

**CBJ DOCKS & HARBORS BOARD  
SPECIAL BOARD MEETING AGENDA**

**For Wednesday, January 19th, 2022**

Zoom Meeting - <https://bit.ly/32eUymC>

Meeting ID: 817 7746 6942

Passcode: 118182

Call In : (253) 215-8782

- I. Call to Order** at 5:00pm via Zoom Meeting
- II. Roll Call** Lacey Derr, Paul Grant, David Larkin, Matthew Leither, Mark Ridgway, Annette Smith, Bob Wostmann, James Becker and Don Etheridge
- III. Approval of Agenda**  
**MOTION: TO APPROVE THE AGENDA AS PRESENTED.**
- IV. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time).
- IV. Public Hearings**
  - 1. Ordinance Authorizing Docks & Harbors to Execute a Reservation Agreement with Private Dock Owners under Title 85 (CBJ 85.02.060)  
Presentation by the Port Director  
  
Board Questions  
  
Public Comment  
  
Board Discussion/Action  
  
**MOTION by: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED ORDINANCE AUTHORIZING DOCKS & HARBORS TO EXECUTE RESERVATION AGREEMENTS WITH PRIVATE DOCK OWNERS AS PUBLICLY NOTICED.**
  - 2. Proposed Rate Increase to 05 CBJAC 15.060 (Vessel Lightering Fee) – Public Hearing  
Presentation by the Port Director  
  
Board Questions  
  
Public Comment  
  
Board Discussion/Action  
  
**MOTION by: TO RECOMMEND THE ASSEMBLY ADOPT PROPOSED FEE CHANGES AS PUBLICLY NOTICED.**
- V. Staff or Member Reports**
- VII. Adjournment**



# Port of Juneau

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

## **NOTICE OF PROPOSED CHANGE TO TITLE 85 An Ordinance Authorizing Docks & Harbors to Execute a Reservation Agreement with Private Dock Owners**

The Docks & Harbors Board is proposing to adopt an ordinance authorizing Docks & Harbors staff to execute reservation agreements for privately owned docks.

The above Ordinance is proposed for adoption pursuant to CBJ's 01.60 and CBJ 85.02.060, and CBJ 85.02.100. Interested persons may obtain a full copy of the proposed Ordinance at any of the harbor offices, at the CBJ libraries, at the CBJ Clerk's Office, and online at [www.juneau.org/harbors/proposed\\_regulations.php](http://www.juneau.org/harbors/proposed_regulations.php)

The Board is holding a public hearing and intends to take final action on the proposed changes on January 19th, 2022 at 5:00 p.m. via zoom. Written comments may also be submitted to the Port Director's Office by fax at (907) 586-0295, by hard copy at 76 Egan Drive, or email [carl.uchytil@juneau.org](mailto:carl.uchytil@juneau.org) by 4:30 p.m. on January 19<sup>th</sup>, 2022.

Interested persons may obtain more information by calling Port Director Carl Uchytil at 586-0292.

Presented by: The Manager

Presented:

Drafted by: R. Palmer III

## **ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

**Serial No. 2022-02**

### **An Ordinance Authorizing Docks and Harbors to Execute a Reservation Agreement with Private Dock Owners.**

WHEREAS, under Title 85 of the City and Borough Code, Docks and Harbors is 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; and

WHEREAS, Docks and Harbors manages a year-round reservation system for large commercial vessels, yachts and fishing vessels at the Intermediate Vessel Float and along the Statter Harbor Breakwater in Auke Bay; and

WHEREAS, during the summer months, the linear foot capacity at the Intermediate Vessel Float often is exceeded by the demand from small cruise ships, yachts, large pleasure crafts, and commercial fishing vessels; and

WHEREAS, Goldbelt, Inc. owns and operates the float at the Seadrome Dock and manages a float facility along the Merchant's Wharf; and

WHEREAS, Docks and Harbors staffing, with demonstrative experience in reservation management, has the capacity to maximize vessel assignments throughout the downtown waterfront; and

WHEREAS, Goldbelt, Inc. has signaled interest in developing a business plan in which Docks and Harbors could collectively manage the reservations of the publicly owned Intermediate Vessel Float and the privately owned Seadrome Dock with adjoining Merchant's Wharf Float; and

Whereas, Ordinance 2020-38(b) authorized this pilot arrangement for the 2021 season, and Docks and Harbors successfully managed the two Goldbelt, Inc. docks and realized approximately \$5,000 in revenue from the arrangement;

WHEREAS, Docks and Harbors views the synergistic opportunity to place the downtown reservation system under a single organization as a financial benefit to the City and Borough of Juneau, a savings on administrative personnel costs for Goldbelt, Inc., and greater customer service to mariners desiring downtown moorage; and

WHEREAS, Title 85 does not currently provide the Docks and Harbors Board with authority to execute reservation agreements for privately owned docks.

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

**Section 1. Classification.** This ordinance is a code ordinance.

**Section 2. Amendment of Section.** CBJC 85.02.060, General Powers, is amended as follows:

...

**(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 agreement are public records and subject to the Alaska Public Records Act and CBJC 01.70.

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

Adopted this \_\_\_\_ day of January, 2022.

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Beth A. Weldon, Mayor

Attest:

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Elizabeth J. McEwen, Municipal Clerk

Presented by: The Manager

Presented: 07/13/2020

Drafted by: R. Palmer III

## **ORDINANCE OF THE CITY AND BOROUGH OF JUNEAU, ALASKA**

### **Serial No. 2020-38(b)**

#### **An Ordinance Authorizing Docks and Harbors to Execute a Reservation Agreement with Goldbelt, Inc. for Seadrome Dock and the Merchant's Wharf Float.**

WHEREAS, under Title 85 of the City and Borough Code, Docks and Harbors is 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; and

WHEREAS, Docks and Harbors manages a year-round reservation system for large commercial vessels, yachts and fishing vessels at the Intermediate Vessel Float and along the Statter Harbor Breakwater in Auke Bay; and

WHEREAS, during the summer months, the linear foot capacity at the Intermediate Vessel Float often is exceeded by the demand from small cruise ships, yachts, large pleasure crafts, and commercial fishing vessels; and

WHEREAS, Goldbelt, Inc. owns and operates the float at the Seadrome Dock and manages a float facility along the Merchant's Wharf; and

WHEREAS, Docks and Harbors staffing, with demonstrative experience in reservation management, has the capacity to maximize vessel assignments throughout the downtown waterfront; and

WHEREAS, Goldbelt, Inc. has signaled interest in developing a business plan in which Docks and Harbors could collectively manage the reservations of the publicly owned Intermediate Vessel Float and the privately owned Seadrome Dock with adjoining Merchant's Wharf Float for the 2021 summer season; and

WHEREAS, Docks and Harbors views the synergistic opportunity to place the downtown reservation system under a single organization as a financial benefit to the City and Borough of Juneau, a savings on administrative personnel costs for Goldbelt, Inc., and greater customer service to mariners desiring downtown moorage; and

WHEREAS, Title 85 does not provide the Docks and Harbors Board with authority to execute reservation agreements for privately owned docks.

