



# THE CITY OF WHITTIER

*Gateway to Western Prince William Sound*

P.O. Box 608 • Whittier, Alaska 99693 • (907) 427-2327 • Fax (907) 472-2404

**PORT & HARBOR COMMISSION  
REGULAR MEETING  
Thursday, April 6, 2017  
Homeowners' Lounge, BTI Building  
6:00 pm**

**MINUTES**

**CALL TO ORDER**

Ed Hedges called the meeting to order at 6:05 pm.

**OPENING CEREMONY**

Ed Hedges led the Pledge of Allegiance.

**ROLL CALL**

Commission members present: Ed Hedges, Greg Clifford, Arnie Arneson, Dave Goldstein, and Mark Mitchell

**ABSENT MEMBERS**

Brad VonWichman

**ADMINISTRATION PRESENT**

Kyle Sinclair – Harbormaster

Jennifer Rogers – City Clerk

Naelene Matsumiya – Office Assistant

**PUBLIC CITIZENS PRESENT**

Charlene Arneson

**APPROVAL OF AGENDA**

**MOTION:** Dave Goldstein made a motion to approve the Regular Meeting Agenda of April 6, 2017 as is.

**SECOND:** Arnie Arneson

**DISCUSSION:** None

Mark Mitchell, Yes; Arnie Arneson, Yes; Dave Goldstein, Yes; Greg Clifford, Yes; Ed Hedges, Yes.

**VOTE:** Unanimous

**APPROVAL OF MINUTES**

**MOTION:** Dave Goldstein made a motion to approve the Port & Harbor Regular Meeting Minutes of March 2, 2017 as is.

**SECOND:** Arnie Arneson

**DISCUSSION:** None

Mark Mitchell, Yes; Arnie Arneson, Yes; Dave Goldstein, Yes; Greg Clifford, Yes; Ed Hedges, Yes.

**VOTE:** Unanimous

## **ADMINISTRATIVE REPORTS**

### **A. Harbormaster Report**

None

### **B. City Manager's Report**

None

## **CORRESPONDENCE**

None

## **UNFINISHED BUSINESS**

### **A. Harbor Policy & Procedure Review**

Dave Goldstein started by acknowledging Harbormasters Andy Dennis and Kyle Sinclair's diligent work on the Policy and Procedures handbook for the Harbor. The Commission discussed the handbook for a while. Kyle asked the Commission if they'd like to take more time to look it over to be sure everything that they wanted to be included is actually in it. Kyle commented that he and Dave worked on it for a couple of hours the other night to make more corrections. Dave noted that the changes that were made were mostly grammatical, changing of language, and removing excessive commas. He stated that some fees were left in for Harbormaster discretion due to different payment methods.

Mark Mitchell indicated that somewhere in the handbook, it formerly cited that the Harbor master had more authority than Police Officers. He said Andy had changed that. Mark tried to remember what else was in the handbook with the keyword authority. Kyle affirmed that the Harbor does issue out legitimate tickets.

Charlene Arneson made a statement and said the original handbook went before the attorney to make sure it was valid. She suggested having an attorney review the updates that are going to be made. Greg Clifford clarified that the Commission was just getting recommendations. Kyle replied that Katie Davies, the Harbor's attorney, already has a copy. Charlene was satisfied with their answers.

Dave Goldstein asked when the next Council meeting was planned for and then shared his thoughts about approving the Policy and Procedures handbook before the Council meeting. He suggested having a meeting on Saturday to approve the handbook. Various members of the Commission stated that Saturday was not a good day for a meeting for them. He asked if anyone was available for Tuesday and Arnie Arneson said he will not be available. Arnie asked if they can approve it tonight. Chairperson, Ed Hedges, looked over the handbook and said he doesn't see anything he disagreed with.

Mark Mitchell asked what the three big changes that were made. Ed Hedges named one of the changes and that was for the Annual Transient. The Commission took some time to read the entry. Dave pointed out something that needed clarification; it was the Preferential Slip Holders. Dave read, "Preferential slip holders receive the privilege of occupying an assigned space on a preferential usage basis only if he/she owns at least 51% of the applied vessel and pays the prescribed fees, including personal property taxes and proof of insurance. The owner of 51% must be present when the vessel is moved out of the harbor at least one of the required 3 times a year under its power." Dave suggested a change in the language for the last sentence saying, "I suggest we change it to, 'The majority owner must be present...', or 'The owner of at least 51% must be present...'" The Commission had a lengthy discussion regarding this topic.

