

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

Wednesday, March 9th, 2022
Zoom Meeting: <https://bit.ly/3sV7sSg>
Meeting ID: 889 8757 8592
Passcode: 770409
Call In: 253 215 8782

- I. Call to Order** – March 9th, 2022 at 5:00pm
- II. Roll Call** (Lacey Derr, James Becker, David Larkin, Matthew Leither, Mark Ridgway, Don Etheridge and Bob Wostmann)
- III. Approval of Agenda**
- IV. Public Participation on Non-Agenda Items** (not to exceed five minutes per person, or twenty minutes total time)
- V. Approval of Wednesday February 23rd, 2022 Finance Sub-Committee Meetings Minutes.**
- VI. Items for Information/Discussion**
 1. Dockage Special – 05 CBJAC 15.030(i)
Presentation by Port Director

Committee Discussion/Public Comment
 2. Follow-up to CPI Omnibus Regulation Changes and Implementation
Presentation by Port Director

Committee Discussion/Public Comment
 3. Docks & Harbors Lease Rent Process
Presentation by Port Director

Committee Discussion/Public Comment
 4. Assembly Budget Presentation Preparation
Presentation by Port Director

Committee Discussion/Public Comment
- VII. Sub-Committee Action Items**
- VIII. Good of the Order**
- IX. Next Meeting** – March 22nd, 2022 @ 5:00pm
- X. Adjournment**



DOCKS & HARBORS FINANCE SUB-COMMITTEE MEETING MINUTES

Wednesday, February 23rd, 2022

Via Zoom

I. Call to Order – Mr. Wostmann called the February 23rd, 2022 meeting to order at 5:01pm via zoom meeting.

II. Roll Call: The following member attended via zoom or in person at the Port Directors Conference Room. Lacey Derr, James Becker, Matthew Leither, Don Etheridge and Bob Wostmann.

Also Present: Matthew Creswell – Harbormaster, Benjamin Brown – CBJ Law, and Teena Larson – Administrative Officer.

Absent: David Larkin, and Mark Ridgway

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 9th, 2022 Finance Sub-Committee Meetings Minutes. Hearing no objection the minutes of February 9th, 2022 were approved as presented.

VI. Items for Information/Discussion

1. Pre-Hearing Discussion - Dockage Charges (05 CBJAC 15.030)

2. Pre-Hearing Discussion – Application of CPI to Title 05 - Chapters 15, 20, 30 & 40

Mr. Creswell said number one and two under the information for discussion are for this committee to review and decide the best way to receive public input. There are 25 fees that will need a motion.

Committee Discussion-

Mr. Etheridge commented the Dockage Charges change should not have any issues but he would like to hear from Mr. Brown on the proposed changes from the last Operations Committee meeting to the Omnibus regulations. There were small changes to the regulation requested by the Board after the initial advertisement and he asked Mr. Brown if this would need to go back out with another 21 day notice.



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Mr. Brown said the CBJ ordinance that allows for regulation changes and adoption of regulation allows a regulation to be adopted at the meeting that was advertised for 21 days as long as the notice placed people on a reasonable notice that the final product could be something that could affect their interest. All of the changes he worked with Mr. Uchtyl and Ms. Larson that the Board requested to make fell within the content of the original advertisement and would not need to go back out. The last sentence was changed to say, “The Docks and Harbors Board may, by motion, take action to keep the fee the same as the previous year, or increase the fee in an amount less than the CPI adjustment”. If this is adopted tomorrow night as is, this will fit within the code. Even if the Board decided tomorrow night to increase the fees with a larger amount than the CPI that would also fall within the notice.

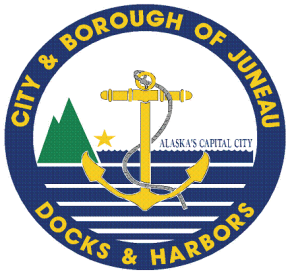
Mr. Etheridge asked if the Board could go up or down on a CPI increase anytime they wanted to?

Mr. Brown said “anytime you wanted” could be a big enough change from the original advertisement that stated the CPI would be applied on an annual bases at the start of the Fiscal Year or Cruise Ship season, and if the Board wanted to raise fees three times the amount of the CPI, those type of changes would be a substantial difference to need to go back out to advertise an additional 21 days. He said working from Ms. Larson’s direction that the Board did not want to be locked into applying the full CPI or nothing, he added the language that the Board by motion could decide on a lesser fee up to the CPI. He asked if having an increase greater than the CPI may be an outcome from tomorrow nights meeting?