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


**Section 1. Classification.** This ordinance is a noncode ordinance.

**Section 2. Authorization.** Despite any provision of Title 85 to the contrary, the Docks and Harbors Board is authorized to execute a reservation agreement with the following essential terms:

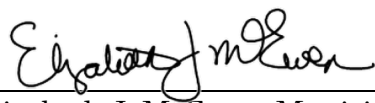
- (a) **Scope.** The Docks and Harbors Department may manage reservations, including moorage services, for the privately owned Seadrome Dock and adjoining Merchant's Wharf Float ("Goldbelt facilities").
- (b) **Priority.** Docks and Harbors shall prioritize reservations at and fill CBJ facilities before making reservations at Goldbelt facilities.
- (c) **Compensation.** Docks and Harbors shall receive 30 percent of all new reservation revenues collected at the Goldbelt facilities.
- (d) **Term.** The reservation agreement is only for the 2021 summer season.
- (e) **Liability.** The City and Borough of Juneau is not assuming control, maintenance, or responsibility of any of Goldbelt, Inc.'s real property. 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.
- (f) **Public Records.** All records received by the Docks and Harbors Department related to this agreement are public records and subject to the Alaska Public Records Act and CBJC 01.70.

**Section 3. Effective Date.** This ordinance shall be effective 30 days after its adoption and terminate on December 31, 2021.

Adopted this 4<sup>th</sup> day of January, 2021.

  
Beth A. Weldon, Mayor

Attest:

  
Elizabeth J. McEwen, Municipal Clerk

### Board Discussion

Mr. Wostmann asked about the new real time current sensors and weather monitoring request. It looks like one of our sensors has failed and he wanted to know if that affects the Port operations.

Mr. Uchytel said there is currently \$17,000 in a fund from a few years ago. It is not enough for us to replace the failed sensor and have a spare. This sensor needs to be replaced before the first cruise ship in May 2022. If we do not receive Marine Passenger Fees for it, we will need to pay out of the Dock fund.

Mr. Ridgway asked if the additional personnel for port call access was for the presentation Mr. Hinton gave about added personnel for U.S. Coast Guard security changes. He also asked if there was a possibility to ask for UAS property funds out of the Marine Passenger Fees.

Mr. Uchytel said it is hard to be sure how much the cruise industry uses the UAS property. Occasionally they will use it for lightering vessels.

Mr. Becker said they would do periodic maintenance on the lightering vessels there. He feels it is a need of theirs that cannot be ignored.

Mr. Schaal said there is currently two sensors down. One sensor offline is at the end of the Cruise Ship Dock that shoots down the channel. There is also a sensor at the end of the AJ Dock that is offline. When a sensor goes down it takes months to replace, so a spare on hand is vital.

### Public Comment – None

#### 3. Ordinance Authorizing Docks and Harbors to Execute a Reservation Agreement with Private Dock Owners

Mr. Uchytel asked everyone to see page 23 of the agenda packet. Port staff was noticing the lack of use of the Seadrome Dock owned by Goldbelt. We reached out and offered to help run the reservation part of their dock. We knew when we were full on the IVF and turning yachts away they were not connecting with the Seadrome Dock as another option. Mr. Uchytel realized we did not have an ordinance giving Docks & Harbors the authority to make reservations on a private dock within the Borough. Last year we ended up getting temporary approval from the Assembly. Goldbelt thought Docks & Harbors did a great job on the reservations and would like to set up a permanent agreement for the future. Last year we collected \$17,000 in revenue from the Seadrome Dock. Docks & Harbors was able to keep 30% of the revenue. The ordinance draft language is on page 25 in the agenda packet.

Mr. Becker asked if the ordinance was for another one year, or five year deal.

Mr. Uchtyl said if we go with the drafted ordinance we could take reservations on private docks going forth forever.

Mr. Ridgway asked if Mr. Uchtyl foresaw any issues with the ordinance and wanted to make sure it was not Goldbelt specific and we could take reservations for any private dock.

Mr. Uchtyl said it is not Goldbelt specific but he did run the ordinance by Goldbelt staff and they did not see any issue with the language.

Mr. Grant asked about paragraph (b) (3) **Compensation.** Docks and Harbors shall receive fair market value for its services which shall be determined by the Docks & Harbors Board. Does the 30% live up to this language? He believes there needs to be a more accurate calculation on what the services are worth. His suggestion was taking it back to the Law Department and creating a looser definition.

Mr. Ridgway asked if we could reword the language to Docks & Harbors shall receive fair market value for its services which shall be determined by staff.

Mr. Grant said he thought that could be a solution and he would be fine with that language change. If the rates and value is left up to the Board we would need to do research and make sure the rate was accurate.

Mr. Uchtyl said it might be more appropriate to say rates set by the Port Director, not just staff.

Mr. Ridgway agrees the Board does not need to be a part of this ordinance and has faith the Port Director can establish the rate.

Public Comment – None

#### 4. CY22 Port Staffing Needs

Mr. Creswell said at the last Finance Sub-Committee meeting Mr. Hinton provided a detailed presentation on the needs for security and port personnel next season. We manage the Cruise Ship Dock (CT), Alaska Steamship Dock (AS) and the Port Field Office Dock (PFO). Next year we are projecting 295 large cruise ship at the CT and AS Docks and 55 additional cruise ships to use the PFO Dock for lightering purposes. We are required by the Maritime Transportation Security Act (MSTA) to have a U.S. Coast Guard approved security plan. Effective April 2021, there was a new requirement put in place for cruise ship ports that we must provide dual identification verification for every passenger. This change has drastically changed our personnel needs. If a passenger does not have two forms of identification we are required to escort them down to the ship and verify with the ships security for their identification.



