

PORT COMMISSION MEETING
APRIL 15, 1991

I. CALL TO ORDER: 7:30 pm at Port Office

II. ROLL CALL: Present: John Hawkins Robert Konig
Grant Fairbanks Helen Lillenthal
Allen DeSousa Buster Richardson
Stuart Greydanus
Absent: Bruce Nerby

III. APPROVAL OF MINUTES:

No minutes due to misplacing of copies. One copy was given to Buster Richardson and Stuart misplaced his.

IV. APPROVAL OF AGENDA:

Motion to move agenda. All in favor. Motion passed.

V. PORT DIRECTOR REPORT:

Things have been picking up at the dock. Al Kilgore and Jerry Galliert, the General Manager and the Marine Operations Manager for KTC have come into town on Friday. They started working across the river, mucking out the barges, and getting the gas freed for the Coast Guard to come in and inspect them. They should be ready to go after breakup.

I talked to Dwight Lefner of D&G and their freight is ready to go. I've hired 2 laborers from the \$150,000.00 Finger Float Grant money. I have approximately \$13,000.00 left of the grant. What we're doing now is, during the storm of last year, there are 6 floats that have been damaged and there is approximately 10 timbers that have to be replaced. The laborers will be put to work for a couple of weeks. We then will secure them before the flood so they won't float away.

I've got a list of projects for Public Works to do. Last year they budgeted \$30,000.00 for us as a charge back system. They do the work and charge me for it.

1. Snow removal of the dock.

2. Scoured areas along the seawall, right at the ends, they'll be filling with rock, filter fabric, and sand on top of that.

3. Filling behind the seawall where there are washout areas, where there are collapsed areas. Nothing major just some cracks in the seawall.

4. Real bad areas along the dock that need some sand fill to bring up to grade. The are where I burned the old Binkley building down. I'm going to be hauling that to the dump, that will be filled so we can utilize that area too.

The old office building that Sarge and I used, I'd like to haul that to the boat harbor to be used for collecting money from issuing mooring states and the usage of the boat harbor. They'll be doing that for 75% of the time or more. I'll be advertising in the next two weeks for a Program Coordinator position and a Clerk/Typist position. They should be filled by the 1st of May. I'll be advertising for Bids on the lease of the Captain Adkins with the option to lease a year with the option of 3 years.

The notice to proceed have been given, who can Consult of Engineers of the Tide Land Survey. Here is the low bidder of \$53,000.00. They've started their paperwork, to be starting the 1st of June. I've been in contact with the Dept. of Transportation and vice-versa. They are preparing a budget to present to the Legislature. They have been wanting to know the needs of the harbor, some of the needs on improving the harbor. I've named a few. 1. lighting down there, 2. some of the floats will be needing upgrading. I asked for \$25,000, thinking that was going to be high, but they approved of that for the upgrade of the harbor itself. I told them we received \$400,000 from the Corp of Engineers to dredge the entrance channel and our turning basin. That will not cover the whole harbor and the area where the finger float are going to be, that will need dredging, along the side of them. I requested \$100,000.00 for that, there is a good chance we will get that money. My fiscal year 92 budget for the boat harbor.

I also attended the Pacific Coast Congress of Harbormaster and Port Manager Convention in Victoria, Columbia from March 19 - 22, this is the second meeting council has approved for me to attend. It went real well, there was alot of round table discussion. The most learning experience was sitting down with people who have served in Port Administration for 30 years. I felt I represented it well.

QUESTION: You were talking about putting some fill in down by YK?
ANSWER: Yes, the engineers, Peratovich, Knottingham and Drage, they will be coming out, we will dig it up again, the tie back got damaged, from when they dumped the rock, there is still emergency money, repair the tie backs and weld on to the exciting pipes, it is in the works.

QUESTION: Have any steps been taken for future flood?

ANSWER: Well yes there is stock pile of rock at Knik, they will be right there if it does happen.

QUESTION: Was there any damage to the pilings themselves?

ANSWER: No, because they sank.

QUESTION: When we dredge the boat harbor, what is going to happen to the piling?

ANSWER: Like I said, the corp. is going to dredge the entrance of the turning basin.

QUESTION: How deep are the pilings in?

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VI. COUNCIL REPRESENTATIVE REPORT:

NO REPORT

VII. COMMENTS OF COMMISSIONERS

No comments due to blank tape.

VIII. PEOPLE TO BE HEARD:

NONE PRESENT

IX. 10-MINUTE BREAK

IX. OLD BUSINESS: ITEM A) COMMERCIAL VESSELS IN BOAT HARBOR

Buster: I would like to see the harbor kept as recreational for Bethel, not as moorage for the commercial vessels. We need to designate an area for them.

Stuart: I agree with you, we do need to do something about this.

Grant : We need a designated traffic lane.

Stuart: I can get on the agenda for the next council meeting.

