

CBJ DOCKS & HARBORS BOARD
REGULAR MEETING MINUTES
For Thursday, March 31, 2005

I. Call to Order

Chairman Knapp called the Regular Board Meeting to order at 7:00 p.m. in the CBJ Assembly Chambers.

II. Roll Call

The following Members were present: Mr. Dore, Mr. Etheridge, Mr. Fisk, Mr. Kueffner, Mr. Preston, Mr. Simpson, and Mr. Knapp.

Mr. White arrived at 7:01 p.m.

The following Member was absent: Ms. Jebe

Also present were the following: Mr. Stone--Port Director, Mr. McCall--Harbormaster, and Mr. Krieber--Port Engineer, and Ms. Angelica Lopez-Campos --CBJ Accountant Controller.

Mr. Dybdahl-- Assembly Liaison was absent.

III. Approval of Agenda.

Mr. Preston requested to add under XIII. Executive Session, Item #2. Potential Litigation Matters.

Mr. Simpson requested to add under XIII. Executive Session, Item #3. Financial Aspects of the Auke Bay Land Purchase.

Mr. Stone requested to add under Item VI. Items for Action, Item #3 from FY05 to read FY05/06 Docks & Harbors Budget and add in the proposed motion the FY05/06 dates.

He also requested to delete under VI. Items for Action, Items #4, Auke Bay Tideland Leases and Item #5, Fisheries Terminal Development.

Mr. Stone also requested under VI. Items for Action, on Item #7, Award of Bid DH05-485, Echo Cove Restroom, to fill in the blanks to read Channel Construction and \$30,000.00.

He also requested on VI. Items for Action, on Item #8, Award of Bid DH05-474, Port Facility Gates, to fill in the blanks to read Northwind Fence Company and \$13, 500.00.

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III. Approval of Agenda (cont'd).

Mr. Stone requested on VI. Items for Action, Item #9, Auke Bay Commercial Loading Facility Site Selection to fill in the blank to read ATS-357, Lot #1.

He also requested on VI. Items for Action, on Item #11, Statter Harbor Uplands Requests for Proposals, to add to the motion after the words Port Engineer, the words - pending CBJ Assembly Action on the FY06 Budget.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO APPROVE THE AGENDA AS AMENDED. The motion passed without objection.

IV. Public Participation on Non-Agenda Items.

1. Bruce Morgan – 465-3622 9130 N Douglas Hwy., Juneau, AK 99801

Mr. Morgan was requesting relief from paying the penalty amount that is being charged on his account by the Harbor Department for not paying his annual stall fee on July 1, 2004 as required. He said he understands that legally this penalty fee is not covered under the Ordinance that was quoted to him. He said that he has paid the daily moorage and the remaining annual stall fee as required, but that he is disputing the penalty amount and the interest still being charged on his account.

He would like to have the Harbor Department remove this penalty amount plus interest, and zero his account at this time.

Discussion followed with Mr. Fisk, Mr. Kueffner, Mr. Simpson, and Mr. McCall.

Mr. Knapp referred this topic to the next Finance Committee Meeting to be held on April 14, 2005, for further action to be brought back to the next Regular Board Meeting for review and final action.

V. Approval of Previous Meeting Minutes.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO APPROVE THE MINUTES FROM THE SPECIAL BOARD MEETING HELD ON MARCH 9, 2005, AND THE REGULAR BOARD MEETING HELD ON FEBRUARY 24, 2005 AS PRESENTED. The motion passed without objection.

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VI. Items for Action.

1. Proposed Regulations for Shorepower Access.

Mr. Preston gave a short presentation on this topic. He said that the Finance Committee had held a Public Hearing on this item at their last meeting on March 17, 2005.

PUBLIC HEARING:

There was no public testifying.

Mr. Simpson added that he felt that on the 20 to 30 amp meters, the proposed amount is still too high.

He offered a friendly amendment to the motion to lower the proposed fee amount from \$45.00 to \$25.00 per month for the Summer months.