Charlene Arneson expressed her concerns about the issue with the preferential moorage. She said that when a boat owner had Preferential Moorage or was on the wait-list, the husband and the wife were usually recorded as owners of the boat. She said it was changed so that only one owner was recorded as it was an understanding/assumption that *if* something were to happen to the husband, the wife would automatically take possession of the Preferential Moorage. She concluded that it needed to be changed and added into the handbook. Ed Hedges agreed.

Dave Goldstein clarified that there is a separate moorage agreement that two people could sign. Charlene replied that the owner would still have 51% of the ownership. A husband and wife should have equal ownership; 50/50. Charlene explained further by sharing a related anecdote with the Commission. Kyle added it to the handbook while the Commission helped with the wording. Kyle stated he will have the attorney correct the language so it will sound more professional.

The Commission mentioned other items that have been changed in the handbook such as the restroom locations, the emergency spill procedure, fish entrails/carcasses in the Harbor, and the boat lift schedule.

Dave Goldstein asked Kyle if the weather postings were still posted on the bulletin board. Kyle replied that they have been taken down. He mentioned that, in the handbook under Daily Weather, it states the reader should be advised to listen to weather reports broadcasted on VHF weather station channel 3. Dave stated that if we are going to post it, we'd better keep it current. He suggested stopping the postings if the postings aren't going to be periodically updated. Arnie Arneson shared his experience when the weather broadcasted on VHF gave inaccurate forecast of Whittier. Mark Mitchell stated that he uses the app on his phone and it has been very helpful. Dave Goldstein explained that what happened when the weather service stopped using the systems in the City, the weather disseminating businesses grabbed the nearest weather service reporting point, which is in Portage, and end up with weather inaccuracies for the City. The Commission ultimately decided to delete Daily Weather from the handbook.

Ed Hedges asked if there were any other concerns that needed to be discussed.

**MOTION:** Arnie Arneson made a motion to approve the current Whittier Harbor Policy and Procedures Rules and Regulations with the changes as discussed with the Harbormaster.

**SECOND:** Greg Clifford

**DISCUSSION:** None

Mark Mitchell, Yes; Arnie Arneson, Yes; Dave Goldstein, Yes; Greg Clifford, Yes; Ed Hedges, Yes.

**VOTE:** Unanimous

#### **B. Annual Transients**

Item was briefly discussed in Harbor Policy and Procedures Review, fifth paragraph. Remove from future Agendas

#### **C. Moorage Agreements**

Item was briefly discussed in Harbor Policy and Procedures Review, sixth paragraph. Remove from future Agendas

#### **D. Harbor Fees**

Remove from future Agendas

#### **E. Plan for Harbor and Facilities at Head of the Bay**

Arnie Arneson informed the Commission that he had spent a week in Juneau and he talked about his meetings with various people there. He said one of the things he discussed was the head of the bay project. He reported that met with at least 30 legislators and about 2 or 3 of them discussed the project at the head of the bay. The legislator spoke about the bond that was passed in Whittier a few days earlier. They urged him to hold off on the bond issue because the following year, Whittier will qualify for a funding (Arnie was not sure of the name) that

was a grant.

Harbormaster, Kyle Sinclair, asked if was possible he was talking about the Federal Grant Program. Arnie replied that he was unsure. Charlene added that she'll see if she can find anything out from the legislators they spoke to.

Dave Goldstein showed the commission the three concept options for the head of the bay project. He started by saying that a lot transpired during the last meeting after discovering that the City decided to go with option 1; the most minimal option. Dave said, "I did some number crunching and came up with \$6,000/year if there were 300 launches and retrieves at \$10 each way. If 900 boats launched and retrieved from this particular plan, it would be three times that or \$18,000. Not a lot of money for a big project like this. This is an \$8,000,000 \$9,000,000 project."

Dave continued for option 2, saying that it's a somewhat larger breakwater and it's a turning basin. It also includes a 150 slip harbor and a couple of launch ramps

Dave said that option 3 was the most aggressive of all the options as it includes a 300 slip harbor, the biggest breakwater of all the other options, and boundaries intersecting on lands that the City does not own. He noted that there are Hazardous Material circumstances that may be an issue and said that he had spoken to the Army Corps. of Engineers extensively about this project and discovered that the Federal Program will go ahead and fund 80% of the cost of the breakwater and the fairway. He went on, "There is a 10% up front that the City has to pay for and then over an extended period, which is yet undefined, the City has to pay another 10%. In my estimation I think option 2 is probably the one that will trigger some type of development. I don't think option 1 will do anything. It will generate \$18,000 a year with 900 launch and retrieves, but it will cost more than that to manage and take care of it." He claimed that it doesn't make a lot of sense.

