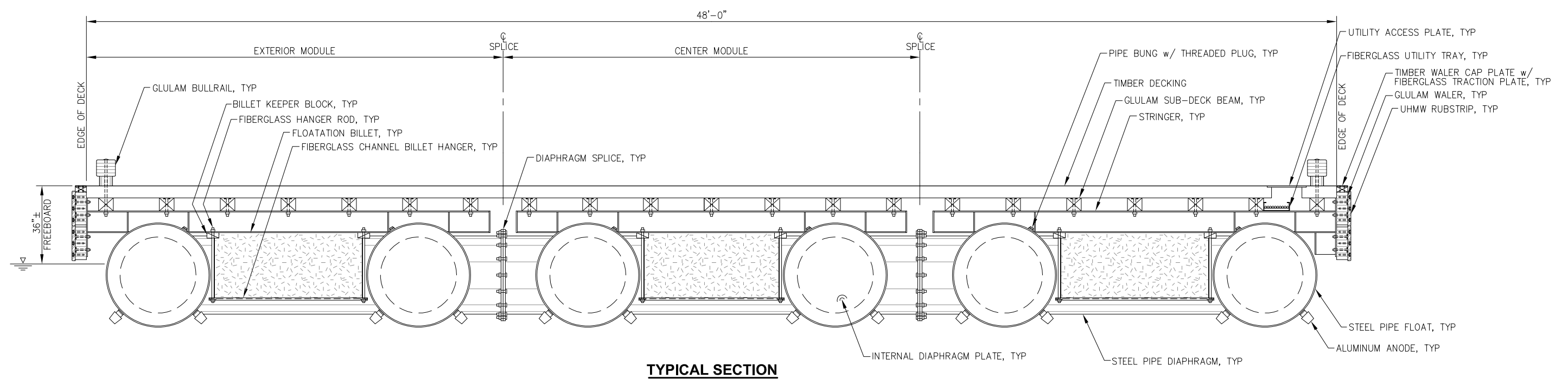
CITY AND BOROUGH OF JUNEAU  
**DOCKS & HARBORS**  
 155 SOUTH SEWARD STREET  
 JUNEAU, ALASKA 99801  
 PHONE: 907-586-0292

PRELIMINARY DESIGN  
 TYPICAL SECTION  
 AURORA HARBOR DRIVE DOWN FLOAT

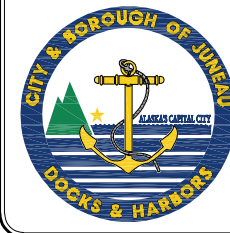
DESIGN:	BMI	DATE:	APRIL 26, 2023
CHECKED:	CRS	CONTRACT NO.:	DH24-0XX
APPROVED:		FILE NO.	232029 SHEET: 2 of 5



**PLAN**



**TYPICAL SECTION**

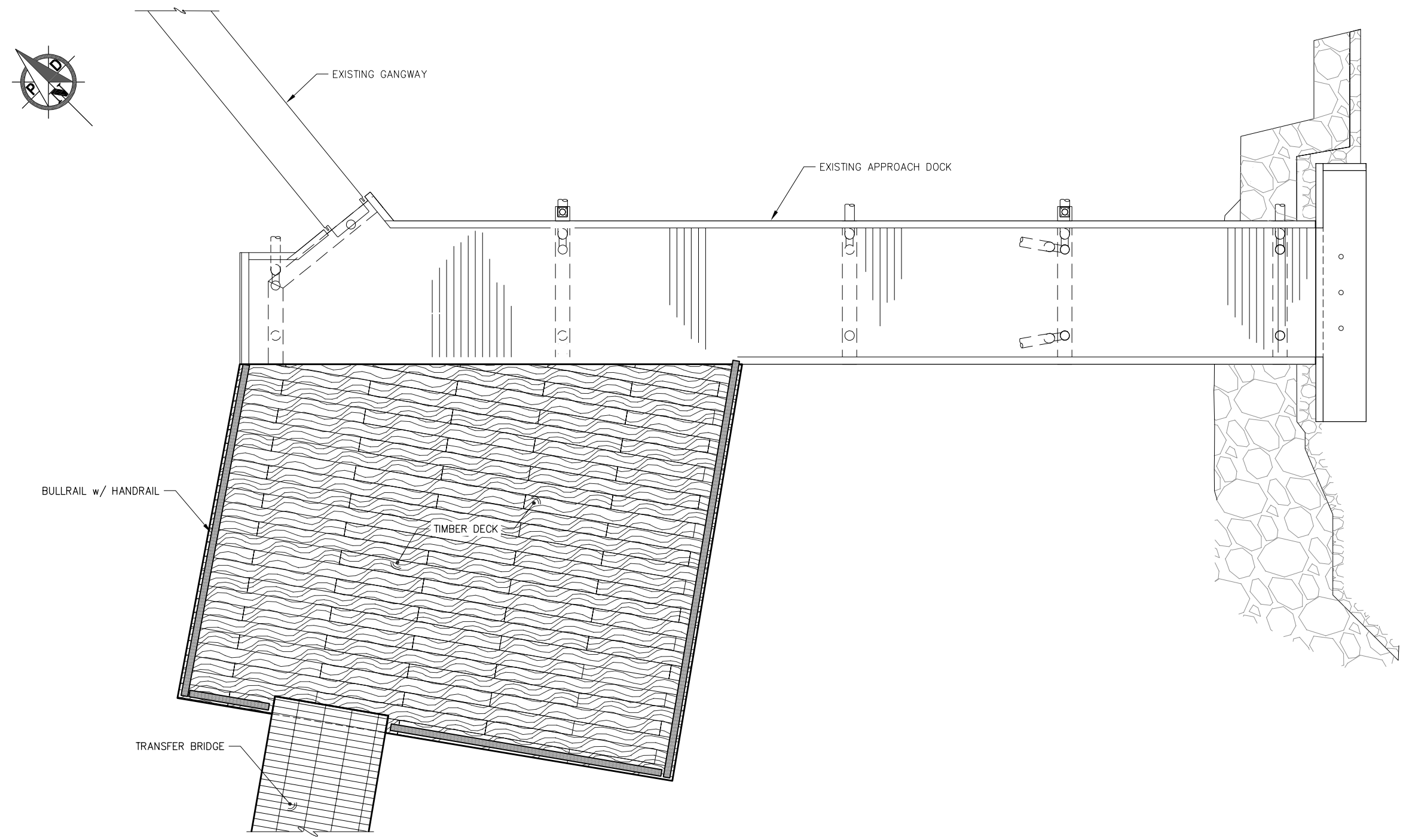


REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

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

PRELIMINARY DESIGN  
 DRIVE-DOWN FLOAT PLAN AND TYPICAL SECTION  
 AURORA HARBOR DRIVE DOWN FLOAT

DESIGN:	BMI	DATE:	APRIL 26, 2023
CHECKED:	CRS	CONTRACT NO.:	DH24-0XX
APPROVED:		FILE NO.	232029 SHEET: 3 of 5



**APPROACH DOCK - PLAN**  
 SCALE IN FEET  
 0 6 12 FT

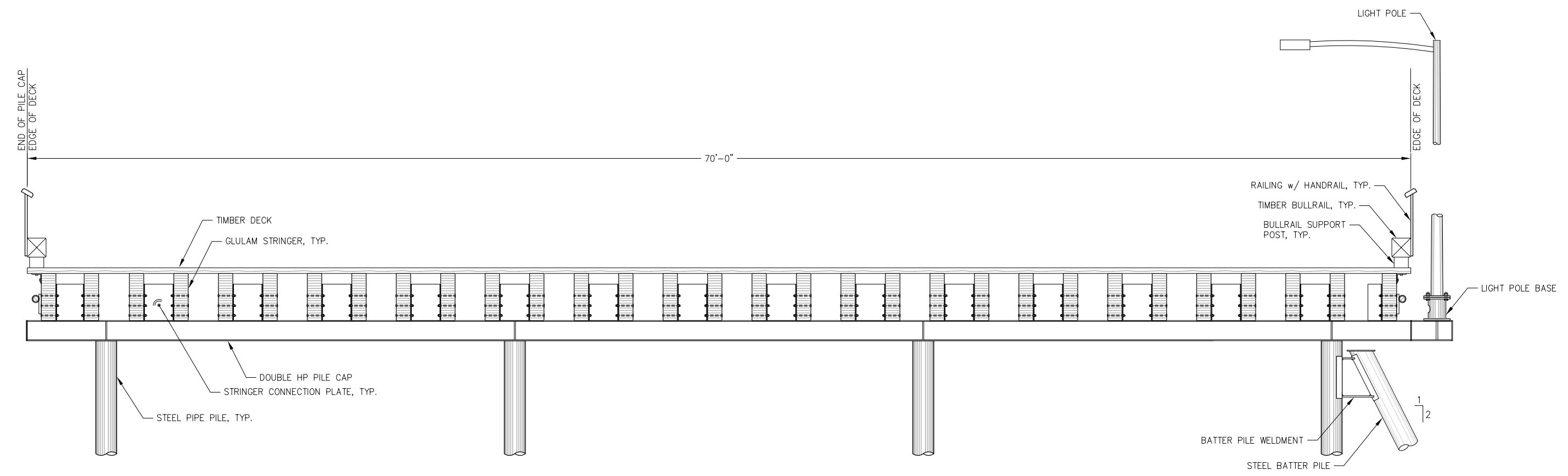


REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

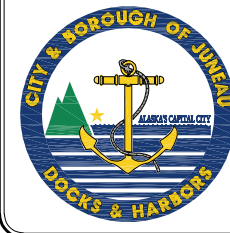
CITY AND BOROUGH OF JUNEAU  
**DOCKS & HARBORS**  
 155 SOUTH SEWARD STREET  
 JUNEAU, ALASKA 99801  
 PHONE: 907-586-0292