Mr. Etheridge said he is not anticipating any changes, but there has been one member want to have the capabilities to choose to apply the CPI or a lesser amount. The other thing was to tie all the fees together so they were all applied at once.

Mr. Brown said the way this was crafted was to allow for an increase for any of the individual fees which will be automatic for the CPI increase and can be less by motion. If it is the will of the Board tomorrow to want to add language to raise fees by a greater amount than the CPI, he still believes that falls within the parameters of the regulation change because people were put on notice that these fees are changing.

Mr. Wostmann commented for the Board to stay within the intent of the notice that has gone out would be to choose the CPI or a lesser amount than the CPI and to only do an increase once per year.



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Mr. Brown said the Board could have an emergency situation and can go out with a 21 day notice. These regulations are putting in an automatic inflation adjuster. The Board always has the ability to raise rates by going out with another 21 day notice.

Mr. Wostmann commented how this is written is the Board can choose to do one fee and not others. If there are rate increases beyond the CPI or drastically changing a rate we would need to go back out with a 21 day notice.

Mr. Brown said that is correct.

Mr. Wostmann asked if changing this to say “all rates or no rates would be changed”, would that need to go back out to a 21 day posting notice?

Mr. Brown said possibly. Someone would have to make the argument the Boards action fell outside the parameters of the code. It is a policy decision. There is a reason why these fees are in separate regulations and these fees affect different people. He said from his perspective if you try to change all of them at once, that will seem more arbitrary than giving each regulation the attention it needs. It is more work but there is a reason there is more work.

Mr. Etheridge commented he agrees they should be separate. Some of these fees could get too high if they just keep going up and be too expensive for our users. Being individual we can elect to not increase some fees.

Mr. Leither asked if there are specific rates he is thinking about. He said inflation is inflation.

Mr. Etheridge said some of the fees inflation does not affect and some fees like cranes could be priced out of business.

Mr. Wostmann commented this also gives us the opportunity to fine tune rates within a narrow margin. If there is a need for a reassessment of a rate, than there is a whole different procedure for that. The default is to have the CPI applied as is.

Ms. Larson commented the other change from the last meeting was the fees associated with cruise ships will be changed at the start of the seasonal cruise vessel year April 1 – November 1.

Mr. Wostmann asked about thoughts on the process for allowing public comment?



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Mr. Creswell said there will be 25 different motions and he just wanted discussion on ideas for the process.

Mr. Etheridge said he wanted to take each regulation change separately and set a time limit for each item. This will allow for more public involvement. There will be a motion for each regulation change.

There was more discussion on the best process to receive the public comment.

Mr. Etheridge recommended to allow for public comment at the beginning and then to allow for public comment under each item.

Mr. Wostmann commented that there could be people wanting comment on more than one item but to still have 25 separate comment times.

Mr. Leither wanted to make sure that the public had the opportunity to provide comment after Board questions on each item.

Mr. Wostmann confirmed that the public will have input before the regulation changes and after Board questions under each regulation change.

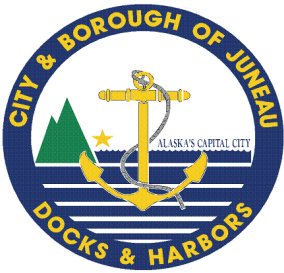
Public Comment –

Mr. Kirby Day, Juneau, AK

Mr. Day said he believed the change to have some of the fees be adjusted by CPI before the cruise ship season and not the fiscal year was from his request. That way fees will not need to be changed in the middle of the season.

3. Proposal – Statter Harbor Moorage Fee Surcharge

Mr. Leither went over his proposal in the packet on pages 30 and 31. He came up with this proposal after the Committee chair asked members to brainstorm ideas to generate additional revenue. This proposal adds a 25% surcharge for permanent moorage at Statter Harbor in addition to regular moorage rates. The 25% is just a number he picked. Based on the current rates, this additional surcharge would generate \$47,367 per year. The proposal is based on a supply and demand which suggests that our demand can support this relatively modest surcharge. This is not to force people out but they could go to



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transient moorage. He said he has spoken to patrons in Statter Harbor that would be willing to pay double the current rate for the privilege of permanent moorage. This is a luxury and he believes people should pay more for that. He was wondering if there are other harbors out there managed as transient and it would be interesting to compare. He agrees with this plan. There was also comment to send this proposal to the rate study.