**CBJ DOCKS AND HARBORS BOARD**  
**REGULAR MEETING MINUTES**  
**For Thursday, December 16<sup>th</sup>, 2021**  
Zoom Meeting

**I. Call to Order:** Mr. Etheridge called the Regular Board Meeting to order at 5:00 p.m. via Zoom.

**II. Roll Call:** The following members were present in the Port Director's conference room or via Zoom. Lacey Derr, Paul Grant, David Larkin, Matthew Leither, Mark Ridgway, Annette Smith, Bob Wostmann, James Becker and Don Etheridge.

Also in attendance: Carl Uchtyl – Port Director, Matthew Creswell – Harbormaster, Erich Schaal – Port Engineer, Christine Woll – Assembly Liaison, Scott Hinton – Port Operations Supervisor and Teena Larson – Administrative Officer.

**III. Approval of Agenda**

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

Motion passed with no objection.

**IV. Approval of minutes**

1. November 5<sup>th</sup>, 6<sup>th</sup> & 10<sup>th</sup> Board Retreat; and,
2. November 18<sup>th</sup>, 2021 regular Board meeting; and,
3. December 8<sup>th</sup>, 2021 Special Board meeting.

Hearing no objection all Board minutes were approved as presented.

**V. Public Participation on Non-Agenda Items - None**

**VI. Unfinished Business -**

**1. Marine Passenger Fee Request**

Mr. Uchtyl asked the Board to see page 46 in the agenda packet. He reviewed the Area Wide Port Operations Fee request. Some changes were made to shift revenue from the Port Enterprise to the Harbor Enterprise. He also added the maintenance and monitoring of the Peratrovich Plaza. A new request was made for maintenance and repairs of the Visitor's Kiosk.

Mr. Uchtyl reviewed the request for the Port-Customs and Visitor Center Building Maintenance Support. He is requesting \$2.66 per square foot, per month equaling \$133,500.

Mr. Uchtyl said the safety guardrail along the dock face request has been increased for the amount needed from \$1M to \$1.2M. This increase was due to materials and supply chain issues.

**Board Questions**

Mr. Grant asked how the maintenance and monitoring of the Columbia Lot, and Peratrovich Plaza get split between the Docks and Harbor Enterprises, and CBJ maintenance team. He asked if it matters who funds a project, or if it is based on location.

Mr. Uchtyl said there was a resolution from 2003 where the City Manager became responsible for the Seawalk. Docks & Harbors is responsible from Marine Park to the Franklin Dock. There is some give and take with other departments, and we regularly work with Parks & Rec. We do pay for landscaping, where at one time we had a handshake agreement with Parks & Rec for them to do the landscaping. The Port Field Office takes care of Peratrovich Plaza to the best of their ability. It is a coordinated effort that seems to work between Docks & Harbors, Parks & Rec, the Library, CCFR and JPD.

Mr. Grant asked if we had any written agreements or if we just get what we can from the City Manager.

Mr. Uchtyl said no, we just work with the different departments and get things done.

Mr. Ridgway asked if the Peratrovich Plaza is on our books, and is there a basic responsibility per code?

Mr. Uchtyl said it goes by the Assessors database. It will show a parcel owned by CBJ, but might say Lands Division or it might say Docks & Harbors. Other than that, there is no centralized catalog where land is owned, just managed. There is a lot of tideland property still in the Lands Division's name, and we have not seen a reason to go to the Assessor and ask to have it changed.

Mr. Schaal said the Lands Division and CBJ does maintain the list of lands that are managed by different departments. Docks & Harbors works with Dan Bleidorn, the Lands & Resources Manager to keep an updated list.

Public Comment – None

Board Discussion/Action – None

**MOTION By MR. RIDGWAY: TO ACCEPT THE PROPOSED RECOMMENDATIONS TO THE CITY MANAGER FOR MARINE PASSENGER FEE (MPF) REQUESTS AND ASK FOR UNANIMOUS CONSENT.**

Motion passed with no objection.

## **VII. New Business**

1. Ordinance Authorizing Docks and Harbors to Execute a Reservation Agreement with Private Dock Owners

Mr. Uchtyl asked the Board to see page 55 of the agenda packet. This ordinance was brought in front of the Operations/Planning Committee last week. There was a non-

code ordinance created earlier this calendar year which allowed Docks & Harbors to enter into a reservation agreement with Goldbelt to manage reservations for their Seadrome Dock. We met with Goldbelt recently and they shared a desire to continue having us manage the reservations and billings for their dock. This past summer Docks & Harbors collected close to \$17,000 in revenue at the Seadrome Dock. Per our agreement Docks & Harbors kept 30%, or around \$5,000. This relationship has worked well will administrative staff that already manages the Intermediate Vessel Float. When the IVF is full, it's a natural path to suggest the Seadrome Dock as an alternative and book them at that time. The Seadrome Dock is twice as expensive as the IVF and Statter Breakwater.

#### Board Questions

Mr. Grant asked what changes were made from this draft to the one given at the Operations/Planning Committee meeting.

Mr. Uchytel said based on the input from that meeting, the only change was the Board can delegate authority but cannot delegate responsibility. The committee was trying to give the Port Director the authority to set the fair market value on the services provided.

Mr. Grant asked about paragraph four in the ordinance, releasing CBJ from liability. He did not think the language is enough to indemnify CBJ and wants someone from Risk Management to take a look.

Mr. Ridgway asked if there was a contractual agreement with Goldbelt last year.

Ms. Larson said there was an agreement and the previous ordinance did go through Risk Management.

Mr. Ridgway commented the ordinance makes it so Docks & Harbors can take reservations for any private dock, not just the Seadrome Dock owned by Goldbelt. He would like Risk Management to look over the contract with Goldbelt before it is signed.

Mr. Uchytel said the premise is we are only responsible for the reservations, not the infrastructure. We only provide phone reservation services, we do not go down to the dock, help with electrical or anything else like that.