PRELIMINARY DESIGN  
 APPROACH DOCK PLAN  
 AURORA HARBOR DRIVE DOWN FLOAT

DESIGN:	BMI	DATE:	APRIL 26, 2023
CHECKED:	CRS	CONTRACT NO.:	DH24-0XX
APPROVED:		FILE NO.	232029 SHEET: 4 of 5



**APPROACH DOCK TYPICAL SECTION**



REVISIONS					
REV	DATE	DESCRIPTION	DWN	CHK	APP

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

PRELIMINARY DESIGN  
 APPROACH DOCK TYPICAL SECTION  
 AURORA HARBOR DRIVE DOWN FLOAT

DESIGN:	BMI	DATE:	APRIL 26, 2023
CHECKED:	CRS	CONTRACT NO.:	DH24-0XX
APPROVED:		FILE NO.	232029 SHEET: 5 of 5



CONOLIFT  
AQUACULTURE  
MARINE

# CONOLIFT

#1 Quebec Drive, Seguin, ON P2A 0B2 Tel 888-480-3777 Fax 705-378-5068 Email [sales@conolift.com](mailto:sales@conolift.com)

## Juneau Docks and Harbors

**Y-60 MARINE HYDRAULIC YARD TRAILER** Quote Date:  
09-Jan-24

**Standard Capacities & Features**

- Capacity (size)..... Fishing boats to 60' LOA
- Capacity (weight)..... 120,000 lbs off-road only
- 14" x 14" x .500" HSS steel tube frame
- Hydraulic expanding width frame (expands from 96" to 126" inside frame rails)(65" to 95" between tires)
- Hydraulic lift - wheel and tongue lift with frame heights to 66"
- Hydraulic Power: 11 HP Honda gasoline engine
- Pilot operated safety lock-valves on main frame lift and tongue
- O-ring boss and JIC hydraulic fittings
- Zinc coated steel hose ends and fittings
- High strength hydraulic cylinder shafts
- Stainless steel hardware (nuts/bolts/pins)
- Walking beam suspension
- Tires: 28" premium wide-trac solid Titan tires
- 3 year warranty on frame, 2 years on hydraulic components with 90 days limited warranty on running gear

**Optional Equipment - Included**

- Black or white decal (company name & telephone number) on both sides of unit
- Electric start
- Rear wheel steering (25 degrees)
- Hydraulic front dolly wheels for wet launch and retrieval
- Stainless steel hose ends & fittings package
- Stainless steel speedy sleeves on spindles for hub seals
- Wireless remote control      14 Functions
- Electric over hydraulic drum brakes
- Hydraulic fifth wheel gooseneck (2" SAE pin)
- Hot dip galvanized frame & components (in lieu of standard painting process)
- Hydraulic arm package comes with 6 qty 8" aluminum keel beams      6 Sail Arm Package

Package price F.O.B. Parry Sound, Ontario, Canada: ● 0,000.00

Prices are subject to change without notice. Conolift reserves the right to change specifications or substitute components as required in an effort to supply a better product in an ever changing marketplace.

**DOCKS AND HARBORS  
FY24/FY25/FY26 BUDGET**

**Docks & Harbors Board  
to  
Assembly Finance Committee  
April 6<sup>th</sup>, 2024**

# Board Members

**Don Etheridge**(Board Chair)

**Debbie Hart** (Board Vice-Chair)

**Mark Ridgway**(OPS/Planning Chair)

**Paul Grant**(OPS/Planning Vice-Chair) **1<sup>st</sup> term end June 30<sup>th</sup>, 2024**

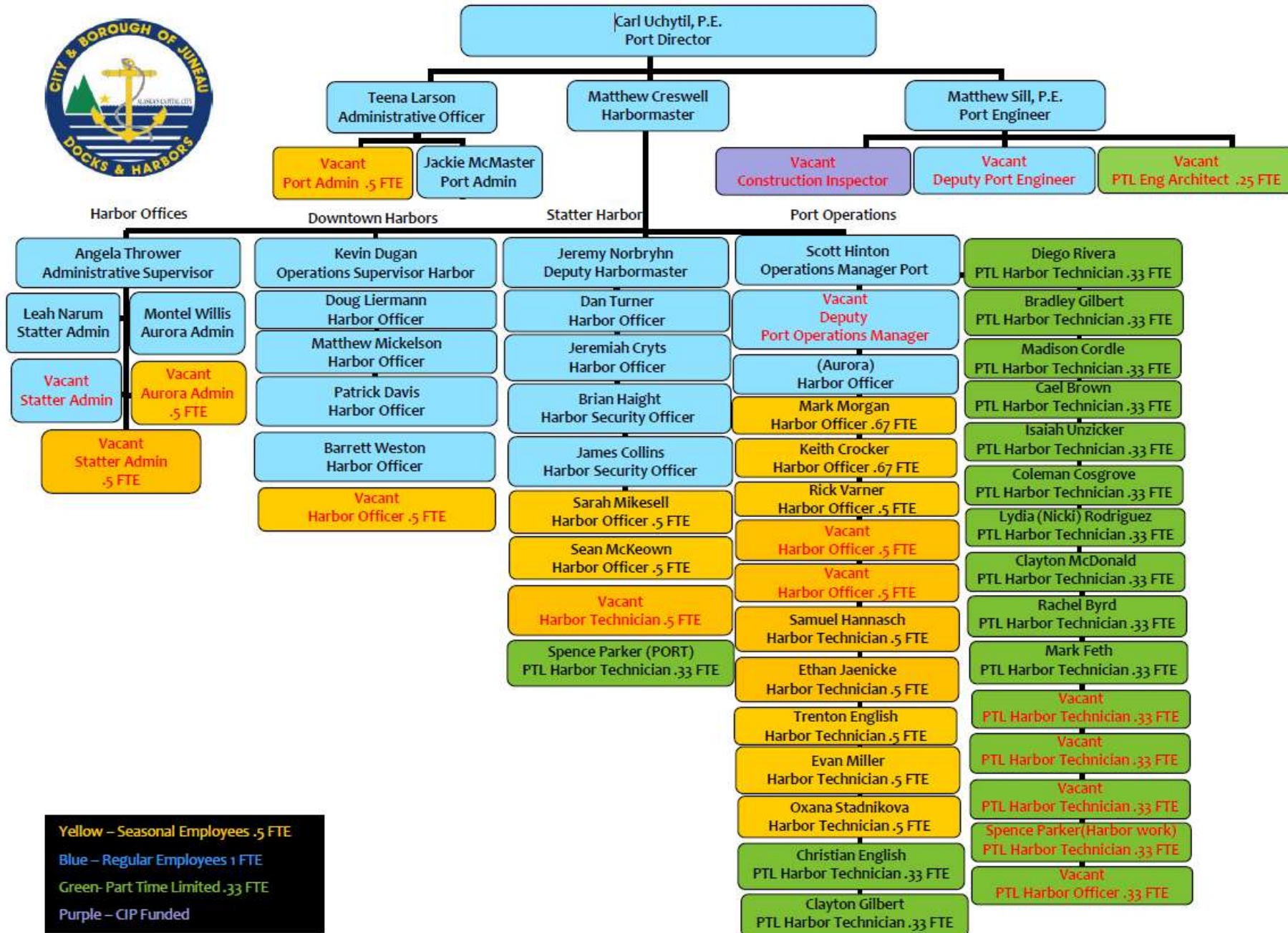
**Matthew Leither** **1<sup>st</sup> term end June 30<sup>th</sup>, 2024**

**James Becker** **2<sup>nd</sup> term end June 30<sup>th</sup>, 2024**

**Annette Smith**

**Shem Sooter**





Yellow – Seasonal Employees .5 FTE  
 Blue – Regular Employees 1 FTE  
 Green- Part Time Limited .33 FTE  
 Purple – CIP Funded

<b>Echo Cove Boat Launch</b>
<b>Amalga Harbor Boat Launch</b>
<b>Auke Bay Loading Facility</b>
<b>Statter Harbor/Launch</b>
<b>Auke Bay Marine Station</b>
<b>Aurora Harbor</b>
<b>Harris Harbor/Launch</b>
<b>North Douglas Boat Launch</b>
<b>Douglas Boat Harbor/Launch</b>
<b>Cruise Ship Floats</b>
<b>Intermediate Vessel Float</b>
<b>PFO Float</b>
<b>Inside of CT Float</b>
<b>National Guard Float</b>
<b>Taku Harbor</b>



Section I, Item 7.