Committee Discussion-

Mr. Wostmann commented after the last meeting this was discussed at we asked the Port Director to forward to HDR to include in the rate study currently in progress.

Ms. Larson said this was sent to HDR and questions on this proposal can be asked of Mr. Tony Homan tomorrow night at the Regular Board meeting.

Public Comment - None

4. Incentivizing Harbors Rate to encourage Green Technologies

Mr. Creswell said there is a letter from Bruce Weyhrauch in the packet on page 32 and 33. The letter is requesting Docks & Harbors amend or adopt regulations or ordinances that provide for, or modify the basis for, assessing docking, anchoring, and lightering fees in order to offer incentives for vessels using Juneau's docks and harbors facilities, which vessels employ the use of green technologies.

Committee Discussion –

Mr. Etheridge said he responded to Mr. Weyhrauch in a letter that he did not believe the Board would want to be offering discounts until we have our finances in order. Giving a discount to one while raising all the other fees would be an insult to injury.

Mr. Wostmann agreed that this would not be something to do at this time. After our fees are in place we could look at this again. This is a big topic and needs a lot of discussion.

Public Comment - None

VII. **Sub-Committee Action Items** – Mr. Wostmann recommended the members prepare for the Special and Regular Board meetings tomorrow night.



**DOCKS & HARBORS
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MEETING MINUTES**

Wednesday, February 23rd, 2022

Via Zoom

VIII. Good of the Order – None

IX. Next Meeting – March 9th, 2022 @ 5:00pm

X. Adjournment – The meeting adjourned at 6:07pm.

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 15.030 is amended to read:

05 CBJAC 15.030 Dockage Charges.

- (a) *Definition.* The charge assessed to vessels for berthing at the Steamship Wharf, the Cruise Ship Terminal, the Intermediate Vessel Float (IVF), the Port Field Office Float (PFO), and the Inside of the Cruise Ship Terminal (ICT)
- (b) *Basis for computing charges.* Dockage charges are assessed upon length-over-all (LOA) of the vessel. Length-over-all is defined as the linear distance, in feet, from the forward most part at the stem to the aftermost part of the stern of the vessel, measured parallel to the base line of the vessel.

Length-over-all of the vessel, as published in "Lloyd's Register of Shipping" will be used and, when not published, the Port reserves the right to measure the vessel or obtain the length-over-all from the vessel's register.

- (c) *Dockage period; how calculated.* The period of time which dockage will be assessed shall commence when the vessel is made fast to an allocated berth or moored, or comes within a slip and shall continue until such vessel casts off and has vacated the position allocated. All time is counted and no deductions shall be 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, the total time at such berths or slips will be considered together when computing the dockage or charge.
- (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.
- (f) From May 1 to September 30, fishing vessels will be assessed dockage at ~~\$0.75~~ \$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.
- (g) From October 1 to April 30, dockage will be assessed as set out in 05 CBJAC 20.030 and 05 CBJAC 20.040.
- (h) From May 1 to September 30, vessels loading passengers as part of a for-hire tour or experience with a duration less than 24 hours shall comply with the requirements set out in 05 CBJAC 20.080(c) and shall pay passenger-for-hire fees as set out in 05 CBJAC 20.080(d).
- (i) *Dockage specials.* The Docks and Harbors Board may after public hearing establish special and promotional rates of a temporary nature in order to encourage use of facilities, to respond to unusual economic circumstances, or to promote revenue development.

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 February 1, 2022, 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: 3/1/2022

Matthew Creswell Acting Port Director
Carl Uchytel
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: 25 February 2022

Benjamin E. Brown
Benjamin E. Brown
Assistant Municipal Attorney

Assembly Review

These regulations were presented to the Assembly at its meeting of 2/28/2022. They were adopted by the Assembly.

Date: March 2, 2022



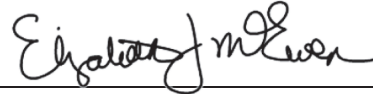
Elizabeth J. McEwen, Clerk

Filing with Clerk

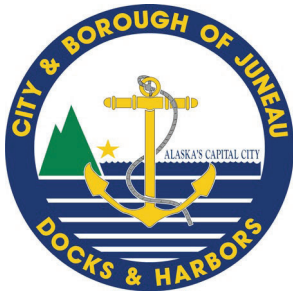
I certify, as the Clerk of the City and Borough of Juneau, that the following statements are true:

- (1) These regulations were accepted for filing by the office of the clerk at 8:30 a.m. p.m. on the 2nd day of March, 2022.
- (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: March 9, 2022.