Dave Goldstein began to talk about the letter from the President of the Chamber of Commerce that was given to the City Council. Dave said that it was not from the Chamber of Commerce, it was a personal letter. He stated that there was no justification for what was written in the letter. He informed the Commission that other people are very upset about this as well. He remarked that the letter was sent out on Chamber of Commerce Letterhead. "You just don't do that," He continued, "Even if it's to the membership. If you want to discuss this and post something that you have written on there- your viewpoint- you can attach that, but it needs to be separate from the Chamber. To actually go out and do this unilaterally and say, '*This is a bad move*' is totally wrong."

Dave Goldstein brought up the revenue estimation for the head of the bay project and specified, "On these numbers that I did, if you have a 150 slips down there at 28 ft. and you're charging them the same rate (\$65 per linear ft.) G and H are used for five months out of the year. That means that for seven months out of the years, there are no boats in them. No boats. So if people are willing to pay \$65 per linear ft. for G and H slips, they can pay \$65 per linear ft. at the head of the bay. That generates \$273,000." He added that parking for boats and trailers at \$750 per season for 100 boats and trailers would generate \$75,000. He stated that the estimated revenue total of \$354,000 was very conservative. He clarified that this revenue estimation was specific to the second option of the head of the bay plans. He said that the boat owners would also have to pay property tax. Dave began to speak of potential businesses that could be developed at the head of the bay including dry storages, boat repair facilities and boating supplies. The Commission had a lengthy discussion about the many possibilities for developments and uses of the land at the head of the bay that would benefit the City.

**MOTION:** Dave Goldstein made a motion that the Whittier Port and Harbor Commission recommend to the Whittier City Council that they institute a pause in work regarding projects at the head of the bay (western shore of Passage Canal). The Purpose of this pause is to again review the three projects recommended by the Army Corps. of Engineers with the goal of affording fully transparent vetting of Whittier's options to ensure projects are in line with Whittier's long range goals. The vetting process should include meetings with planners, concerned citizenry and others with interest in developing projects at the head of the bay. These meetings may either be facilitated by the

Port and Harbor Commission and/or the City Council with input from the administration. Focus should also include identifying revenue sources, potential partnerships (public/private or governmental entities) an economic study of impacts to Whittier, etc. After final transparent vetting, the resulting plan will go to the Port and Harbor Commission for review and a vet to approve and forward to the Council.

**SECOND:** Arnie Arneson

**DISCUSSION:** None

Mark Mitchell, Yes; Arnie Arneson, Yes; Dave Goldstein, Yes; Greg Clifford, Yes; Ed Hedges, Yes.

**VOTE:** Unanimous

#### **F. Upcoming Rebuild for "B" and "C" Float**

Harbormaster, Kyle Sinclair, gave the Commission an update on the construction progress at the harbor. He reported that the travel lift was down but the men at the Public Works department are working on it. He said that the C float down at the Harbor was being worked on, but they're waiting for the lift to complete it. Arnie Arneson asked Kyle about the estimated time on the renovation of the Travel Lift. Kyle replied anywhere from 10 days to 10 weeks. Kyle stated that X-Ray will be going to Chenega Bay. Mark Mitchell replied that the old floats could be sold. Dave was unsure if the old floats could be refurbished or not.

The Commission talked about the fish cleaning stations down at the harbor. Dave Goldstein suggested turning the old eastern gangway into a cleaning station since there really isn't any use for it anymore. The Commission discussed different plans for the harbor for a while.

### **NEW BUSINESS**

#### **A. Harbor Parking for Upcoming Season**

Kyle Sinclair affirmed that the parking plan will remain the same. Mark Mitchell talked about RC's AVIS cars occupying majority of the parking lot at the harbor. Commission members discussed how the rental cars are expanding over the premium spot in the parking lot because it's right in front of the main gangway. Kyle stated that he has talked to RC about this issue. Mark Mitchell continued, saying it was the main area where people want to park. He said that he doesn't understand why citizens have to park a lengthy distance just because his rental cars need the area. He went on to say it was a real issue.

Dave Goldstein asked if the wash-down area (for smaller boats) was going to remain where it is. Kyle replied that the wash-down was not going to be addressed until after the rebuild. He said that when the rebuild is complete, the wash down area will need to be realigned differently.