## Harbor Facilities

<b>Harris Harbor</b>	<b>204 slips</b>
<b>Aurora Harbor</b>	<b>239 slips + 268' side tie</b>
<b>Mike Pusich Douglas Harbor</b>	<b>190 slips</b>
<b>Don Statter Harbor Facility – Transient Moorage</b>	<b>10,000 LF</b>
<b>Don Statter Harbor - Reserved Moorage</b>	<b>70 slips</b>
<b>TOTAL</b>	<b>~ 1000 slips</b>

## Other Properties

### Cruise Ship Docks

- Alaska Steamship Dock
- Cruise Terminal

### Auke Bay Loading Facility

- Boat Yard area leased to Karl's Marine

### Auke Bay Marine Station

### Juneau Fisheries Terminal (Aurora Harbor)

- Boat Yard leased to Harri's Commercial Marine

43 Leases totaling several hundred acres of tidelands and waterfront properties

### Echo Cove Campground

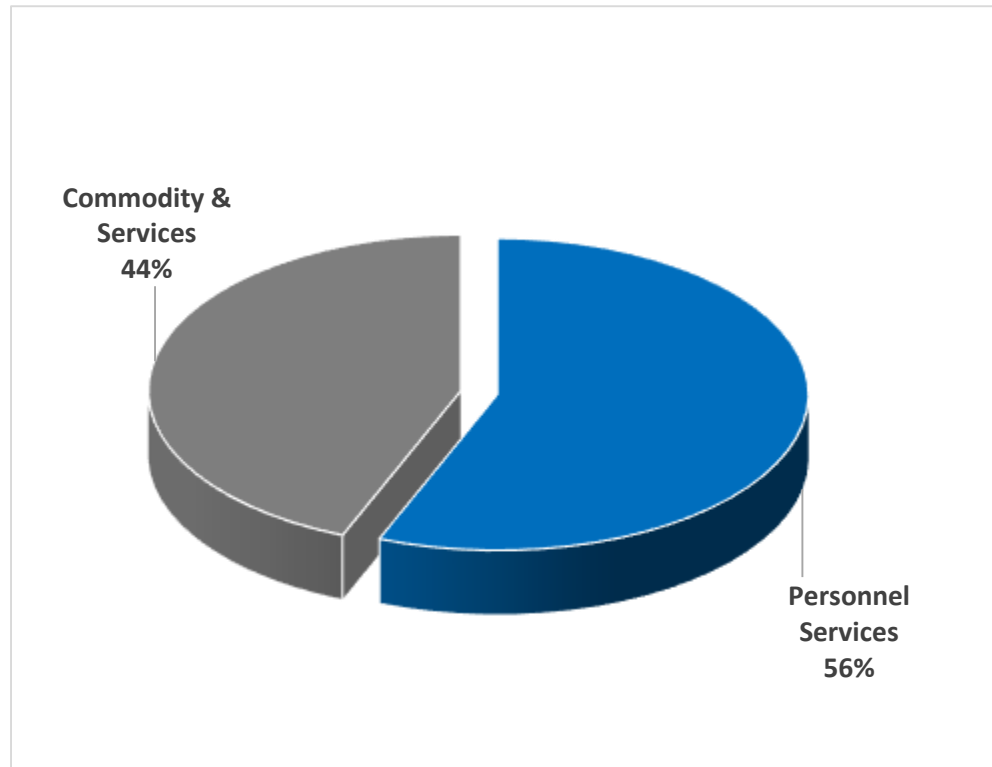
# Docks Overview

Section 1, Item 7.

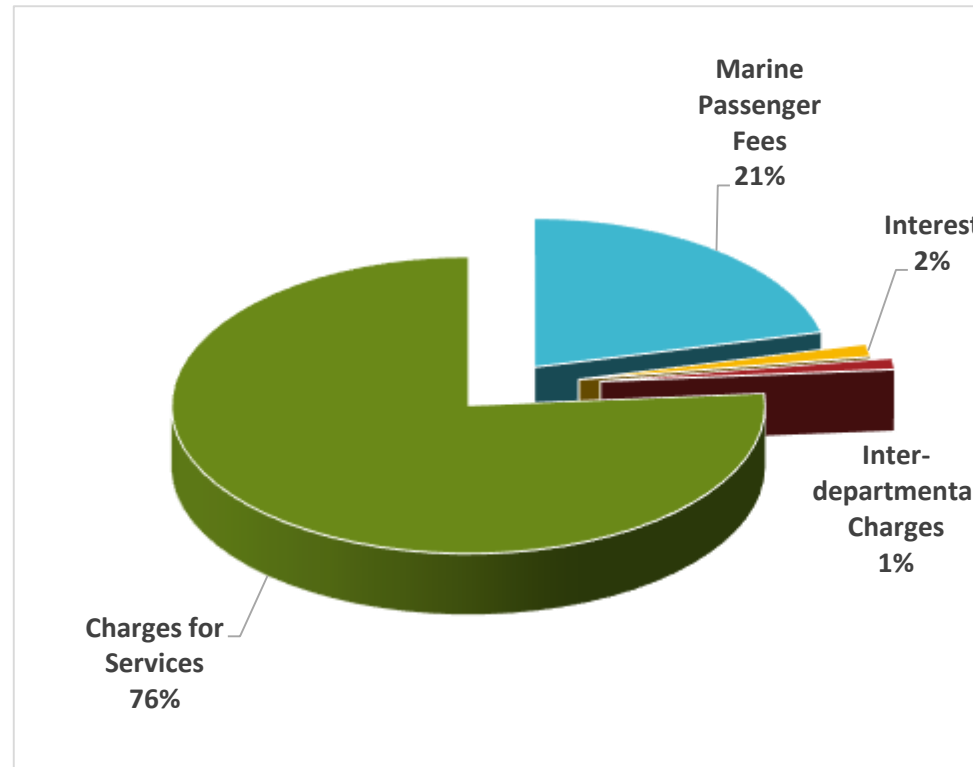
	FY24		FY25 Proposed Budget	FY26 Proposed Budget
	FY23 Actuals	Amended Budget		
<b>EXPENDITURES</b>				
Personnel Services	\$ 1,290,500	1,447,500	1,532,500	1,607,500
Commodities and Services	1,051,000	1,095,000	1,195,800	1,238,400
Capital Outlay	-	-	-	-
Support to:				
Marine Passenger Fee	-	-	-	-
Capital Projects	-	-	-	-
<b>Total Expenditures</b>	<b>2,341,500</b>	<b>2,542,500</b>	<b>2,728,300</b>	<b>2,845,900</b>
<b>FUNDING SOURCES</b>				
Interdepartmental Charges	15,100	40,200	40,200	40,200
Charges for Services	2,487,800	1,800,000	2,579,500	2,625,000
Licenses, Permits, and Fees	-	-	-	-
Investment and Interest Income/(Loss)	34,900	67,100	45,100	62,300
Support from:				
Marine Passenger Fees	717,000	717,000	717,000	717,000
Port Development Fees	-	-	-	-
State Marine Passenger Fees	-	-	-	-
Capital Projects	-	-	-	-
<b>Total Funding Sources</b>	<b>3,254,800</b>	<b>2,624,300</b>	<b>3,381,800</b>	<b>3,444,500</b>
<b>FUND BALANCE</b>				
Beginning of Period	1,656,400	2,569,700	2,569,700	3,223,200
Increase (Decrease) in Fund Balance	913,300	81,800	653,500	557,600
<b>End of Period Fund Balance</b>	<b>\$ 2,569,700</b>	<b>2,651,500</b>	<b>3,223,200</b>	<b>3,821,800</b>
<b>STAFFING</b>	<b>19.20</b>	<b>19.24</b>	<b>19.75</b>	<b>19.75</b>

# Docks Budget FY24 \$3.4M

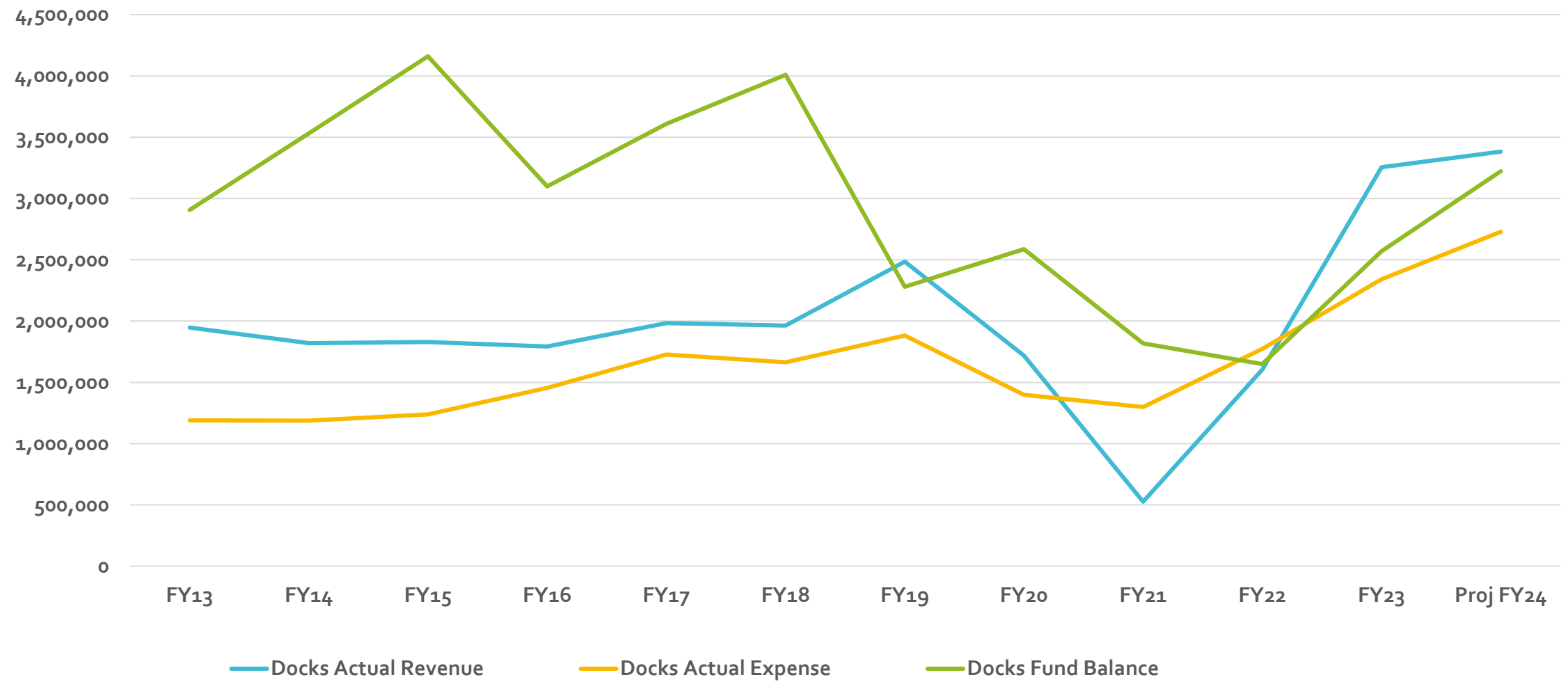
## Docks Expenditures



## Docks Revenue



### Docks Overview



# FY24 Dock Summary

- FY24 Docks Enterprise revenue is anticipated to be very strong through June 30th.
- Revenues will exceed expenditures
- However, there are a few unbudgeted expenses for FY24 to include:
  - Personnel increase for salaries - \$120K
    - Stood up Deputy Port Manager
    - Stood up 2<sup>nd</sup> evening Security Harbor Officer (1/2 FTE shared with Harbor Enterprise)
  - Replacement of Steamship Dock Lighting \$30K
- We are currently preparing an application for the EPA Clean Ports Grant program for dock electrification.