Ms. Larson said Goldbelt will create a contract if this ordinance passes. We are only responsible for reservations, invoicing and collecting payments.

Mr. Grant said he believes we need better language indemnifying CBJ from more than just a botched reservation, but injury and dock damage.

Mr. Becker asked if we are notified when Goldbelt owned vessels moor at the dock.

Ms. Larson said we keep a schedule of their boats and when they will be docked there. Only one person at Docks & Harbors manages the reservations so it works well and we are very careful not to double book any reservations.

Mr. Ridgway asked if we are tracking our expenses to confirm it's a worthwhile endeavor. He said he would be happy to take the Administrative Officer's intuition on expense as it is hard to keep track of actual time spent.

#### Public Comment

##### Mr. Kirby Day – Juneau, Alaska

Mr. Day said he has supported this in the past and thinks it is a good idea to have the City more involved with scheduling reservations for small ships and yachts. He thinks if Law approves this and it is beneficial to Docks & Harbors, he support it.

#### Board Discussion/Action – None

**MOTION By MR. RIDGWAY: TO DIRECT STAFF TO INITIATE EFFORTS TO ADVANCE AN ORDINANCE CHANGE ENABLING DOCKS & HARBORS TO EXECUTE RESERVATION AGREEMENTS WITH PRIVATE DOCK OWNERS AND ASK UNANIMOUS CONSENT.**

Motion passed with no objection.

### **VIII. Items for Information/Discussion**

#### **1. CY22 Port Staffing Needs**

Mr. Hinton shared a PowerPoint presentation on Port personnel needs for the 2022 cruise ship season. Our Port is the busiest cruise ship port on the West Coast. He spoke about the Maritime Transportation Security Act (MTSA) and how the U.S. Coast Guard (USCG) requires multiple security requirements. MTSA spells out our passenger screening requirements. The Facility Security Officer can be criminally liable for violations of our Port Security Plan. Our Port is the tourism transportation hub, most tours start at our properties. Docks and Harbor employees are the first on scene in the event of an emergency. Another of the Port employee's duties is to keep our Port clean.

Current Staff:

- 1 Port Ops Supervisor 1.0 FTE (Scott Hinton)
- 6 Harbor Officers .5 FTE
- 5 Harbor Technicians .5 FTE
- 6 Part-time limited Harbor Technicians .33 FTE (unbenefited)
- 1 Port Administrator .21 FTE

We have new passenger screening requirements implemented in 2021. They require dual identification checks for each passenger. It is exactly like an airport and TSA checks. You need to show your shipcard (ticket) and a government issued identification. If a passenger does not have both, they need to be escorted down to the ships security team to be verified. This process can take anywhere from two seconds to two minutes depending on the situation. A four thousand passenger ship will require five thousand identification checks, some will be checked twice and then there is also crew.



January 14, 2022

Ursula Jones  
Goldbelt, Inc.  
3025 Clinton Drive  
Juneau, Alaska 99801

Mayor Beth Weldon  
155 S. Seward Street  
Juneau, Alaska 99801

Dear Mayor Weldon,

On behalf of Goldbelt, I am writing in support of the proposed city ordinance authorizing Docks and Harbors to execute a reservation agreement with private dock owners.

Beginning in early 2020, Goldbelt staff met with Docks and Harbors staff to discuss a one-stop shop for mooring reservation requests. During the discussions, both Goldbelt and Docks and Harbors felt that it would be a logical solution for Docks and Harbors to manage the private mooring reservations for Goldbelt's Seadrome building.

After a few delays, Docks and Harbors began making all external reservations for the Seadrome building in early 2021. Both Goldbelt and Docks and Harbors felt that the year went well. Docks and Harbors eased the burden of Goldbelt staff handling the reservations, while collecting a fee for each reservation made. In addition to collecting the fees, Docks and Harbors was able to manage the downtown moorage problem much easier than in the past because they had more dock space to work with.

Docks and Harbors successfully handled the Seadrome reservations throughout 2021, leaving Goldbelt with a positive experience. The Docks and Harbors staff were easy to work with and skillfully handled each reservation. Goldbelt supports the CBJ ordinance Serial No. 2022-02 in the hopes that Docks and Harbors will continue to provide vessel reservation services for the Seadrome building.

Sincerely,

Ursula Jones  
Lands Manager



## Port of Juneau

### NOTICE OF PROPOSED CHANGES TO REGULATION Amendment of Title 05, Chapter 15 Fees and Charges

DOCKS & HARBORS BOARD IS PROPOSING TO ADOPT AN AMENDMENT TO THE FOLLOWING REGULATION.

#### 05 CBJAC 15.060 Vessel Lightering Fee

**(a) Definition** – The Board is proposing to remove ~~Marine Park Lightering Fee~~ and replace it with Port Field Office Float.

**(b) Applicability and basis for computing charges** – The Board is proposing to remove ~~Marine Park Lightering Fee~~ and replace it with Port Field Office Float.

**(c) Vessel lightering fee period** - unchanged

**(d) Charges when a vessel shifts to different berth** - unchanged

**(e) Vessel Lightering Fee Assessment:** The Board is proposing to increase the 24-hour charge from \$600 to \$1,700. The Board will also add a subsection (1) under this fee that says; For each calendar year after 2022, the fee assessment will be equal to the previous year's fee, adjusted by the Consumer Price Index – Urban Alaska (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the seasonal cruise vessel year, unless the Docks and Harbors Board takes action to keep the fee the same as the previous year.

The above regulation is proposed for adoption pursuant to CBJ's 01.60 and CBJ 85.02.060, and CBJ 85.02.100. Interested persons may obtain a full copy of the proposed regulation at any of the harbor offices, at the CBJ libraries, at the CBJ Clerk's Office, online at [www.juneau.org/harbors/proposed\\_regulations.php](http://www.juneau.org/harbors/proposed_regulations.php) or obtain more information by calling the Harbormaster at 907-586-5255.

The Board is holding a public hearing and intends to take final action on the proposed changes at a Special Board meeting on **January, 19th 2022 at 5 pm via zoom meeting**. If this is approved by the Board it will move to the Assembly for their final approval. Written comments may also be submitted to the Port Director's Office by fax at (907) 586-0295, by hard copy at 76 Egan Drive, and online by web form at the above web address until 4:30 p.m. on January 19th, 2022.