Mark Mitchell once again addressed that RC's parking for his rental car was in a very prime spot. Dave Goldstein said that this issue has been ongoing and suggested that RC park half of the cars in a different place so that it frees up a lot of space for other cars.

Kyle said that he will speak to RC about the issue.

#### **B. Smitty's Cove Improvements**

Greg Clifford reported that he went over to Smitty's Cove the day before to use to launch ramp. He stated that there is a giant crater in the middle of the ramp and offered some photos to the Commission. He said he had spoken to Scott Korbe about options for filling the pothole. Scott suggested to temporarily black top the hole as it was a fairly quick fix. Another option was to pour concrete into it, making it a more permanent and stable fix. Greg Clifford stated that the cost for this repair will be at least \$1,000-\$2,000. He went on to say that kayakers could launch off that ramp, as well as those using jet skis.

Ed Hedges said that Planning and Zoning have been making rules about the Tidelands. Charlene Arneson added

that Smitty's Cove is a Marine Park and boat owners are not allowed to anchor their boats in the area. She said that the Police Department will be enforcing that rule.

She reminded that Commission that there is an estuary environment beneath the surface, a lot of which are historical. Dave Goldstein asked if the reef balls from NOAA are still there. Charlene confirmed. She stated that NOAA and the Whittier Community School placed 35 reef balls in Smitty's Cove. She said that the Planning and Zoning Commission is in the process of zoning the tidelands that belongs to the City simply because people want to put projects in the tidelands areas. She said that people wanted to put a dock in Smitty's Cove, and explained that when the tide goes out, those docks will be sitting on the tidelands and she didn't want that to happen.

Commission members agreed to get the pothole fixed.

**MOTION:** Mark Mitchell made a motion to repair the launch ramp to Smitty's Cove and to temporarily shut it down until it is repaired.

**SECOND:** Greg Clifford

**DISCUSSION:** None

Mark Mitchell, Yes; Arnie Arneson, Yes; Dave Goldstein, Yes; Greg Clifford, Yes; Ed Hedges, Yes.

**VOTE:** Unanimous

### **C. Use of Passenger Dock**

Dave Goldstein explained that the passenger dock has had a lot of uses over the years. He stated that the dock needed to be available to everybody. Dave said that there is a *no fish cleaning on the dock* rule in the Harbor Policy and Procedures handbook, but there are people who do it anyway. Dave said that the dock should primarily be for picking up and dropping off passengers.

Charlene Arneson mentioned that if a boat were to be parked there overnight, there has to be a crew member on board just in cases of storms and other events that may happen. She also stated that the backside of the dock can get quite shallow.

**MOTION:** Mark Mitchell made a motion to mark the dock as a City of Whittier dock and anyone who uses the dock is required to contact the Harbormaster before usage.

**SECOND:** Arnie Arneson

**DISCUSSION:** None

Mark Mitchell, Yes; Arnie Arneson, Yes; Dave Goldstein, Yes; Greg Clifford, Yes; Ed Hedges, Yes.

**VOTE:** Unanimous

### **D. 2017 Harbor Staffing**

Commission Chairperson, Ed Hedges, reminded the Commission of the staffing conversation they had at their November meeting. He stated that the commission recommended hiring more people in the winter for reasons related to safety. Mark Mitchell explained that there always has to be two people on the dock just in case of an emergency. Dave Goldstein clarified that the Harbormaster had taken care of it. Kyle elaborated saying there are two permanent positions now, and then a temporary position. He explained that the temporary person will rotate between the two other positions that way there are always two people on the dock.

### **CITIZENS COMMENTS**

None

### **COMMISSION COMMENTS**

None

### **NEXT MEETING ATTENDANCE PLANS:**

Next meeting date: September 7, 2017.

**ADJOURNMENT**

**MOTION:** Arnie Arneson made a motion to adjourn the meeting.

**SECOND:** Dave Goldstein

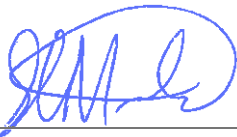
**DISCUSSION:** None

Mark Mitchell, Yes; Arnie Arneson, Yes; Dave Goldstein, Yes; Greg Clifford, Yes; Ed Hedges, Yes.

**VOTE:** Unanimous

Meeting adjourned at 8:25 pm

Attest: \_\_\_\_\_



Naelene Matsumiya  
Office Assistant



Ed Hedges  
Chair of Port & Harbor Commission