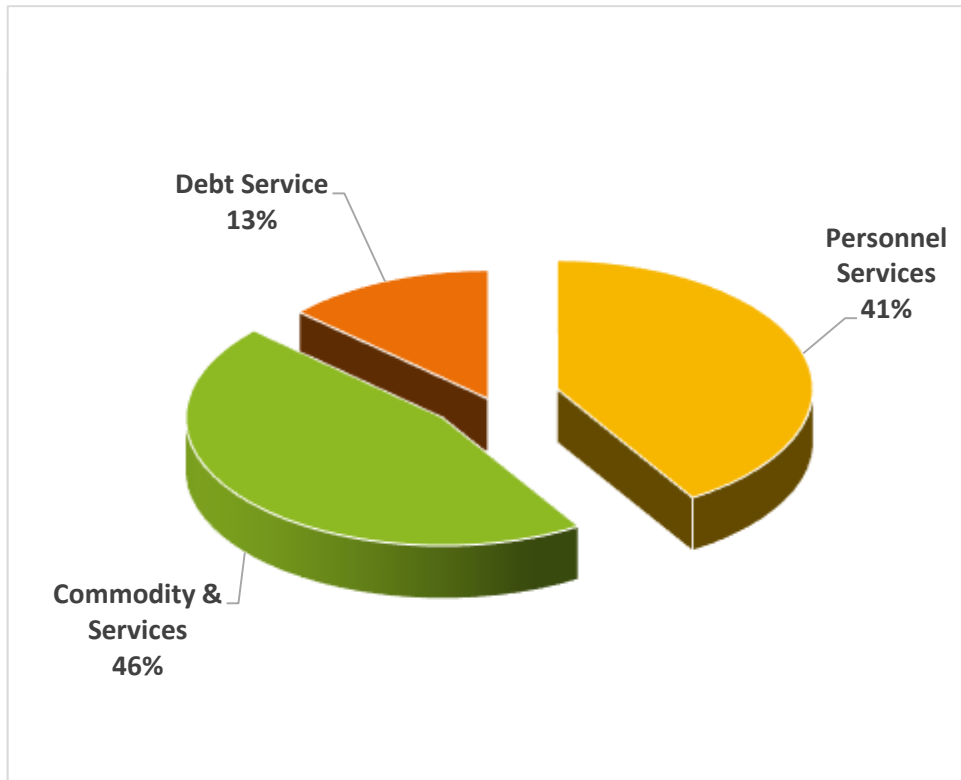
# Harbors Overview

Section I, Item 7.

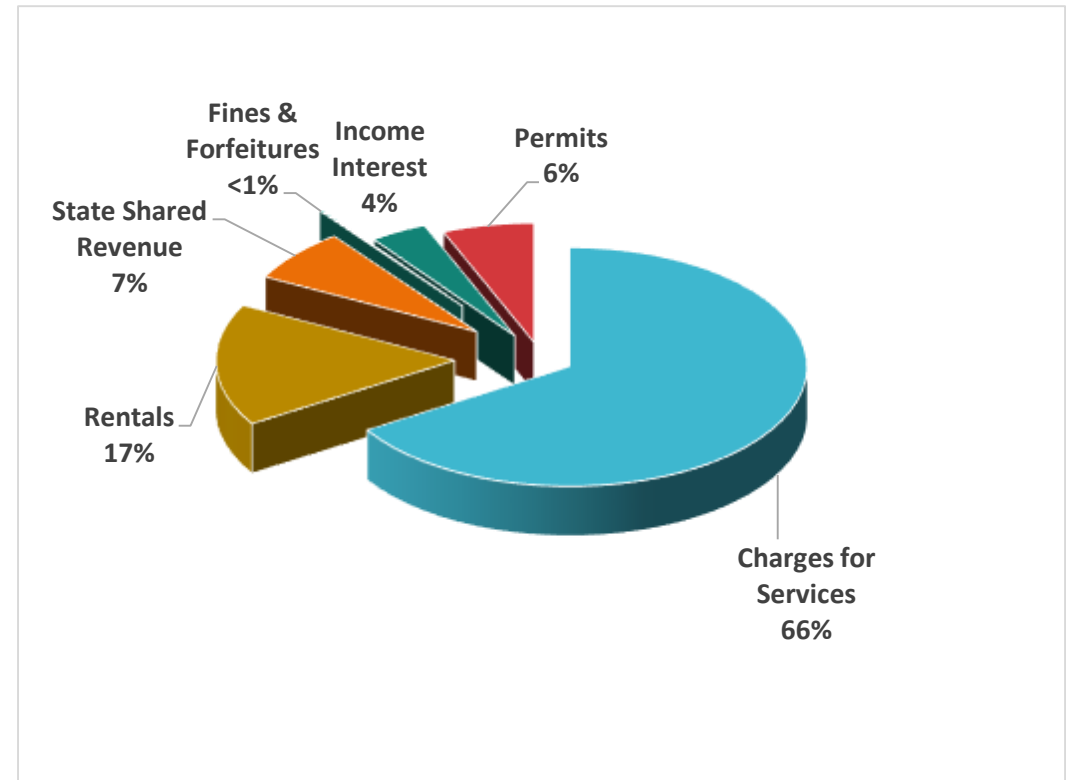
	FY24			FY25	FY26
	FY23 Actuals	Amended Budget	Projected Actuals	Proposed Budget	Proposed Budget
<b>EXPENDITURES</b>					
Personnel Services	\$ 1,827,400	2,132,900	2,135,300	2,252,400	2,288,700
Commodities and Services	1,890,400	2,377,800	2,372,500	2,428,400	2,476,000
Capital Outlay	7,300	-	-	-	-
Debt Service	683,500	683,600	683,600	694,400	699,100
Support to:					
Capital Projects	750,000	-	-	2,000,000	-
<b>Total Expenditures</b>	<b>5,158,600</b>	<b>5,194,300</b>	<b>5,191,400</b>	<b>7,375,200</b>	<b>5,463,800</b>
<b>FUNDING SOURCES</b>					
Charges for Services	3,740,200	3,705,000	4,275,000	4,325,000	4,375,000
Licenses, Permits, and Fees	386,000	360,000	400,000	412,000	424,300
Rentals and Leases	963,300	900,000	1,068,500	950,000	950,000
State Shared Revenue	467,400	350,000	463,000	350,000	350,000
Federal Revenue	11,000	-	-	-	-
Fines and Forfeitures	13,400	10,000	10,000	10,000	10,000
Investment and Interest Income/(Loss)	273,200	107,700	250,000	295,400	306,300
Support from:					
Pandemic Response	-	-	-	-	-
Capital Projects	-	-	-	-	-
<b>Total Funding Sources</b>	<b>5,854,500</b>	<b>5,432,700</b>	<b>6,466,500</b>	<b>6,342,400</b>	<b>6,415,600</b>
<b>FUND BALANCE</b>					
<b>Debt Reserve</b>					
Beginning Reserve Balance	791,900	795,400	795,400	795,400	795,400
Increase (Decrease) in Reserve	3,500	-	-	-	-
<b>End of Period Reserve</b>	<b>\$ 795,400</b>	<b>795,400</b>	<b>795,400</b>	<b>795,400</b>	<b>795,400</b>
<b>Available Fund Balance</b>					
Beginning of Period	2,246,500	2,938,900	2,938,900	4,214,000	3,181,200
Increase (Decrease) in Fund Balance	692,400	238,400	1,275,100	(1,032,800)	951,800
<b>End of Period Available</b>	<b>\$ 2,938,900</b>	<b>3,177,300</b>	<b>4,214,000</b>	<b>3,181,200</b>	<b>4,133,000</b>
<b>STAFFING</b>	<b>16.83</b>	<b>17.45</b>	<b>17.95</b>	<b>17.95</b>	<b>17.95</b>

