

DOCKS & HARBORS
FINANCE SUB-COMMITTEE MEETING MINUTES
Wednesday, March 9th, 2022
Via Zoom Meeting

- I. Call to Order:** Mr. Wostmann called the meeting to order at 5:00 p.m. on March 9th, 2022 via Zoom.
- II. Roll Call:** The following members were in the Port Director's conference room or via Zoom; Lacey Derr, James Becker, David Larkin, Matthew Leither, Mark Ridgway, Don Etheridge and Bob Wostmann.

Also Present: Carl Uchtyl – Port Director, Teena Larson – Administrative Officer and Nichole Benedict – Administrative Assistant.

- 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 February 23rd, 2022 Finance Sub-Committee Meetings Minutes.**

Hearing no objections, the February 23rd, 2022 Finance Sub-Committee meeting minutes were approved as presented.

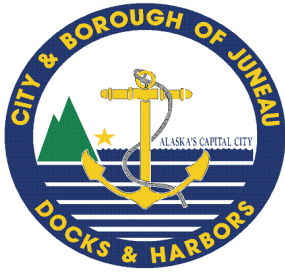
- VI. Items for Information/Discussion**

1. Dockage Special – 05 CBJAC 15.030(i)

Mr. Uchtyl asked the members to turn to page eight in the agenda packet. He said this amendment becomes effective today, March 9, 2022.

(e) From May 1 to September 30, dockage for all vessels, except those vessels paying dockage fees set out in 05 CBJAC 15.030(f) and (h), will be assessed for each 24- hour period or portion thereof as follows:

- (1) \$3.00 per foot for vessels less than 65 feet in length overall;
- (2) \$5.00 per foot for vessels with a length overall from 65 feet up to 200 feet; and
- (3) \$3.00 per foot for vessels greater than or equal to 200 feet in length overall.



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(f) From May 1 to September 30, fishing vessels will be assessed dockage at \$1.50 per foot of length overall for each 24-hour period or portion thereof, except there will be no charge to vessels staging to offload at Taku Dock, provided the duration of staging is less than four hours.

Mr. Uchtyl asked for input on how the Board would like to feather-in the new regulation fee increases. The City Manager asked that vessels paying Marine Passenger Fees be exempt from this rate increase. There are two vessels under 200 feet we need to figure out a way to exempt from the increase.

Public Comment – None

Committee Discussion

Mr. Etheridge said he thought we should move this forward to the Operations/Planning Committee.

Mr. Ridgway and Mr. Wostmann agreed with moving it forward to the Operations/Planning Committee.

Mr. Uchtyl said the direction he received from the City Manager through the Assembly was to do this exemption only for the 2022 season. Any further changes to the cruise ship dockage fees should be made after the completion of the rate study.

2. Follow-up to CPI Omnibus Regulation Changes and Implementation

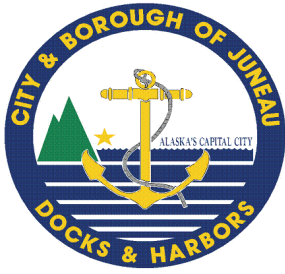
Mr. Uchtyl asked members to see page eleven in the agenda packet. He asked for direction from the Board on how and when to implement the new rates. Some of the changes went into effect per the calendar year, which would mean immediately, while others will change on July 1st at the beginning of the fiscal year.

Committee Questions

Mr. Etheridge asked if they should go up July 1st, and if someone has already purchased a yearly permit they got lucky and paid the lower rate.

Mr. Uchtyl said that sounds reasonable and rational. He would like to confirm that is an option with the Law Department.

Mr. Etheridge asked what would be easiest for staff.



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Mr. Uchtyl commented about dockage fees from reservations. We have already been taking reservations for this upcoming season. Should we recognize the date the reservation was made and charge the lower rate and keep with that price, or increase it once they arrive and pay for the rest of the stay.

Mr. Becker also asked what the staff would like to do.

Mr. Uchtyl said the staff is very easy going and will do whatever members instruct us to do. He is looking for a clear policy to work from.

Mr. Wostmann clarified the three different rate structures. One is billed on an annual calendar basis, one on a fiscal basis and one on a cruise ship season. He agrees with Mr. Etheridge, if you purchased a permit early you got lucky and will pay the lower rate.

Mr. Uchtyl said we have a sustaining CPI adjustment going forward. We are trying to figure out when to implement a price change when it is approved in March.

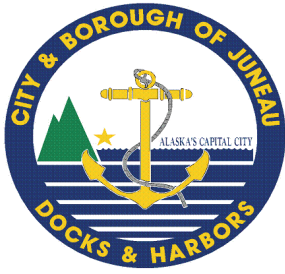
Mr. Etheridge said he thinks we should give the lower moorage rate until July 1, 2022, after that it should be the new higher rate.

Mr. Ridgway asked the Board to get an idea how they would like things tonight, then move the suggestions to the Operations/Planning Committee.