Discussion followed with Mr. Moeser, Mr. Simpson, Mr. Stone, Mr. Preston, Mr. Fisk, Mr. Dore, and Mr. McCall.

Mr. Knapp called for a second to Mr. Simpson's friendly amendment. There was no second so the friendly amendment failed for lack of a second.

MOTION by Mr. Preston: TO ADOPT THE REGULATIONS FOR SHOREPOWER ACCESS AS PRESENTED BY THE FINANCE COMMITTEE AND TO FORWARD THE REGULATIONS TO THE CITY ATTORNEY FOR REVIEW AND TO THE CITY MANAGER FOR PRESENTATION TO THE ASSEMBLY. Mr. Etheridge seconded the motion.

The motion passed without objection.

2. Proposed Regulations for Transient Moorage in the Douglas, Harris, and Aurora Boat Harbors.

Mr. Etheridge gave a short presentation on this topic.

Discussion followed with Mr. Preston, Mr. Etheridge, Mr. Dore, Mr. McCall, and Mr. Stone.

VI. Items for Action (cont'd).

MOTION by Mr. Fisk: ASK UNANIMOUS CONSENT TO PROPOSE REGULATIONS FOR TRANSIENT MOORAGE IN THE DOUGLAS, HARRIS, AND AURORA SMALL BOAT HARBORS AS PRESENTED BY THE OPERATIONS COMMITTEE, TO HOLD PUBLIC HEARINGS AT THE NEXT OPERATIONS COMMITTEE ON APRIL 12, 2005, AND ALSO AT THE NEXT REGULAR BOARD MEETING ON APRIL 28, 2005, AND TO TAKE FINAL ACTION ON THE REGULATIONS ON APRIL 28, 2005.

The motion passed without objection.

3. FY05/06 Docks & Harbors Budget.

Mr. Preston gave a short presentation on this topic.

Discussion followed with Mr. Knapp, Mr. Kueffner, Mr. Preston, Mr. Stone, Ms. Lopez-Campos, and Mr. Simpson.

MOTION by Mr. Preston: TO ADOPT THE FY05/06 DOCKS & HARBORS BUDGETS AS PRESENTED BY THE FINANCE COMMITTEE CHAIRMAN, AND TO FORWARD TO THE CITY MANAGER FOR PRESENTATION TO THE ASSEMBLY. Mr. Etheridge seconded the motion.

The motion passed without objection.

4. Auke Bay Tidelands Leases.

This item was deleted under the amended agenda.

5. Fisheries Terminal Development.

This item was deleted under the amended agenda.

6. Award of Bid DH05-358, Removal, Demolition and Disposal of Impounded Vessels.

Mr. McCall gave a short presentation on this topic.

Discussion followed with Mr. Etheridge, Mr. Fisk, and Mr. Preston.

VI. Items for Action (cont'd).

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO AWARD CONTRACT – DH05-358, REMOVAL, DEMOLITION AND DISPOSAL OF IMPOUNDED VESSELS, TO TRUCANO CONSTRUCTION IN THE AMOUNT OF \$53,700.00 AS PRESENTED BY THE HARBORMASTER.

Further discussion followed with Mr. White, Mr. Preston, Mr. Etheridge, and Mr. Kueffner.

The motion passed without objection.

7. Award of Bid DH05-485, Echo Cove Restroom.

Mr. Krieber gave a short presentation on this topic.

He said that the low bidder was Channel Construction with a bid amount of \$30,000.00.

MOTION by Mr. Fisk: ASK UNANIMOUS CONSENT TO AWARD THE CONTRACT – DH05-485, ECHO COVE RESTROOM TO CHANNEL CONSTRUCTION, IN THE AMOUNT OF \$30,000.00 AS PRESENTED BY THE PORT ENGINEER.

The motion passed without objection.

8. Award of Bid DH05-474, Port Facility Security Gates.

Mr. McCall gave a short presentation on this topic. He said that Northwind Fence Company was the low bidder with a bid amount of \$13,500.00.