# Harbors Budget FY24 \$6.46M

## Harbor Expenditures

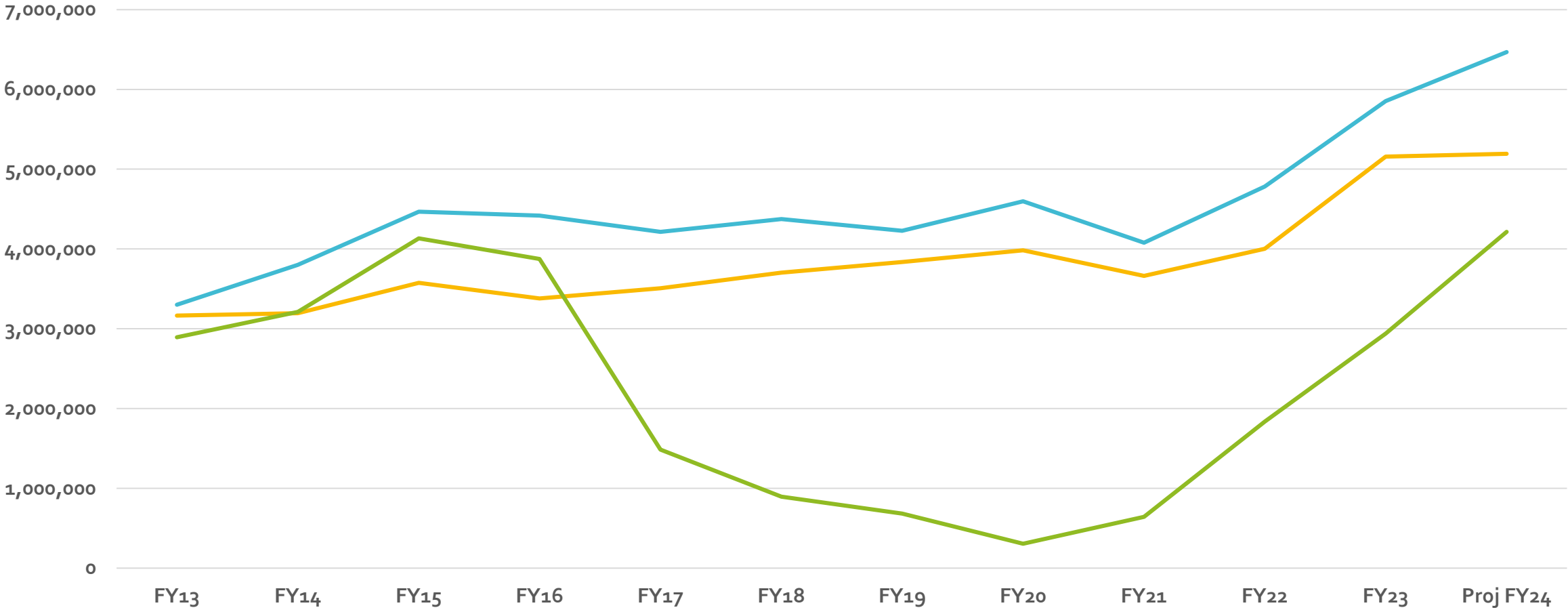


## Harbor Revenue



# Harbors Overview

Section I, Item 7.



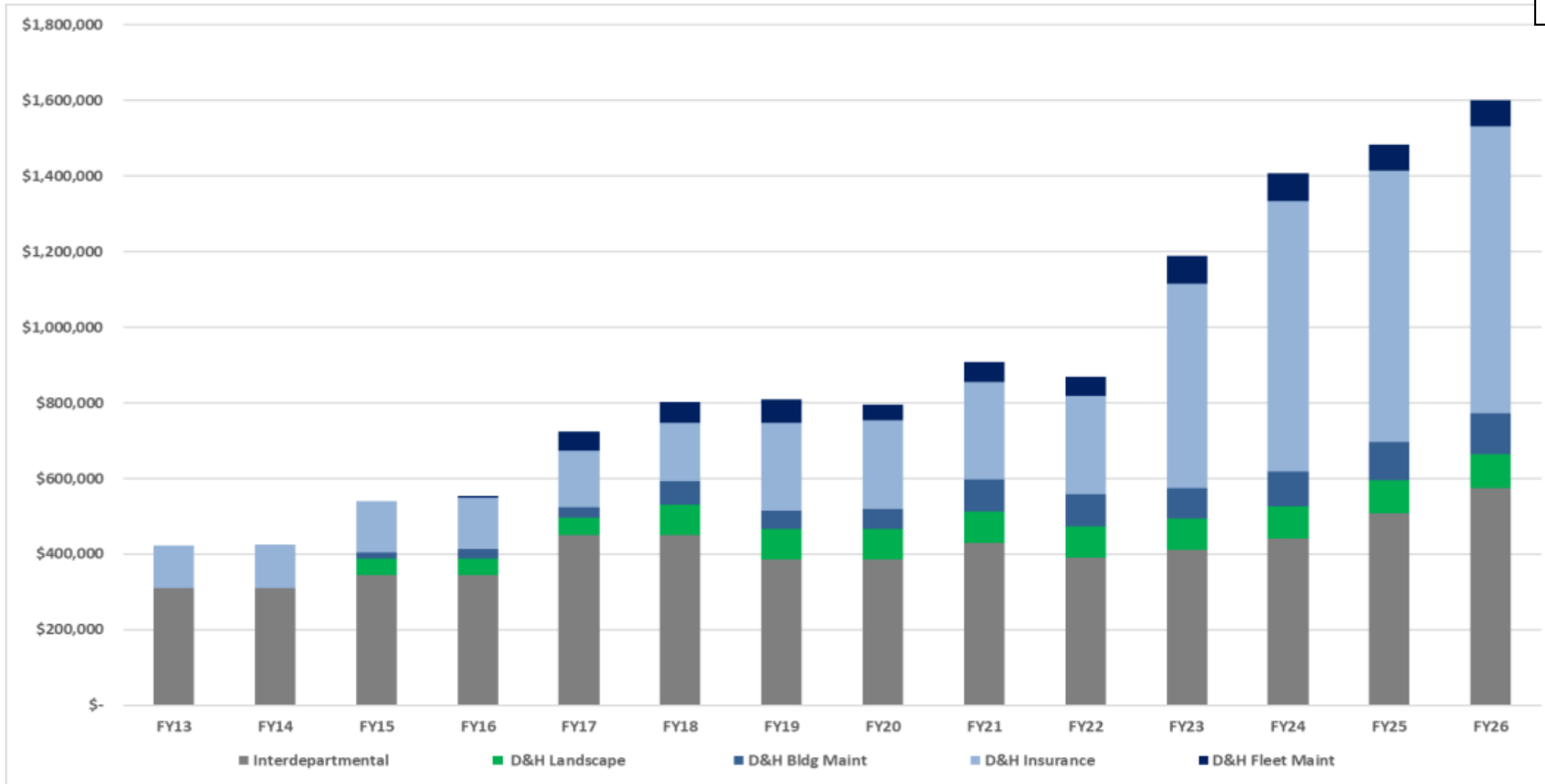
— Harbors Actual Revenue      — Harbors Actual Expense      — Harbors Fund Balance

# FY24 Harbors Summary

- Staff is projecting Harbors will see strong revenues through June 30<sup>th</sup>
- Revenues will exceed expenditures
- However, there are a few unbudgeted expenses for FY24 to include:
  - ½ FTE for employing new nighttime security Harbor Officer
  - \$130K in cost associated with snow removal in January/February
  - \$100K in costs for vessel disposal
- Grant Applications:
  - Port Infrastructure Development Program (PIDP), Aurora Harbor drive down float - \$11.25 Mil
  - Alaska Harbor Facility Grant Program, Aurora Harbor phase IV - \$5 Mil

# Fees Paid to Other City Department

Section I, Item 7.



	FY13	FY14	FY15	FY16	FY17	FY18	FY19	FY20	FY21	FY22	FY23	FY24	FY25	FY26
<b>Interdepartmental</b>	\$ 309,600	\$ 309,600	\$ 343,800	\$ 343,800	\$ 450,400	\$ 450,400	\$ 386,400	\$ 386,400	\$ 430,800	\$ 391,600	\$ 412,400	\$ 441,022	\$ 507,516	\$ 574,010
<b>D&amp;H Landscape</b>	\$ -	\$ -	\$ 45,000	\$ 45,000	\$ 45,000	\$ 81,000	\$ 81,000	\$ 81,000	\$ 81,000	\$ 81,000	\$ 81,000	\$ 85,600	\$ 88,000	\$ 90,600
<b>D&amp;H Bldg Maint</b>	\$ -	\$ -	\$ 15,807	\$ 24,318	\$ 28,322	\$ 60,836	\$ 48,527	\$ 51,300	\$ 85,900	\$ 86,400	\$ 81,900	\$ 90,800	\$ 101,600	\$ 108,100
<b>D&amp;H Insurance</b>	\$ 114,200	\$ 114,566	\$ 136,400	\$ 136,400	\$ 149,324	\$ 154,680	\$ 231,674	\$ 236,384	\$ 257,706	\$ 258,452	\$ 538,600	\$ 716,500	\$ 717,900	\$ 757,700
<b>D&amp;H Fleet Maint</b>	\$ -	\$ -	\$ 0	\$ 3,660	\$ 51,661	\$ 54,391	\$ 60,547	\$ 41,000	\$ 53,000	\$ 52,000	\$ 74,700	\$ 72,700	\$ 68,100	\$ 70,000
<b>Total</b>	<b>\$ 309,600</b>	<b>\$ 309,600</b>	<b>\$ 404,607</b>	<b>\$ 416,778</b>	<b>\$ 575,383</b>	<b>\$ 646,627</b>	<b>\$ 576,474</b>	<b>\$ 559,700</b>	<b>\$ 650,700</b>	<b>\$ 610,600</b>	<b>\$ 1,188,600</b>	<b>\$ 1,406,622</b>	<b>\$ 1,483,116</b>	<b>\$ 1,600,410</b>

# Docks & Harbors Capital Improvement Projects

## **Aurora Harbor**

- Phase III – Substantial Completion May 2024
- Phase IV – Permitting
- Harbor Office Recapitalization – Condition Assessment

## **Downtown Waterfront Improvements**

- Archipelago Lot Development - Efforts for Phase II –On hold pending Museum
- Cruise Ship Berth Electrification Study – AELP – authority to proceed

## **Seawalk Improvements**

- Seawalk Safety Handrails Project (\$1.1M) – Future

## **Statter Harbor Improvements**

- For Hire Facility Phase III C Restrooms – Completed
- Auke Bay Marine Station Wave Attenuator - \$500K match FY24

## **Echo Cove**

- ADFG – Robinson-Pittman spring funding

## **Taku Harbor**

- ADFG – Dingell – Johnson FY25 CIP Funding

## **Wayside Float**

- Dredging Permit & Report by PND - \$2M estimate



Douglas Harbor Light Improvement



Harris Harbor Security Gate



Statter Harbor Phase IIIC

Section I, Item 7.