Date: March 2, 2022



Elizabeth J. McEwen, Clerk



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

FY23 Moorage Rates

DOUGLAS, HARRIS AND AURORA HARBORS		
	Effective thru June 30, 2022	Effective July 1, 2022
Skiff	\$300 per calendar year	\$314.70 per calendar year
Daily	58¢ per foot	61¢ per foot
Calendar Month	\$4.40 per foot	\$4.60 per foot
Bi-Annual (July 1 – Dec 31) & (Jan 1 – June 30) Annual (July 1 – June 30)	5% discount on 6-month advance payment 10% discount on 12-month advanced payment	5% discount on 6-month advance payment 10% discount on 12-month advance payment

STATTER HARBOR		
	Effective thru June 30, 2022	Effective July 1, 2022
Skiff	\$300 per calendar year	\$314.70 per calendar year
Daily	58¢ per foot	61¢ per foot
Calendar Month	\$7.30 per foot	\$7.66 per foot
Bi-Annual (July 1 – Dec 31) & (Jan 1 – June 30) Annual (July 1 – June 30)	5% discount on 6-month advance payment 10% discount on 12-month advanced payment	5% discount on 6-month advance payment 10% discount on 12-month advance payment
Reservations (May 1 – Sept 30)	Fishing Vessels Other Vessels <65' Other Vessels ≥ 65' Other Vessels ≥200'	\$1.50 per foot \$3.00 per foot per day \$5.00 per foot per day \$3.00 per foot per day

INTERMEDIATE VESSEL FLOAT (IVF)		
Daily (Oct. 1 – Apr. 30)	58¢ per foot	61¢ per foot
Monthly (Oct. 1 – Apr. 30)	\$4.40 per foot	\$4.60 per foot
Reservations (May 1 – Sept 30)	Fishing Vessels Other Vessels <65' Other Vessels ≥ 65' Other Vessels ≥200'	\$1.50 per foot \$3.00 per foot per day \$5.00 per foot per day \$3.00 per foot per day

Residence Surcharge

Per Month	\$72.38 + \$24.13/person above four persons
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- A 5% City & Borough of Juneau sales tax may apply to all fees

Launch Ramp Rates

Recreational – Calendar Year (includes Kayaks) Matching registrations are required to obtain two additional permits. Please see 05 CBJAC 20.060 – Recreational Boat Launch Fees.	\$94.41 \$5 per additional permit
Recreational – Day	\$15.73
Commercial – Calendar Year	\$262.25 per trailer
Commercial – Day	\$31.47
Freight Use – Commercial	Up to 1 hour \$60 Over 1 hour \$30 for each additional hour

Parking Rates

Douglas, Harris, Aurora Harbors	Free w/ permit (permits available at Aurora Harbor office, current vehicle registration required)
Statter Harbor – Summer (May, June, July, August, September)	\$1 per hour/\$5 per calendar day
Statter Harbor – Winter (October through April)	Free w/permit (permits available at Statter Harbor office, current vehicle registration required)
Downtown Taku Lot - Summer	\$2 per hour/3 hour limit

Shorepower

Connection Type	Daily Fee
20 amp (120V, 1 phase)	\$6.29
30 amp (120V, 1 phase)	\$9.44
50 amp (208V, 1 phase)	\$26.23
100 amp (208V, 3 phase)	\$90.21
100 amp (480V, 3 phase)	\$207.70

Connection Type	Summer Liveaboard Monthly	Summer Non-Liveaboard Monthly
20 and 30 amp	\$94.41	\$56.65
50 amp	\$188.82	\$113.29
100 amp/208 volt	\$440.58	\$264.35

Connection Type	Winter Liveaboard Monthly	Winter Non-Liveaboard Monthly
20 amp	\$125.88	\$75.53
30 amp	\$169.64	\$100.70
50 amp	\$314.70	\$188.82
100 amp/208 volt	\$755.28	\$440.58