# REGULATIONS OF THE CITY AND BOROUGH OF JUNEAU, ALASKA

## Amendment of Title 05, Chapter 15 FEES AND CHARGES

PURSUANT TO AUTHORITY GRANTED BY THE ASSEMBLY OF THE CITY AND BOROUGH OF JUNEAU, THE DOCKS AND HARBORS BOARD PROPOSES TO ADOPT THE FOLLOWING AMENDMENT TO REGULATIONS:

**Section 1. Authority.** These regulations are adopted pursuant to CBJ Ordinance 01.60, 85.02.060, and 85.02.100.

**Section 2. Amendment of Section.** 05 CBJAC 15.060 is amended to read:

### **05 CBJAC 15.060 Vessel lightering fee.**

- (a) *Definition.* The charge assessed to vessels for dropping-off or picking-up passengers at the ~~Marine Park Lightering Float~~ **Port Field Office Float** or the Intermediate Vessel Float.
- (b) *Applicability and basis for computing charges.* A vessel lightering fee shall be assessed to any vessel over 100 gross register tons, carrying more than 100 passengers-for-hire which makes voyages lasting more than 24 hours, of which any part is on the high seas when such vessels lighter passengers to the Intermediate Vessel Float or the ~~Marine Park Lightering Float~~ **Port Field Office Float**. Gross tonnage means the gross tonnage measurement of the vessel under 46 U.S.C. Chapter 143 or Chapter 145. The Port reserves the right to obtain the gross tonnage from the vessel's register.
- (c) *Vessel lightering fee period.* The period of time which the vessel lightering fee shall be assessed shall commence when the first lightering tender is made fast to an allocated berth or moored, comes within a slip, and shall continue until the last lightering tender such vessel casts off and has vacated the position allocated, or terminates lightering operations. All time is counted and no deductions are allowed because of weather or other conditions, except when the Port Director provides for such allowance for good cause shown.
- (d) *Charges when a vessel shifts to different berth.* When a vessel is shifted directly from one position to another berth or slip, or shifts lightering operations, the total time at such berths or slips, or lightering operation shall be combined when computing the lightering fee.
- (e) *Vessel lightering fee assessment:*

Unit	Charge
Each 24-hour period or portion thereof	<del>\$600.00</del> <b><u>\$1,700.00</u></b>

**(1) For each calendar year after 2022, the fee assessment will be equal to the previous year's fee, adjusted by the Consumer Price**

**Index – Urban Alaska (CPI) as reported by the Alaska Department of Labor for the calendar year preceding the start of the seasonal cruise vessel year, unless the Docks and Harbors Board takes action to keep the fee the same as the previous year.**

**Section 3. Notice of Proposed Adoption of a Regulation.** The notice requirements of CBJ 01.60.200 were followed by the agency. The notice period began on November 24, 2021, which is not less than 21 days before the date of adoption of these regulations as set forth below.

**Adoption by Agency**

After considering all relevant matter presented to it, the agency hereby amends these regulations as set forth above. The agency will next seek Assembly review and approval.

Date: \_\_\_\_\_

\_\_\_\_\_  
Carl Uchtyl  
Port Director

**Legal Review**

These regulations have been reviewed and approved in accordance with the following standards set forth in CBJ 01.60.250:

- (1) Its consistency with federal and state law and with the charter, code, and other municipal regulations;
- (2) The existence of code authority and the correctness of the required citation of code authority following each section; and
- (3) Its clarity, simplicity of expression, and absence of possibility of misapplication.

Date: \_\_\_\_\_

\_\_\_\_\_  
Robert H. Palmer III  
Municipal Attorney

**Assembly Review**

These regulations were presented to the Assembly at its meeting of \_\_\_\_\_. They were adopted by the Assembly.

Date: \_\_\_\_\_

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

**Filing with Clerk**

I certify, as the Clerk of the City and Borough of Juneau, that the following statements are true:



- (1) These regulations were accepted for filing by the office of the clerk at \_\_\_\_:\_\_\_\_ a.m./p.m. on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.
- (2) After signing, I will immediately deliver or cause to be delivered copies of this regulation to the attorney and the director of libraries.
- (3) A permanent file of the signed originals of these regulations will be maintained in this office for public inspection.
- (4) Effective date: \_\_\_\_\_.

Date: \_\_\_\_\_

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



# Port of Juneau

City & Borough of Juneau • Docks & Harbors  
155 S. Seward Street • Juneau, AK 99801  
(907) 586-0292 Phone • (907) 586-0295 Fax

**From:** Harbormaster  
**To:** Docks & Harbors Board  
**Via:** Port Director  
**Date:** November 12<sup>th</sup>, 2021  
**Re:** LIGHTERING FEES – PROPOSED INCREASE

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It is my opinion that the current lightering rate of \$600 is not sufficient to cover our personnel costs to provide the USCG required security measures during a lightering evolution. We are now required to verify two forms of ID to grant passengers access to all of our secure areas.

I have picked a random lightering day from the 2022 cruise ship calendar to use as the basis for this assumption.

Tuesday July 19<sup>th</sup> 2022

Carnival Miracle ACT 0730-2030

**PX 2100**

Staffed 0700-2100

14 hours of Time ACT Security is needed

Minimum **5 staff** (2 staff for morning shift, and 3 staff for evening shift)

Staff hours required= 35 Hours

35 hours X \$20 = **\$700 Staffing Costs (assuming all security staff are PTL)**

This staffing would allow for 2 Staff checking IDs and 1 staff for escorts and crowd control at the bollards

There will most likely be a need for at least one of these staff to be a benefited employee based on current staff makeup and supervision needs, so this cost would increase to **\$860**. If the cost of the Port Operations Supervisor and other associated administrative costs are factored in, this increases to nearly **\$1,100**.

Total hourly labor costs:

Harbor Officer= \$50 (Benefited)

Harbor Technician= \$40 (Benefited)

Harbor Technician= \$20 (Un-Benefited, Part time limited)

At our current rate structure, this visit would generate a total revenue of \$20,349

Lightering Fee= \$600 (Dock Operations)

Port Maintenance Fee= \$2,949 (Port Maintenance)

CBJ Marine Passenger Fee= \$10,500 (Paid to CBJ)

CBJ Port Development Fee= \$6,300 (Used for bond debt)

If this vessel was moored at one of our berths, the security need would be similar but we would generate an additional revenue of \$2,300 since the vessel would be paying nearly \$3,000 in Dockage fees.