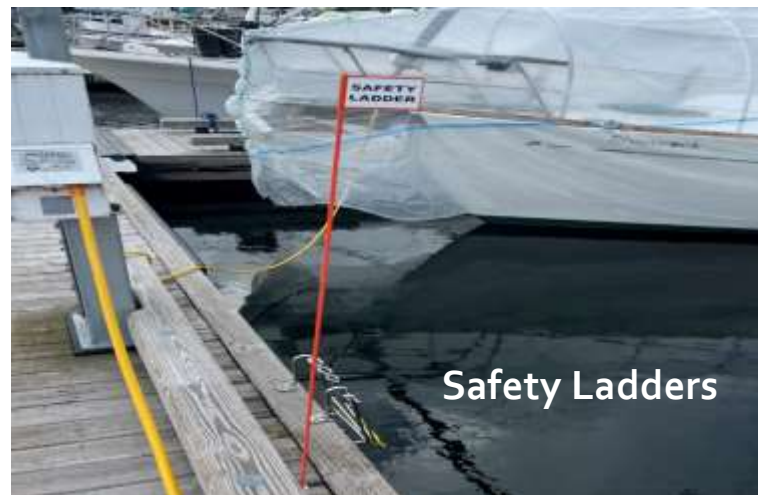


Douglas Harbor Lighting

Questions



Auke Bay Wave Attenuator



Safety Ladders



Marine Park Deckover



Aurora Harbor Phase III

# VESSEL DISPOSAL SURCHARGE AND VESSEL DISPOSAL COSTS





# VDS EXPLAINED: 05 CBJAC 40.010

- ▶ (g) *Vessel salvage and disposal.*
  - ▶ (1) Prior to obtaining a moorage assignment pursuant to 05 CBJAC [40.035](#), 050, 055, or 065, the owner of a vessel must
    - ▶ (i) provide the Harbormaster with proof of current marine insurance showing, at a minimum, the owner's name, information identifying the vessel, and the dates of insurance coverage; or
    - ▶ (ii) pay a non-refundable moorage surcharge \$0.31 (2024) per foot per month.
  - ▶ (2) The funds collected from the moorage surcharge under this regulation will be used to pay for the unrecoverable costs attributable to vessel salvage and disposal activities in the small boat harbors.
  - ▶ (3) This regulation does not relieve an owner from the responsibility to pay fees as set out in CBJ Ordinance [Title 85](#) or regulations adopted thereunder, and does not constitute marine insurance.
- ▶ **NOTE: This charge is only applied to stall holders, not transient vessels**



# VDS COLLECTED:

- ▶ FY21: \$16,478.56
- ▶ FY22: \$17,847.67
- ▶ FY23: \$20,764.17
- ▶ FY24: \$6,366.27 (FYTD 12.04.23)
  
- ▶ Total over past 41 Months: \$ 61,456.67
  
- ▶ Amount spent disposing of four vessels in the past six months: \$81,652.02



# WHERE DID THEY COME FROM?

- ▶ NORTHERN STAR- Statter Harbor Transient, Live Aboard, Uninsured
- ▶ HALANA- Statter Harbor Transient, Live Aboard, Uninsured
- ▶ AWNRE- Downtown Harbors Transient, Live Aboard, Uninsured
- ▶ HARMONY- Downtown Harbors, Stall Holder, Uninsured
- ▶ **Only one of these four vessels was paying VDS. (HARMONY)**



## LIVEBOARDS IN TRANSIENT MOORAGE:

- ▶ It is the desire of the Docks and Harbors staff to limit liveaboard moorage to assigned stalls only.
- ▶ This will allow the tenant to have power in their own name as well as subject the vessel to insurance requirements/VDS charges.
- ▶ If the vessel is too large for available stalls, the Harbormaster will have to authorize the vessel to be used as a liveaboard in transient moorage.
- ▶ Current liveaboard vessels in transient moorage would be grandfathered and would only lose their status if the vessel changed hands or the individual moved off the vessel.



# OPTIONS:

- ▶ Raise VDS to accurately reflect what it costs to dispose of a vessel.
- ▶ Require all uninsured vessels to pay VDS even if in transient moorage.
- ▶ Require uninsured vessels to pay daily rate.
- ▶ Limit/prohibit live aboard vessels in transient moorage.
- ▶ Assess VDS to all vessels, similar to fuel surcharges on shipping orders.
- ▶ Require all vessels to be insured.



# **JUNEAU HARBORS INFRASTRUCTURE FAIR**

**CBJ Docks & Harbors is seeking to engage with the community to receive feedback about on-going and upcoming projects.**

**Wednesday, April 3<sup>rd</sup>, 2024**

**5:30pm**

**Juneau Yacht Club**

**Projects: Aurora Phase IV, Aurora Drive-Down Float, Statter Breakwater Replacement, Dock Electrification, Echo Cove and Taku Harbors, Wayside Park Float, and more.**

**Who Should Attend: Commercial and Recreational Harbor Users, Community Leaders and Members, Entrepreneurs, Maritime/Regulatory Agencies, Trade Unions, Tribes.**

Questions: Carl Uchytel, Port Director

[Carl.uchytel@juneau.gov](mailto:Carl.uchytel@juneau.gov) or (907) 586-0294

## TITLE 85 WATERS AND HARBORS<sup>1</sup>

### Chapter 85.02 DOCKS AND HARBORS BOARD<sup>2</sup>

#### 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) Adopt pursuant to CBJ 01.60 and enforce regulations necessary for the administration of the facilities under its management.
  - (3) Prescribe the terms under which persons and vessels may use the facilities and shall establish and enforce standards of operation.
  - (4) (A) Within the docks and harbors appropriation and in conformity with the rates of pay established for municipal positions of similar responsibility, establish, and may amend, the pay plan for harbor employees.  
(B) The Docks and Harbors Department shall conform to the City and Borough Personnel Management Code, the City and Borough Personnel Rules, Personnel Classification Plan, and the manager's policies relating to personnel. The Docks and Harbors Department shall utilize the services of the Human Resources and Risk Management Department when hiring or terminating any employee, when responding to grievances, in labor agreement negotiation, and in substantial disciplinary matters. The City and Borough Human Resources and Risk Management

---

<sup>1</sup>**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.

<sup>2</sup>Charter 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.

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 CBJC 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.

**ASSEMBLY COMMITTEE OF THE WHOLE  
WORKSESSION MINUTES**

**February 26, 2024 at 6:00 PM**

**Assembly Chambers/Zoom Webinar**



**Assembly Committee of the Whole Worksession**

**Public Testimony will only be taken during the Special Order of Business Public Hearing section.**

<https://juneau.zoom.us/j/95424544691> or 1-253-215-8782 Webinar ID: 954 2454 4691

**A. CALL TO ORDER**

Deputy Mayor Michelle Hale called the meeting to order at 6:01p.m.

**B. LAND ACKNOWLEDGEMENT**

Assemblymember Ella Adkison provided the following land acknowledgement:

We would like to acknowledge that the City and Borough of Juneau is on Tlingit land and wish to honor the indigenous people of this land. For more than ten thousand years, Alaska Native people have been and continue to be integral to the well-being of our community. We are grateful to be in this place, a part of this community, and to honor the culture, traditions, and resilience of the Tlingit people. Gunalchéesh!

**C. ROLL CALL**

**Assemblymembers Present:** ‘Wáahlaal Gídaag (Zoom), Christine Woll, Ella Adkison, Paul Kelly (Zoom), Wade Bryson, Alicia Hughes-Skandijs (Zoom), Greg Smith, Deputy Mayor Michelle Hale, and Mayor Beth Weldon.

Clerk’s note: Due to technical difficulties mid-way through the meeting, the internet connection at City Hall was lost and became intermittent resulting in the loss of the Zoom participants approximately 30 minutes prior to the end of the meeting. Since there was still a quorum present at City Hall, those present completed the final work on agenda item 7 (Title 3 & Title 85 changes re: Tourism Office) and adjourned the meeting.

**Assemblymembers Absent:** *None*

**Staff Present:** City Manager Katie Koester, City Attorney Robert Palmer, Deputy City Manager Robert Barr, Municipal Clerk Beth McEwen, Deputy City Clerk Diane Cathcart, Tourism Manager Alix Pierce, Assistant Attorney Emily Wright, Assistant Attorney Sherri Layne, Superintendent of Schools Frank Hauser, Lands Manager Dan Bleidorn, Port Director Carl Uchtyl (Zoom), Housing Officer Joseph Meyers (Zoom)

**D. APPROVAL OF AGENDA**

The agenda was approved as presented.