Services Provided

Power

Potable water (Year round downtown and Statter A&B Floats)
Restrooms (Aurora Harbor, Harris Harbor & Statter Harbor)
Showers (Harris Harbor & Statter Harbor)
Free Sewage pump-out (Aurora, Douglas, Harris, and Statter)
Sewage pump-out cart available at Aurora Harbor & Douglas Harbor
Harris Harbor Grid (Fee: \$1.05 per foot per day)
Please make Grid reservation at Aurora Harbor Office

FY23 Fleet Maintenance Rates - REVISED

Department/Division Budget Impact

Row Labels	FY23 Original FY23 Revised FY23 Addtl			
	FY22 Rates	Rates	Rates	Budget Impact
Finance/Assessors	6,600	5,200	5,900	700
Harbors	52,000	64,800	74,700	9,900
Parks & Recreation/Facilities Maintenance	35,100	30,700	35,300	4,600
Parks & Recreation/P&L/Admin	91,000	93,500	107,700	14,200
Parks & Recreation/P&L/Arboretum	2,400	3,000	3,400	400
Parks & Recreation/Recreation/Treadwell Arena	8,600	13,300	15,400	2,100
Parks & Recreation/ZGYC	2,000	3,800	4,200	400
Public Works & Engineering/Engineering/Water Ext.	1,100	2,300	2,700	400
Public Works & Engineering/Fleet/Fuel System	12,000	10,400	11,900	1,500
Public Works & Engineering/Fleet/Maintenance	4,000	6,000	6,000	-
Public Works & Engineering/Fleet/Wash Bay	10,000	10,000	5,000	(5,000)
Public Works & Engineering/RecycleWorks/Admin	2,400	2,700	3,100	400
Public Works & Engineering/RecycleWorks/Recycling	29,400	29,300	33,800	4,500
Public Works & Engineering/Streets	788,700	784,200	902,900	118,700
Public Works & Engineering/Water	108,200	90,200	104,000	13,800
Public Works & Engineering/WW/Collections	110,900	114,900	132,500	17,600
Public Works & Engineering/WW/Treatment	78,900	83,100	95,800	12,700
Risk/Administration	5,500	5,600	6,400	800
Grand Total	1,348,800	1,353,000	1,550,700	197,700

FY23 Risk Property Rates - REVISED

Department/Division Budget Impact

	FY22 Property Rates	FY23 Original Property Rates	FY23 Revised Property Rates	FY23 Addtl. Budget Impact
Admin - Clerk's Office	800	1,400	2,000	600
Admin - IT	800	1,400	2,000	600
Admin - Lands and Resources	5,100	8,100	11,700	3,600
Admin - Manager's Office	800	1,400	2,000	600
Bartlett Regional Hospital	127,800	258,900	372,800	113,900
D&H - Harbors	68,800	148,100	213,200	65,100
D&H - Dock	68,800	148,100	213,200	65,100
Eaglecrest	9,900	20,100	28,900	8,800
Finance - Assessors	800	1,400	2,000	600
Finance - Treasury	1,600	2,800	4,000	1,200
Fire	26,000	53,600	77,200	23,600
Juneau International Airport	85,400	182,300	262,600	80,300
Libraries	24,300	48,800	70,300	21,500
P&R - Aboretum	500	900	1,300	400
P&R - ABP	4,400	8,900	12,900	4,000
P&R - Administration	800	1,400	2,000	600
P&R - Centennial Hall	13,700	27,700	39,900	12,200
P&R - DPAC	21,000	42,400	61,000	18,600
P&R - DPFH	7,300	14,500	20,900	6,400
P&R - DT Parking	39,800	80,600	116,100	35,500
P&R - Facilities Maintenance	4,400	9,000	12,900	3,900
P&R - Parks & Landscape Maint.	7,000	25,400	36,600	11,200
P&R - Sheiyi xaat hit	900	1,800	2,600	800
P&R - Treadwell Arena	8,000	16,300	23,400	7,100
P&R - ZGYC	1,300	2,700	3,900	1,200
Police	19,300	38,300	55,200	16,900
PW - RecycleWorks	2,100	4,300	6,200	1,900
PW - Streets	6,900	13,900	20,100	6,200
PW - Transit	13,700	21,500	31,000	9,500
PW - Wastewater	158,800	351,200	505,700	154,500
PW - Water	53,800	107,100	154,200	47,100
School District	423,600	855,700	1,232,200	376,500
Property Insurance Rate Total	1,208,200	2,500,000	3,600,000	1,100,000