## **Comparisons**

The city of Ketchikan charges a lightering fee of \$435 plus \$4 per passenger in addition to their marine passenger fees.

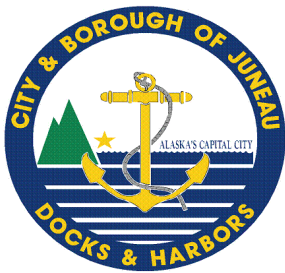
The city of Sitka charges a lightering fee of \$1,328 plus a \$525 security fee for each lightering evolution.

I see a couple of options here:

1. Keep the lightering fee as is and institute a security fee similar to what Sitka does. I would recommend around \$1,000 per visit. This could even be on a graduated scale depending on passenger capacity of each vessel. Larger vessels will require more security personnel than the smaller ones. This could potentially be applied to the ships docking as well.
2. We could raise the lightering fee to \$1,700 to cover the cost of security.

When the current \$600 fee was instituted our security requirements were vastly different and only required on staff member to be present to simply observe operations. This fee increase will be sufficient to staff the checkpoint in accordance with USCG requirements.

#



## **DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES**

November 9, 2021  
Via Zoom Meeting

- I. Call to Order** – Mr. Wostmann called the meeting to order at 5:00 pm on November 9<sup>th</sup>, 2021.
- II. Roll Call** – The following members were in the Port Director's Conference Room or on the zoom meeting – Matthew Leither, Mark Ridgway, Don Etheridge and Bob Wostmann.

Absent: Lacey Derr, James Becker, David Larkin

Also Present: Carl Uchytel – Port Director, Matthew Creswell – Harbormaster, Teena Larson – Administrative Officer

**III. Approval of Agenda**

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

**Motion passed with no objection.**

**IV. Public Participation on Non-Agenda Items – None**

**V. Approval of Wednesday, October 27<sup>th</sup>, 2021 Finance Sub-Committee Meeting Minutes.**

Hearing no objection, the October 27<sup>th</sup>, 2021 Meeting Minutes were approved as presented.

**VI. Items for Information/Discussion**

**1. CBJAC 15.060 Lightering Fee Proposal**

Mr. Creswell directed the Sub-Committee to page 10 and 11 of the agenda packet. The current lightering fee of \$600 is not sufficient to cover the security costs that are incurred, especially with the new identification processes required by the US Coast Guard. As of now the current schedule for 2022 lists 54 lightering days. With the

help of Mr. Hinton, Port Operations Supervisor we looked at one day on July 19<sup>th</sup>, 2022 to gauge the costs associated with a single ship lightering. The Carnival Miracle will be anchored from 0730-2030, around a 14 hour time period. With two staff for the morning shift and three staff for the evening shift, that is a total of 35 hours of staffing costs. If we use \$20 an hour as the cost for staff, that equals \$700 staffing costs, assuming all security staff are a step one, part-time limited employees, which is the lowest pay-rate we have. The step one part-time limited employees are un-benefited so this is a true cost of staffing. At least one of those staff will be a benefited staff member. We also need to factor in the supervision and administrative costs, pushing it closer to \$860 - \$1,100 per visit.

Mr. Creswell said looking at our current rate structure for that port call, we would charge a Lightering Fee of \$600, Port Maintenance Fee (charged by net tonnage), CBJ Marine Passenger Fee of \$5 per passenger and CBJ Port Development Fee of \$3 per passenger. If this vessel were moored at one of our berths, the security needs would be similar, but we would generate an additional \$2,300 of revenue as the vessel would be paying nearly \$3,000 in Dockage Fees.

Mr. Creswell said he pulled some comparisons from around Southeast Alaska.

- The City of Ketchikan charges a fee of \$435, plus \$4 per passenger. This passenger fee is in addition to their normal Marine Passenger Fees.
- The City and Borough of Sitka charges \$1,328, plus a \$525 security fee for each lightering evolution.

Mr. Creswell stated in our situation, we need to keep 180 feet of float open for lightering for the majority of the season, losing \$200+ per day in dockage revenue, or \$24,000 per season from yacht traffic.

Mr. Creswell shared a few options:

1. Keep the lightering fee as is and institute a security fee similar to what Sitka does. I would recommend around \$1,000 per visit. This could even be on a graduated scale depending on passenger capacity of each vessel. Larger vessels will require more security personnel than the smaller ones. This could potentially be applied to the ships docking as well.
2. We could raise the lightering fee to \$1,500 to cover the cost of security.

Mr. Creswell said when the current \$600 fee was instituted our security requirements were vastly different and only required one staff member to be present to simply observe operations.

#### Committee Discussion/Questions

Mr. Etheridge said the original lightering fee was for use of a lightering float, which was not taking up moorage space. Now they are taking up our moorage space and the cost of that needs to be recognized.

Mr. Leither complimented the report and thanked Mr. Creswell for all the work he put into it. He also asked if the “sample” day on July 19, 2022 would be a standard day, or should we look into other days and samples.

Mr. Creswell said as he looked at the schedule for 2022, that sample day was very standard for June through August. We are expecting around 54 of these evolutions next year, ranging from the 800 passenger ships, up to the 4,000 passenger ships.

Mr. Wostmann read an email from Board member David Larkin, who could not attend the meeting. In the email Mr. Larkin asks where we can review the security requirements designated by the US Coast Guard. Mr. Larkin was curious why they require two forms of identification.

Mr. Creswell said he would be happy to sit down with Mr. Larkin to answer any questions. Mr. Larkin would need to sign a non-disclosure agreement before we could share our security procedures and go over the US Coast Guard regulations.

Mr. Wostmann asked if needing two pieces of identification was an explicit requirement from the US Coast Guard.

Mr. Creswell answered that is absolutely correct, and there is no way around it. This is what we have to do at all three of our security check-points.

Mr. Wostmann continued to read the email from Mr. Larkin. Mr. Larkin asked if we had explored the possibility of TSA providing the man-power, as this is directly within their mission.

Mr. Creswell said he had not looked into that possibility. It is not the standard throughout the industry. He was not aware of anywhere using TSA on any cruise port. He also stated the dual identification is for national security, and is the standard everywhere.