**E. APPROVAL OF MINUTES**

1. **April 3, 2023 Assembly Committee of the Whole Draft Minutes**
2. **November 6, 2023 Assembly Committee of the Whole Draft Minutes (corrected version)**

**MOTION** by Ms. Woll to approve the minutes of the April 3, 2023 COW meeting and the November 6, 2023 meeting with corrections as noted in the packet and asked for unanimous consent. *Hearing no objections, both sets of minutes were approved.*

#### F. SPECIAL ORDER OF BUSINESS - PUBLIC HEARING

##### Instructions for Public Participation

The public may participate in person or via Zoom webinar. Members of the public who do not wish to testify but would like to watch the proceedings live, can do so through the [CBJ YouTube Livestream](#). **Members of the public that want to provide oral testimony via remote participation must notify the Municipal Clerk prior to 4pm the day of the meeting by calling 907-586-5278 and indicating the topic(s) upon which they wish to testify.** For in-person participation at the meeting, a sign-up sheet will be made available at the back of the Chambers and advance sign-up is not required. Testimony time will be limited by the Mayor based on the number of participants. Members of the public are encouraged to send their comments in advance of the meeting to [BoroughAssembly@juneau.gov](mailto:BoroughAssembly@juneau.gov).

***The following ordinances were introduced at the February 23, 2024 Special Assembly meeting, scheduled for public testimony during this Assembly Committee of the Whole Meeting and set for final public hearing and Assembly action at the March 4, 2024 Regular Assembly meeting.***

- 3. Public Hearing: Ordinance 2023-14(b)(AD) An Ordinance Providing for a One-Time Loan in FY24 to the Juneau School District for up to \$4.1 Million Dollars.**
- 4. Public Hearing: Ordinance 2023-14(b)(AB) An Ordinance Providing up to \$3,922,787 to the Juneau School District for Non-instructional Costs for FY24.**
- 5. Public Hearing: Ordinance 2024-01(b)(A) An Ordinance Providing up to \$1,650,405 to the Juneau School District for Non-instructional Costs for FY25.**

##### Public Testimony:

**Mr. Neil Stichert**, a resident of Mendenhall Valley and parent of two students in the Juneau school system, said he attended the School Board meeting last week. He noted the board made its final decision after midnight during the very early hours of the morning after a grueling 7 hour meeting. He said that boardmembers had stated that they had not met or meaningfully discussed some of the detailed aspects of all the options. He noted that at the same time the school board was meeting, the State House passed legislation affecting school finances and the Base Student Allocation (BSA) formula funding in real time that same night. He expressed concern about School Board members' demeanor, students, staff, teachers and members of the public were present and tensions were high and he feels the board made a decision under duress. He said that his sophomore attending Thunder Mountain has reported to him that they are already feeling the backlash of that decision in a Hunger Games style hostile environment. He spoke to the impacts the School Board's decision is having on the student body and that there is speculation flying around the community without a truly viable plan. He suggested the Assembly withhold or make a condition of the FY25 CBJ funding that the School Board provide a comprehensive analysis if the restructuring of the schools and how their recent decision will impact the student body. He said that he does not think the recent changes proposed by the School Board will have a chance to be implemented without significant impacts and a reduction in enrollment of our current student body.

**Mr. Smith** said that he listened to the 7 hour meeting and asked if Mr. Stichert if he heard about the plan that the School Board will be putting forward in the coming months.

**Mr. Stichert** said he did hear them discuss their proposed plan but that there is a lot to be figured out with respect to their proposal and he doesn't think JSD will be ready by August for all the proposed changes. He said the School Board is in a tremendously difficult position and suggests the Assembly hold open the FY25 component of the support that the Assembly hold that open until it is more fleshed out if at all possible.

**Deputy Mayor Hale** invited JSD Superintendent Frank Hauser to come forward and provide an update on the timeline of where they are with respect to the finances and planning process.

**Superintendent Hauser** reported that the Board of Education (School Board) met on Thursday February 22 and early Friday morning February 23, they made a decision on the school consolidation plan. He noted that tomorrow, Tuesday, February 27, they have a Special School Board Meeting to discuss the FY24/FY25 budgets. He said that during that discussion, they will be looking at enrollment numbers, the PTR (pupil/teacher ratio), staffing assignments, looking at the next steps for the preparation for next school year. They will be looking at the remainder of funding for FY24, including discussion on the ordinances currently before the Assembly, and how that ties into the FY25 budget. He said that the next regular meeting of the board is on March 7 and they will be having the first reading of the FY24 budget revisions as well as the FY25 budget in addition to the reduction in force plan – those will all be on for first reading. He said the second reading of those items will be on the March 12 School Board regular meeting. They are currently going through with staff to put all the pieces together, including those mentioned during public testimony. They are working on the transition as some students are already working on enrolling in courses for the next year so they are working on a combined course list for the classes going into next year. For staffing purposes, they are working on all things moving forward and hope to have additional information in the near future on what that will ultimately look like.

**Deputy Mayor Hale** reminded those who were participating in this meeting via Zoom, that the deadline to sign up to testify via Zoom was at 4pm today. She noted that anyone in the Assembly Chambers who wanted to testify could still sign up to do so. There being no further testimony at that time, she invited Manager Koester to provide an overview of the next agenda topic on Title 3/85 changes related to tourism.

## G. AGENDA TOPICS

### 6. Title 3 Establishing a Tourism Office & Title 85 Duties of Docks & Harbors (D&H)

**Manager Koester** gave an overview of the two ordinances in the packet related to Title 3 (Tourism Office) and Title 85 (duties of the Docks & Harbors Board). She went through each section where there are proposed changes. She then answered a number of questions from Assemblymembers as related to the substantive changes in the ordinances.

**Mr. Bryson** asked how this ordinance change might impact the job description for the Tourism Manager?

**Manager Koester** said that following the VITF recommendations, they established a position in the Manager's office at a high level position that has been given the authority to negotiate on behalf of CBJ. The ordinance changes provide some more structure for the Manager to assign the Tourism Manager as the client department or the project manager for any project with substantial relationship to cruise ship tourism. She explained what that looks like logistically using the Engineering/Public Works model. In most instances, the Port Engineer will be the project manager but by adding this language to the code, it would give the Tourism Manager either the role of a client department or a co-project manager and they would have direct role in influencing and being part of that project. The Tourism Manager would not take over the role of the Engineer who has the expertise for those types of project but it does ensure the Tourism

Manager has a substantive seat at the table. Examples of the types of projects this would include are Dock Electrification, and Seawalk Expansion. She said that while these examples are docks and harbors focused, another example would be Eaglecrest as it expands into summer operations and that would be a nexus where they would want the Tourism Manager to have a seat at the table to help look at the broader community tourism aspects.

*Mayor Weldon stepped away at 6:20 from the meeting for approximately 3 minutes during this presentation.*

**Manager Koester**, going through the Title 85 ordinance, said that on page 1 of the ordinance, line 24, it is explicit as to the responsibilities of the D&H Board which is still responsible for boat launch ramps and harbors and still does maintenance of the docks as well. She said that this section clarifies what the D&H Board would NOT be responsible for which includes dock rate setting, scheduling or policy related to the cruise ship industry or interaction between the industry and the citizens of Juneau including the impact from tours.

**Ms. Woll** said that she is curious about what this will do to the rate setting process. She said that her understanding is that right now D&H proposes rate changes and the Assembly gets to either approve those or sends them back to D&H for reconsideration at a high level. She said that she agrees that may not serve the Assembly, given their goals, but she isn't sure what this change would mean in terms of a process moving forward as she sees that both entities have a key part to play with the rates.

**Manager Koester** provided a recent example of some miscommunication that had occurred with respect to dockage rates. The D&H Board had been working on their rates for both harbors and docks and brought forward a 9% proposed increase across the board to both. At that same time, the Manager's office had been in negotiations with the cruise industry about dockage rates and there was a misunderstanding as to who was charged with working on that task. Manager Koester said this ordinance change was to try to bring better alignment of the roles and responsibilities for each agency and moving forward, the Manager would bring those rates forward to the Assembly.

**Ms. Woll** asked Manager Koester what role the D&H board would have in that process.

**Manager Koester** explained that the Manager's office would consult with D&H on those but this ordinance doesn't mandate that so if the Assembly wants to have that formalized, that would need to be a change included in this ordinance. She then pointed to the section of the ordinance found on page 2 of the ordinance lines 4-10 and that provides increased communication between the Manager and the D&H Board as well as the Assembly.

**Manager Koester** then addressed the change to page 5 of the ordinance, lines 14 where it is repealing the language of 85.02.065 that currently reads: "**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.*" Manager said that the reason for repealing this section is that if it were to be left in this code section, it means that the long range waterfront plan and any bigger capital improvement projects associated with the docks are something that the Assembly wants to give the Docks & Harbors Board direction to work on. She said that the reality is that, as she understands it, that is what the Assembly was wanting to do at the Assembly level long range planning so this ordinance change is to clarify those roles.

**Mr. Smith** asked Manager Koester what CBJ staff would work on those things, if that would be the Tourism Manager or someone else. Manager Koester said that would be as designated by the City

Manager. In case of long range planning, it would be the Tourism Manager. Notably, it is long term capital planning but not capital improvement projects as those are still under the D&H duties as found on page 3 of the ordinance, starting on line 23. Under that section D&H maintains control of the CIPs unless otherwise specified by the Assembly by resolution. She noted this does not remove the capital project management piece, it just specifies for bigger picture planning. She said the Seawalk is one instance that type of planning that crosses multiple departments and is greater than the impact on one small project and would be headed up by the Tourism Manager.