Discussion followed with Mr. Preston, Mr. Krieber, and Mr. McCall.

MOTION by Mr. Fisk: ASK UNANIMOUS CONSENT TO AWARD CONTRACT DH05-474, PORT FACILITY SECURITY GATES TO NORTHWIND FENCE COMPANY, FOR THE AMOUNT OF \$13,500.00, AS PRESENTED BY THE HARBORMASTER.

The motion passed without objection.

VI. Items for Action (cont'd).

9. Auke Bay Commercial Loading Facility Site Selection.

Mr. Krieber gave a short presentation on this topic. He said that ATS-357, Lot #1 has been selected for the site for the Auke Bay Commercial Loading Facility. This is the lot located by Erickson's Seafood Processing Plant near the Auke Bay Ferry Terminal.

Discussion followed with Mr. Knapp, Mr. Krieber, and Mr. Simpson.

MOTION by Mr. Fisk: ASK UNANIMOUS CONSENT TO APPROVE THE ATS-357, LOT #1, INDUSTRIAL USERS SITE LOCATED NEXT TO THE ALASKA GLACIER SEAFOODS PLANT FOR THE AUKE BAY COMMERCIAL LOADING FACILITY. The motion passed without objection.

10. South Ferry Terminal/People's Wharf Visitor Center Gangway.

Mr. Krieber gave a short presentation on this topic.

PUBLIC COMMENT:

1. Mr. Andrew Green – Port Manager of Cruise Line Agencies of Alaska - 586-1282

Mr. Green said he would like to see this project completed. He felt it would be safer for the passengers on the various ships that have to use the gangways for unloading their passengers.

Discussion followed with Mr. Preston, Mr. Kueffner, Mr. Simpson, Mr. Fisk,

MOTION by Mr. Fisk: TO REQUEST THAT THE ASSEMBLY TRANSFER \$109,843.00 FROM ACCOUNT #354-86 INTO ACCOUNT #354-73, AND THAT THE ASSEMBLY APPROVE USING ACCOUNT #354-73 TO FUND THE PURCHASE AND INSTALLATION OF A PEDESTRIAN WALKWAY AT THE SOUTH FERRY TERMINAL –PEOPLE'S WHARF VISITOR CENTER AS PRESENTED BY THE PORT ENGINEER. Mr. Preston seconded the motion. The motion passed with Mr. Kueffner voting no.

VI. Items for Action (cont'd).

11. Statter Harbor Uplands Request for Proposals.

Mr. Krieber gave a short presentation on this topic. He said to change the amount in the motion to \$40,000.00, not the \$30,000.00 as listed.

Discussion followed with Mr. Simpson, Mr. Kueffner, Mr. Preston, and Mr. Fisk.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO APPROVE THE EXPENDITURE OF \$40,000.00 FROM ACCOUNT #354-74 FOR THE PURPOSE OF ISSUING A REQUEST FOR PROPOSALS FOR CONCEPTUAL DESIGNS AND PUBLIC INPUT FOR THE DEVELOPMENT OF THE STATTER HARBOR UPLANDS AS PRESENTED BY THE PORT ENGINEER, PENDING ASSEMBLY ACTION ON THE FY06 BUDGET. The motion passed without objection.

VII. Items for Information/Discussion.

There were none.

VIII. Committee, Member & Staff Reports.

1. Finance Committee Meeting – March 17, 2005.

Mr. Preston gave a short summary of his last Finance Committee Meeting.

2. Operations Committee Meeting – March 15, 2005.

Mr. Etheridge gave a short summary of his last Operations Committee Meeting.

3. CIP/Planning Committee Meeting – March 29, 2005.

Mr. Simpson gave a short summary of his last CIP/Planning Committee meeting.

He said they had discussed the travel-lift being sold by the City of Valdez. It is the same size as the ones we currently have so they decided to discuss it further at a later date.