Mr. Wostmann asked for clarification on the report. On a 2,100 passenger vessel, the City of Ketchikan will charge an additional \$4 per passenger, which potentially brings in \$8,000 revenue.

Mr. Creswell confirmed that is correct. He received this information from the Senior Harbormaster from the City of Ketchikan.

Mr. Wostmann asked if they charge for every passenger on the ship, or just the passengers that come to shore.

Mr. Creswell answered he was not sure and would need to reach out to find that answer.

Mr. Uchytel said it doesn't matter if they come ashore or not, they are still charged the port fees by total passenger count. He also spoke about the US Coast Guard and The Maritime Transportation Security Act (MTSA). This act follows what TSA and the airports do, but is a different act altogether. He is not aware of TSA agents ever enforcing anything to do with MTSA.

Mr. Creswell said he was on the AAPA Security Committee meeting today. This very topic came up about port security and TSA was not mentioned at all.

Mr. Wostmann asked why we would not want to use the Ketchikan model, and charge a per passenger fee. It would generate more revenue and is being used at other destinations.

Mr. Uchytel said there is so much more background on the Ketchikan rate. Mr. Kirby Day could probably speak to that.

Mr. Ridgway said Ketchikan is doing a fee per passenger, which is an easy way to charge for this service. Otherwise we would need to come up with something fair for the smaller ships. He also thinks the Ketchikan model is easier to bill.

#### Public Comments

##### Mr. Kirby Day, Juneau, AK

Mr. Day said the \$4 per passenger fee in Ketchikan wasn't in place to compensate for security. It was to pay a part of the Port Uplands Expansion bond debt. Mr. Day said he doesn't disagree with needing an increase. He said Mr. Creswell was correct with all the extra expense, especially the US Coast Guard regulation changes.

Mr. Day does not agree with the idea Docks & Harbors is losing dock space while lightering. The float was made for lightering purposes intentionally. Also, with Princess ships they have the Medallion facial recognition, and wouldn't require the same manpower as others. The cruise industry likes to know the costs ahead of time, so assigning a flat fee, at least for this summer, seems like the best idea.

##### Ms. Carla Hart, Juneau, AK

Ms. Hart said she wanted to address the fee from a different perspective. She believes Docks & Harbors should be striving to maximize the benefit to the community. Ms. Hart hopes to charge appropriately, to offer a benefited wage who are working there. As we all know, there is a shortage of workers which is challenging. A \$20 an hour wage for a public employee seems incredibly low. Please charge so you can create more and better jobs for Juneau residents, rather than giving the cruise lines the

cheapest possible price. Juneau has a limited capacity, and the market value for our docks, and lightering dock is incredibly high.

Mr. Ridgway asked Ms. Hart if he heard her correctly, that the lightering fee should be such that would increase the wage rate for the workers.

Ms. Hart said absolutely! She wants an increase for both the wage and the employee benefits. She believes for us to be hiring the cheapest possible, unbenefited employees is not doing the community any service. Livable wages or an opportunity towards that, should be a high priority.

Mr. Ridgway asked Docks & Harbor staff if there was anything missing with regard to necessary improvements, or increases to staff wages and benefit packages. Anything going on in the future the Board should be taking into consideration as we establish a rate.

Mr. Creswell said for this discussion he was looking at real costs for what is involved with the lightering process. The reason he went heavy with the part-time limited staff for this estimate is they will not be needed on a full-time, 37.5 hour work week. This gives us the capacity to hire individuals that want to work a limited, part-time position. Mr. Creswell said he will not necessarily have the work for them on the days where there is not a lightering ship.

Mr. Leither said he sympathizes, empathizes and agrees with Ms. Hart's comments. He also stated he was under the impression CBJ sets the wages and benefits for each employee after reading their duties.

Mr. Uchytel said that is correct. All our FTE's are approved through the Human Resources Dept. Employees can get additional wages through a step-increase based on longevity. The unbenefited employees are usually high school, or university kids working through their summer breaks. Docks & Harbors has full-time year round staff, full-time seasonal staff and part-time limited staff.

Mr. Leither asked if Mr. Day could expand on the Medallion facial recognition program. He asked if there is a way to make it so we could have less than two people checking identification.

Mr. Creswell said Princess Cruise has a great system. Once they are initially let on board they get a "medallion" that they are able to touch to a pad and electronically verifies the person with their name and picture on screen.

Mr. Leither asked if it was safe to say we wouldn't be able to reduce our labor costs even if that was in place.



Mr. Creswell said if a Medallion like process was offered across the board it might cut down the employees needed. Security staff is also there to monitor the secure zones and escort people without proper identification.

Mr. Wostmann asked if the lightering dock would be able to accommodate the Medallion process, or if we would need to continue to check two forms of identification.

Mr. Creswell said it is Princess Cruise equipment and they will bring it to shore with them. It is a stand-alone system, and does not need a network to be used.

Mr. Ridgway said staff has done a good job getting us information and Southeast Alaska pricing. He wanted to move forward, taking the industry comment regarding a flat rate into consideration. He thinks a flat rate will be the easiest and asked if the Board could suggest a fee and make a motion this evening. Mr. Ridgway suggested a fee in the \$1,600 - \$1,700 range.

Mr. Wostmann said he agrees with Mr. Ridgway and asked Mr. Uchytel if there is any way for a part-time employee to receive benefits.

Mr. Uchytel said Docks & Harbors has moved some positions around. There are very strict rules with regards to a benefited employee and how many hours they must work per week, and how many hours they can work per season. He also wanted the Board to know the \$3 per passenger Port Development Fee is not used for labor. That is a local head tax and the money goes to the bond for capital investment along the waterfront.

Mr. Wostmann asked the Board to recommend a fee change to \$1,600, with a CPI going forward.

Mr. Ridgway suggested a rate of \$1,700, because of the world of security, Covid and Mr. Uchytel's comments. He feels \$1,600 is the bare minimum and \$1,700 gives us a fair rate with a little room to grow.