**Ms. Hughes-Skandijis** asked for clarification that this would remove all long term planning from the D&H but that they are managing the project at the project level. Manager Koester said that is correct and that what she is not saying is that they would be removed entirely from dock projects, they would still be involved in the dock projects, but they would just not be the lead department. In continuing her overview of the ordinance, Manager Koester noted that on page 6 of the ordinance, starting at line 21, it states that the Port Director shall take direction from the city manager or their designee on all things related to cruise ship tourism.

**Manager Koester** said that was the end of her of her formal overview of the ordinances but that Port Director Uchytel and D&H Chair Etheridge were also available to answer any questions the Assembly may have.

**Mr. Smith** asked who would be in charge of things if they were developing a port on the back side of Douglas, who would be dealing with that planning and if that would be the Tourism Manager. Manager Koester said that is a fairly large project that would have a number of departments involved including master planning and other work involved. She said that in the event there is a nexus with tourism, the Tourism Manager or Manager's designee such as a project manager from Engineering/Public Works would be involved. She explained that when she thinks of the backside of Douglas, she thinks of developing a port that would handle freight and something like that might be handled by Engineering or D&H. She spoke to a collaboration between those two departments when there are shared services involved.

**Mr. Bryson** asked if there was an end date or exit strategy for these changes. He said that while we may be moving in this direction now, will it still be necessary 10-20 years from now and would we even have a Tourism Director at that point. He asked if there would be something that would cause them to go away than what we are working on now. Manager Koester said that is a difficult question as it is presupposing future Assemblies and future budgets. She said that the underlying question is "Do we see this a temporary clarification of the roles and responsibilities of the D&H Board?" She said that she does not see it as temporary. She sees the community of Juneau struggling with managing tourism from a wholistic view which is beyond the docks and is complex problem solving. She sees a wide variety of factors having an influence as an economic reality that anything can happen to change our reality. There are so many unknowns but she doesn't see this as a temporary change.

**Ms. Adkison** said that seeing this as a significant change in the D&H staff roles and responsibilities, does Manager Koester anticipate any change in staff capacity, making some staff not necessary? Manager Koester said that she wants to be clear that the ordinance speaks to the roles, responsibilities, and duties of the board rather than staff. She said that obviously staff has to implement the will of the board but D&H spends a tremendous amount of time managing and securing the docks and there are major maintenance and operational duties for dock staff to continue as they have been. She said that the primary affect of this ordinance is in providing a seat at the table for the Tourism Manager.



**MOTION by Mayor Weldon** to ask the Assembly liaisons to bring these proposals to all the empowered boards and bring back their responses. Also moved to introduce the two ordinances at April 1 Regular Assembly Meeting and asked for unanimous consent.

**Mayor Weldon** asked D&H Chair Etheridge when their next meeting is being held. He said that it is scheduled for Thursday, February 29. Mayor Weldon invited members of the Assembly to attend that meeting to hear what the D&H Board thoughts are on these proposed ordinances.

**Mr. Smith** objected for purposes of a question for staff. He asked the Manager how they can make sure that there isn't an inordinate amount of work getting dumped onto the Tourism Manager and he asked what types of chains of command were in place to protect that position. Manager Koester noted that as far as workload is concerned, D&H staff would have a pivotal role in managing projects in Docks & Harbors both. She said it is a very professionally run department and she feels they can still maintain those duties and expectations.

**Mr. Smith** said that he has faith and thinks that the manager and D&H staff can work out the differences and he removed his objection.

**At 6:47p.m. TECHNICAL DIFFICULTIES & LOSS OF INTERNET CONNECTIVITY CAUSED THE MEETING TO MOVE UP TO CONFERENCE ROOM 224 AND ZOOM CONNECTION COULD ONLY BE RESUMED INTERMITTENTLY.**

*Deputy Mayor Hale called for an at ease at the request of the Clerk to try to troubleshoot the connectivity. During the troubleshooting period, staff suggested that the meeting move upstairs to the City Hall Conference Room #224 to see if they could re-engage with those on Zoom. Clerk McEwen dialed into the Zoom feed from her phone to notify members of the Assembly and public participating on Zoom that they were trying to reestablish the feed to the live meeting. It was discovered that the internet connections for all of City Hall went down at that point.*

**At 7:03p.m. the meeting resumed in Room 224. There continued to be intermittent connectivity issues.**

*Deputy Mayor Hale invited a member of the public who came in late to testify on the ordinances that were up for public hearing at the beginning of the meeting.*

**Ms. Nanibah Frommherz**, a student at Thunder Mountain High School, stated that she plays varsity basketball and cross country varsity and she thanked the Assembly for their time and thanked them for considering helping out the Juneau School District as it means a lot to her.

**Ms. Woll** thanked Ms. Frommherz for being at this meeting. She said that last Friday at its Special Meeting, the Assembly decided to have this public hearing on these ordinances but that they did not get a lot of public participation. She asked Ms. Frommherz, from her perspective, how we could get the word out better so that folks know about the decisions the Assembly will be making in the next week.

**Ms. Frommherz** said that she hears a lot about school board meetings from the school newsletter as well as from Instagram. Deputy Mayor Hale thanked Ms. Frommherz for coming to testify.

*Deputy Mayor Hale stated that since there was still a quorum of members present in City Hall Room 224 that we would proceed with the remainder of the meeting to finish up this one agenda item and all other agenda items would be taken up at a later meeting.*

**AMENDMENT #1 by Ms. Woll** to direct the City Attorney to draft language in Ordinance 2024-10vCOW1 (Amending Chapter 85.02) to include language that Docks and Harbors would be consulted for any rate changes prior to them coming to the Assembly.

When asked what portion of the ordinance that language would fall under, Ms. Woll said that it would likely fall in the General Powers section and she asked the City Attorney to use his judgement on where it would be best to include that language. City Attorney Palmer asked Ms. Woll if she would approve him making a similar change to Ordinance 2024-04vCOW1 (Amending Chapter 03.15) to mirror that language in both ordinances for clarity. Ms. Woll said that would be acceptable to her and she asked for unanimous consent. *Hearing no objection, that motion passed by unanimous consent of those present in the room.*

**AMENDMENT #2** by Ms. Woll to restore the language on page 5 of Ordinance 2024-10vCOW1, lines 14-18 that was removing 85.302.065 as noted above. Objection by Mayor Weldon for purposes of a question.

**Mayor Weldon** asked the City Attorney to speak to the removal of that language and the consequences if it were restored. Attorney Palmer explained that if that language were left in the ordinance, it conveys that the Assembly is giving the Docks and Harbors Board the authority and direction to commit CBJ to long range port development or CIP projects unless they are explicitly directed not to.

**Ms. Woll** said the intent of her amendment is that in her mind, this should be a collaborative process and she would be happy to work with the Attorney on crafting other language for this section. **After hearing additional clarification from the City Attorney and other Assemblymembers stating that they supported the removal of that section from the ordinance, Ms. Woll withdrew her Amendment #2.**

**Mayor Weldon** said that the Assembly will be the primary decision maker for any long range port development and CIP projects related to tourism and that they will consult with the D&H Board.

**Deputy Mayor Hale asked for any further discussion on the main motion as amended. Hearing no further discussion, the main motion, as amended by Amendment #1, passed by unanimous consent.**

**Deputy Mayor Hale noted that due to the continued lack of internet connection, the remaining items on the agenda as noted below would be taken up at a future meeting.**

- 7. Resolution 2986 A Resolution Repealing and Reestablishing the Assembly Rules of Procedure.**
- 8. Resolution 3022 A Resolution adopting Guidelines for the Juneau Affordable Housing Fund.**
- 9. Downtown City Office Space - Verbal Update**

#### **H. STAFF REPORTS**

**I. NEXT MEETING DATE:** March 11, 2024, 6:00p.m.

#### **J. SUPPLEMENTAL MATERIALS**

#### **K. ADJOURNMENT**

**Deputy Mayor Hale adjourned the meeting at 7:16p.m.**



**MEMORANDUM**

**DATE:** March 27, 2024  
**TO:** Assembly and Docks & Harbors Board  
**FROM:** Alexandra Pierce, Tourism Manager  
**SUBJECT:** Clarification on Title 85 and Title 3 Revisions

The Assembly process around code revisions to clarify roles and responsibilities related to tourism has raised several persistent questions that need to be addressed. This memo provides a brief overview of how each situation would be handled under the new structure. The common thread is that collaboration between departments is essential to successful infrastructure and tourism management.

**Long-Range Planning:** Departments and empowered boards conducting long-range planning related to tourism will work collaboratively with the Tourism Office to ensure that the Assembly’s goals and overall tourism management strategy are incorporated. The Tourism Office will play a coordinating role on long-range planning projects related to tourism and involving multiple departments.

**Capital Improvement Projects:** The Tourism Office will continue to be responsible for the Marine Passenger Fee Budget. The Tourism Office will also be a stakeholder in projects affecting the Maritime Industry Zones (zones A & B) as delineated in the 2019 settlement agreement between CBJ and CLIA. The client departments for Seawalk projects directly connected to the cruise ship docks will be the Tourism Office and Docks & Harbors. The client departments for Seawalk projects beyond the cruise ship docks will be the Tourism Office and Parks & Rec. As always, staff in all three departments will work closely to ensure that waterfront projects are successful.

**Whale Watching:** Decisions about whale watching industry management and regulation will be within the purview of the Tourism Office. All operational decisions and functions at Statter Harbor will be made by Docks & Harbors. The departments will work together on any regulations affecting Docks & Harbors-managed facilities.

**Intermediate Vessel Float and Small Cruise Ships:** Scheduling and management of the Intermediate Vessel Float and small cruise ship facilities will continue to be managed by Docks & Harbors.