Mr. Uchtyl said he has communicated with Cruise Lines of Alaska and told them there will be no changes to the cruise ship fees this season.

Mr. Ridgway asked about the reservations taken and if a rate was quoted for their stay. He thinks any reservations made going forward should be made at the higher price.

Ms. Larson said there has been communication when taking reservations that we were trying to increase the rates. Some have already paid for their entire stay, while others have only paid for the first day as a non-refundable deposit. She would like to see paid in full reservations stay the same, while any billing going forward be at the higher rate.



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Mr. Etheridge said he agreed with Ms. Larson and would like to see that happen too.

Public Comment

Mr. Andrew Green, Juneau, Alaska

Mr. Green said he is the Port Director for Cruise Line Agencies. He agrees with increasing fees and changing them by calendar year. He said he does book a lot of yachts and thinks it will be manageable to do what Ms. Larson suggested. He would like the reservations already booked to maintain the same rate, and any made going forward would be at the higher rate.

Committee Discussion

Mr. Etheridge said he would like to move this forward to the Operations/Planning Committee Meeting.

Mr. Ridgway was in agreement and wanted staff to list out what they were thinking very clearly so everyone can vote on it next meeting.

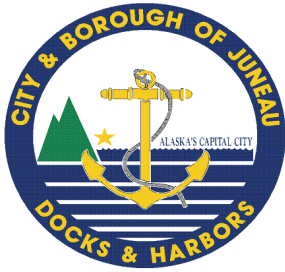
Ms. Derr also agreed and wanted to get the Rate Sheet from the agenda packet put up on the website as quickly as possible. She would like it up so she can direct people to it when they have questions about the rate increases.

3. Docks & Harbors Lease Rent Process

- Lease 45 Properties under legal contracts
- Providing \$850K annually
- Examples
 - Goldbelt Tram – \$204K
 - Franklin Street Dock - \$76K
 - DIPAC – \$44K
 - Auke Bay Boatyard – \$36K
 - Downtown Boatyard - \$29K
 - USCGC LIBERTY Dock - \$22K (license)

Docks & Harbors Board

[85.02.060 – General Powers](#)



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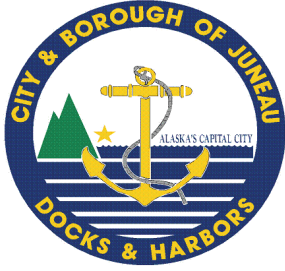
(5) Administer and dispose of City and Borough tideland, submerged land, and other land as provided by the assembly by resolution as subject to docks and harbors board administration, subject to the following limitations:

- (A) No sale, purchase, or trade of land shall be made without prior review by the assembly lands committee and approval by the assembly by resolution.
- (B) Unless otherwise designated in advance by the assembly by resolution, 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 developed under CBJ [85.02.063](#).
 - (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.

Title 53 Chapter 20 – Leases

- **All lands** and interests in land owned by the City and Borough, **including tide and submerged lands, may be leased** as hereinafter provided for surface use only...
- **Appraisal required:** No land or interest in land shall be leased, or a renewal lease issued, unless the same has been appraised...
- The appraiser must be on the State of Alaska Department of Natural Resources list of **qualified appraisers**: <http://www.dnr.state.ak.us/land/appraisal/htm>
- Minimum acceptable annual rental: **No land shall be leased for less** than the approved, appraised annual rental...
- Leases may be issued for a period **not to exceed 35 years**.
- A lessee under an existing lease shall, upon the expiration or the termination by mutual agreement, be allowed a **preference privilege to re-lease those lands** previously leased by him or her if all other factors are substantially equivalent

Committee Discussion



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Mr. Ridgway asked how the process works when more than one person wants to lease a piece of property. He also wondered if we keep a total portfolio that could be reviewed. He wanted to know if we track the time it takes Ms. Larson to process the leases in Lucy.

Mr. Uchtyl said property is usually leased for 8% of the total fair market value annually. Time spent on leases is not tracked or put into Lucy.

Mr. Ridgway asked if property tax increases and rising values are affecting our leases.

Mr. Uchtyl said he might be able to get the appraiser to come to a meeting so the Board can ask these types of questions. The appraiser understands property values and comps in the area much better than him. He also spoke about possible new land/tideland acquisitions and how the lease revenue could grow.

Mr. Wostmann asked if we had a spreadsheet with all of the leases and the date they came up for their five year renewal.

Mr. Etheridge asked about the NCL property and what we need to apply for the land.

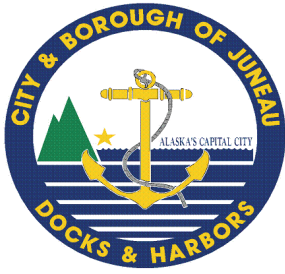
Mr. Uchtyl said it is two years out once we start the process. We are not able to petition DNR for the land until there is a legitimate approval from the Assembly.