**MOTION By MR. RIDGWAY: MOVE THAT CBJ ADMINISTRATIVE CODE 16.06, THE VESSEL LIGHTERING FEE (LAST REVISED IN 2005) BE ADJUSTED FOR THE 2022 SEASON TO \$1,700, AND FURTHER THAT THE CPI BE AMENDED TO THAT EACH YEAR THEREAFTER AND ASK UNANIMOUS CONSENT.**

**Motion passed with no objection**

2. Docks & Harbors Fee Review (Prioritization & CPI)

Mr. Etheridge recommended to amend the policy statement with Mr. Uchytel's suggestion to change 500 to 300.

Mr. Uchytel said another option, if you added the word "facilities" after "City Owned" the 500 will be more accurate.

Mr. Etheridge removed his previous amendment and asked to make another one.

Mr. Etheridge wanted to change the wording to "City Owned Facilities".

**MOTION By MR. WOSTMANN: THAT CBJ DOCKS & HARBORS RATE SETTING POLICY BE ADOPTED BY THIS COMMITTEE AND BROUGHT TO THE FULL BOARD FOR ENACTMENT AS A BOARD POLICY FOR THE FUTURE AND ASK UNANIMOUS CONSENT.**

**Motion passed with no objection.**

## **VIII. New Business**

### **1. 05 CBJAC 15.060 Vessel lightering Fee**

Mr. Uchytel said this is on page 24 in your packet. Last night at the Finance Sub-Committee meeting there was some discussion on the proposed new Lightering fee from Harbormaster Creswell based on what he estimates to be the true labor costs for people using the lightering float with repeatable, factual labor rates. The current \$600 fee was established in 2005. After Mr. Creswell's recommendation last night, the Sub-Committee proposed raising the rate from \$600 to \$1,700. There will be other small adjustments to the language. If the Committee wants to take action tonight it will go to the Board next week and after Board approval staff will start the public notification process, have a public hearing, and go to the Assembly for final approval. There will be 54 vessels at anchor in calendar year 2022. Approximately three times what we had in 2019.

### Committee Questions

Mr. Ridgway asked if we have to have all the specific language changes to move this forward?

Mr. Uchytel said after the Board approves this staff will work with Law for the corrected language and that is what will get posted.

Mr. Wostmann if this is approved, can we still ask staff to keep a more detailed record in staff time and associated costs for this fee. Is this something staff can reasonably do?

Mr. Creswell said the costs associated with the lightering fee is trackable. We can easily go off schedules.

Public Comment - None

Committee Discussion/Action

Mr. Ridgway said industry has encouraged the Board for their budgeting because they need to know what we are going to do and that is the reason for moving this forward so quickly. This fee is well under our actual cost. Staff will continue to track this and bring it back to us next year.

**MOTION By MR. WOSTMANN: TO CHANGE THE VESSEL LIGHTERING FEE 05 CBJAC 15.060 TO \$1,700 FOR EACH 24 HOUR PERIOD OR PORTION THERE OF AND RECONFIGURE THIS RATE IN THE SUBSEQUENT YEAR AND ASK UNANIMOUS CONSENT.**

**Motion passed with no objection.**

**IX. Items for Information/Discussion**

**1. Finance Sub-Committee Update on Proposed CPI Discussion**

Mr. Wostmann said the Finance Committee reviewed the list of rates we currently have from the perspective of determining whether or not an adjustment starting in the next fiscal year and continuing on thereafter is appropriate for that particular rate. The Committee identified all the rates that should have the CPI applied to. The CPI was applied subsequent to the last time the rate was adjusted but no more than ten years. Before this is completely ready for further action, we will need to determine what CPI to use. The Finance Sub-Committee intends to have a final discussion on this item at our next meeting and move to the Operations Committee for further consideration.

Committee Discussion - None

Public Comment - None

**2. Maritime Administration (MARAD) Disposition letter - Sealift Haulout**

Mr. Schaal said in your packet on page 27 is a letter from MARAD. It reads Docks & Harbors has permission to sell the Sealift and keep the money to purchase another piece of equipment more suitable to our needs. The caveat is whatever purchase has to meet the Buy American Act requirements. Karl's Auto Marine has a specific piece of equipment for their boat lift but that is a Canadian company and this will not meet the requirements for Buy American. This is a good path forward and we think we will recover some of the capital costs in that sealift and turn it around and put it into a new American made boat lift to regain that functionality at the Auke Bay Loading Facility.

Committee Discussion

Mr. Etheridge asked if staff has an estimate on how much this will sell for?

Mr. Ridgway said no motion needed at this time.

Ms. Woll said she did not have any input and has not gone through the 1% sales tax initiative before.

## **VIII. New Business**

### **1. Vessel Lightering Fee – 05 CBJAC 15.060**

Mr. Uchytel said last week's Operations/Planning Committee meeting passed a motion to increase the lightering fee from \$600 to \$1,700. With that direction we got together with the Department of Law and drafted the proposed changes on page 42 of the agenda packet. The changes are very simple and include the dollar amount and deleted the Marine Park Lightering Float, as it does not exist anymore. Mr. Uchytel also added a CPI adjustment going forward. This change will go into effect for the 2022 cruise ship season. If the Board approves this change tonight Docks and Harbors will start the public notice process.

#### Board Questions:

Mr. Ridgway asked Mr. Creswell if there were any significant changes from the information provided at the Ops meeting compared to his memo on page 41 of tonight's agenda packet.

Mr. Creswell said he updated the Port Maintenance Fee for that particular vessel that was used as a sample. He is also showing where the money goes for each fee, whether it was to Docks, maintenance, CBJ or to bond debt.

Mr. Ridgway asked for confirmation the increase was primarily due to the increase in security requirements from the United States Coast Guard.

Mr. Creswell confirmed that is correct. We have new security requirements at the lightering float as well as at the other cruise ship docks.

Ms. Derr asked if this increase had anything to do with potential Covid related needs.

Mr. Creswell said Covid needs were not taken into consideration. The lightering float is a new facility and this increase is based on real cost associated with the security requirements.

Mr. Grant asked about the two options listed in the memo.

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

Public Comment: None

Board Discussion/Action: None

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

Motion passed with no objection

## 2. Docks & Harbors Rate Setting Policy Statement

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

Board Questions: None

Public Comment: None

Board Discussion/Action: None

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

Motion passed with no objection

## IX. Items for Information/Discussion

### 1. Docks & Harbors Board Annual Letter to the Assembly

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