He also said that Mr. Krieber shared that we will receive the Cruise Ship Sewage Disposal Settlement and that the money will be used for the Sewage Pump-Out Project.

IX. Capital Improvement Project Report.

Mr. Krieber gave a short presentation on current and future Projects.

He said he was quite pleased at the results of the Harris Harbor Renovation Project meeting held this morning. It will be a really tight schedule for construction items.

He added that we would have Pump-Out stations located at each of the downtown harbors.

X. Harbormaster's Report.

Mr. McCall said that most of the items have already been covered tonight.

He added that on April 19, 2005 we would have a BP Tanker mooring at the Port until April 21, 2005. We are required to provide security on a 24-hour basis.

Then on July 21, 2005, we expect a 600-foot Russian Square-Rigger Tall Ship to arrive in Juneau and will tie up at the Port. It is a Merchant Marine Training Vessel. We will provide 24-hour security and they will be here for 3 days. They will moor at the Alaska Steamship Dock.

XI. Port Director's Report.

Mr. Stone said that on Monday, April 4, 2005, there will be an Assembly COW Meeting at 5:00 p.m. at the CBJ Assembly Chambers. We will be on the Agenda for the Proposed Regulation Amendments Title 05, Chapter 20 Docks and Harbors Small Boat Harbor Fees and Charges.

He urged the Board Members to attend this important meeting if at all possible.

He said he would be asking for one-year of the Special Sales Tax proceeds. If we get that, then we could delete the 5th-year and maybe part of the 4th-year of the proposed rate increases.

Mr. Stone added that on April 13, 2005 he is having the first big Staff Meeting for all Docks & Harbors employees. He will bring them all current on what is happening within our Department.

This meeting also will give the employees a chance to ask questions that they may have.

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XII. Committee Administrative Matters.

1. Meeting Calendar for April 2005.

<u>Operations Committee Meeting</u>	April 12, 2005	5:00 p.m.	Aurora Harbor Office
<u>Finance Committee Meeting</u>	April 14, 2005	5:00 p.m.	Aurora Harbor Office
<u>CIP/Planning Committee Meeting</u>	April 26, 2005	5:00 p.m.	CBJ Assembly Chambers
<u>Regular Board Meeting</u>	April 28, 2005	7:00 p.m.	CBJ Assembly Chambers

XIII. Executive Session.

1. Personnel Matters.
2. Potential Litigation Matters.
3. Financial Aspects of Auke Bay Land Purchase.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT HAVE A SHORT BREAK AND THEN TO GO INTO EXECUTIVE SESSION. The motion passed without objection.

Mr. Knapp called for a break at 9:02 p.m.

Mr. Knapp called the meeting back to order at 9:06 p.m.

The Board Members went into Executive Session at 9:07 p.m.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO GO BACK INTO REGULAR SESSION AT 9:50 P.M. The motion passed without objection.

Mr. Knapp called the Regular Board Meeting back to order at 9:51 p.m.

MOTION by Mr. Etheridge: ASK UNANIMOUS CONSENT TO ADJUST THE SALARY OF THE PORT DIRECTOR TO A RANGE 25, STEP K AS SHOWN IN EXHIBIT F OF THE CBJ RESOLUTION 2223 AND TO BE EFFECTIVE IMMEDIATELY.

The motion passed without objection.

MOTION by Mr. Simpson: ASK UNANIMOUS CONSENT TO ESTABLISH A TEMPORARY COMMITTEE CONSISTING OF THE CIP/PLANNING COMMITTEE CHAIRMAN, THE PORT DIRECTOR, AND THE PORT ENGINEER TO EXPLORE

IMMINENT DOMAIN PROCEEDINGS FOR ATS-357, LOT #1, AND REPORT BACK TO THE CIP/PLANNING COMMITTEE. The motion passed without objection.

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IX. Adjournment.

MOTION BY Mr. Etheridge: ASK UNANIMOUS CONSENT TO ADJOURN THE MEETING. The motion passed without objection.

The meeting was adjourned at 9:55 p.m.