Mr. Ridgway is interested in forecasting the leases with the expected changes. It is a large revenue stream with a limited amount of work to receive it.

Ms. Larson said the main reason we require a new appraisal every five years is due to the fact they know the market value much better than our staff.

Mr. Ridgway asked about the Horan & Company appraisal contract ending in June. He was wondering if there is a way to include an overall portfolio management piece. No one expects Docks & Harbors staff to be conversant in establishing rates or creating leased land portfolios.

Mr. Wostmann asked about the land by the NCL Dock. He asked if there was a way the Assembly can approve this on a generic basis to get the project going.



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Mr. Uchtyl said DNR is somewhat difficult to work with. He gave the example of the Franklin Dock and the initial request for ten acres. They would only give us what was needed for the 4.6 acre approved plan. They do not care or take into account future plans or projects.

Mr. Ridgway asked about the Thane Ore House property.

Mr. Uchtyl said it was under lease for many years but that lease was broken due to nonpayment. We went through a RFP process with Tlingit and Haida to build a cultural center. He is meeting with them this Friday to discuss their plans moving forward.

Mr. Ridgway asked if the RFP included all of the land Tlingit and Haida had with us.

Mr. Uchtyl said when the RFP went out we did not know who was planning to bid. We received three proposals; staff and Board members sat on a committee and selected Tlingit and Haida to enter the lease negotiations. There is also a piece of land out there we lease to AEL&P with a garage on it.

Mr. Wostmann asked if there was a minimum bid required for the RFP.

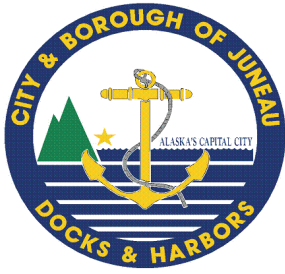
Mr. Uchtyl said it was appraised very low at somewhere around \$8,000 for the two acres. It was low due to no city water or sewer on the property. The selection committee valued Tlingit and Haida's proposal because they were willing to pay the land price and offered a head tax for each person that used the facility.

Public Comment – None

4. Assembly Budget Presentation Preparation

Mr. Uchtyl shared a PowerPoint presentation of the FY23/24 budget. He spoke about the increased fee amount for the Fleet Reserve and Maintenance. The insurance rates also increased from the budget approved back in January 2022. He explained about the deficit in the Harbor fund.

Ms. Larson said the current budget did not include the rate increase and CPI adjustment recently approved by the Assembly.



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Mr. Uchtyl said the 5% increase from CPI adjustment will probably close the budget gap. He will look at our bond covenant to see if that will be covered as well. He also said we will need to adjust our budget again before it goes to the Assembly on April 24th, 2022.

Mr. Etheridge thinks this should go back before the Board.

Mr. Wostmann said there will be another Finance Sub-Committee meeting before the Board meeting to review the budget more thoroughly.

Mr. Uchtyl pointed out there was an additional \$300,000 given to the dock fund from Marine Passenger Fees. This will give us some reserve revenue for the new employees needed for cruise ship security.

Committee Discussion

Mr. Etheridge asked if there was a way to move the insurance cost over to the Dock Enterprise, or a 75/25 split.

Mr. Uchtyl said he thinks that could be a possibility to help balance the budget.

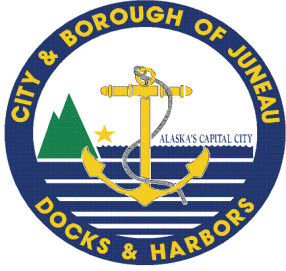
Mr. Etheridge said he feels we are going backwards. The Assembly is shooting down our requests for rate increases and then giving us these huge increases to our fleet and insurance costs. He would like to see it absorbed by the Dock Enterprise.

Mr. Larkin said we are currently splitting the insurance costs 50/50 but is the risk 50/50.

Mr. Uchtyl said the Dock Enterprise is really only for the summer. He gave the example of a cruise ship hitting a five million dollar pontoon and putting it out of service. He isn't sure if that or the 365 days a year we have vessels in our harbors is the higher risk.

Mr. Wostmann asked to see a list of prior claims filed by the enterprises.

Mr. Uchtyl and Ms. Larson could only remember two claims, both were damage to floats in Statter Harbor.



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Mr. Ridgway said he did not want to readjust the insurance percentage giving the Docks Enterprise more to pay.

Public Comment – None

VII. Sub-Committee Action Items - None

VIII. Good of the Order

Ms. Derr spoke about the Lands Committee meeting she attended this week. The meeting had a lot to do with projects paid for by Marine Passenger Fees. She would like to get an update from Ms. Alexandra Pierce – Tourism Manager with more information on projects involving Docks & Harbors.

IX. Next Meeting – March 22nd, 2022 at 5:00 p.m.

X. Adjournment – The meeting adjourned at 6:23 p.m.