Buster: I will draw a map of the boat harbor, the floats, and the designated area we are talking about for you to present to the council. So they will know exactly what we are recommending.

Stuart: You want a resolution to present to the council at their next meeting?

Buster: It should be done right away to be presented at the next meeting.

Stuart: If we can get a resolution passed thru the city council we can educate the people thru the radio and the newspaper.

Allen: Slap a small fine on them.

Buster: If we can draw a map where the traffic areas are then that should educate them.

Allen: First off, just stopping people in the traffic lanes should let the people know.

Buster: If you go to like Seward, they have a diagram in a glass case showing where you are, also showing where the traffic lanes are. A lot of people won't park there if they see the map.

In Kenai they have it like, this is where you have oil depository here, and rubbish here...

Stuart: We don't have a harbor like Seward.

Buster: Basically they started like ours did. We are working towards that. And the longer we let people get away with that the longer they'll be doing that.

: We could have a transient anchorage area.

Stuart: I would't even worry about them.

Allen: The commercial vessels should go to the right place. To the other part of the slough. Let them worry about getting to the shore.

Stuart: When you say commercial vessels do you mean, vessels that pick up fish?

Buster: Just fish buyers.

Stuart: If I designate an area of the floats to commercial vessels, regardless of size. Okay, what about...

: There will always be a problem with those large boats because the pilings are too small.

Buster: We need to change that statement.

: Is that in writing?

Stuart: It has not been finalized.

Buster: Okay, We can change that.

: we need to do now is get something to the council so we can get it in writing.

: a resolution designating traffic lanes.

: we need to get a map showing where these lanes are.

: Let's do take it to council, but say it is traffic lanes.

Buster: I will draw a map of the boat harbor and of the floats and where this designated area we are talking about.

: Lets work toward this summer of getting a bulletin board with a roof showing a map of the harbor. It will also show the regulations.

Stuart: so you want a resolution designating traffic lanes to present to the council at the next council meeting. I will come up with a resolution and get it on the agenda. We'll have a public hearing.

*Public hearing
next week*

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Sep 16, 1991

CITY OF BETHEL

P.O. Box 388 • Bethel, Alaska 99559

543-2297—Area Code 907

PORT COMMISSION MEETING

FILE COPY

September 16, 1991

I. Call to Order

II. Roll Call:

Present: John Hawkin
Bruce Herby
Allen Desousa
Robert Konig
Stuart Greydanus
Absent: Easter Richardson
Helen Lilienthal
Grant Fairbanks

III. Approval of Agenda

Agenda approved as amended.

IV. Approval of Minutes:

Minutes uncompleted because of lack of secretary.

V. Port Director Report:

We have a written report from Stuart. Do you have any more to add to the report.

Stuart—Today, a group of Hydrologists, from the Corps of Engineers came in from Washington D.C. We had them walking the entire length of the seawall from the Petro Port. They have come into town for technical assistance, they are experts in channel stabilization, they took notes, sounding, and making recommendations overall the bank stabilization projects. It went well, even rented 2 boats to look at the seawall from the water. Had lunch at the Kuskokwim Inn and had an interview with the press. This was a technical visit for them. A lot of interest shown by the Corps since the 5 million appropriation approved by the federal government. I think it is pretty impressive that they send out 12 Corps people all the way from Washington D.C. Today went very well.

PMC 1 -While you are talking about stabilization during my travel over the last couple of months, I got to see what Tomer and Hooper Bay had done. I got some ideas on the Small Boat Harbor that might help. Unalutet also is starting a Port, officially starting a Port. So they don't know how to charge. They have used some of our drafted measurement to help draft theirs. And so ours is already getting around and its almost to the point where ours effect what happens out there.

Stuart - We as part of the stabilization project, a 1.7 million dollar local match is needed. Mark Earnest went to Juneau and had the state government commit a 1.2 Million match for the 5 million federal appropriation. We are still short 600

thousand. The concern today is how are we to come up with that money. We are hoping maybe we can wait until next fiscal year to get the rest of the appropriation through the state, or look at some other local means of getting the money. Otherwise until we do the construction _____

Q - Anyway you getting started.

A - Well we're trying to work out a deal with, where we already got the 1.2 of the 1.7 appropriated by the state, to start the construction and a little later ask for the balance. But we are still working out the details.

Q - When are you getting started.

A - Next year, 1992.

Q - Is there any implication that we are going to finish the seawall, or are we going to keep doing pass work for the next hundred years.

A - No, we have support from the state and from Senator Stevens for this project to go through. We are lucky to get this 5 million. It's a miracle that we got that. We are to get the funding, it's just that it's going to take a while. We are going to get it in stages.

PCM 3 - We have to keep working at it. It is better than nothing. Have to keep going, but if we keep doing pass work, it will cost more than we ever budget this seawall to be.

Stuart - I'm not too worried about that. I think the ball is rolling and we got all these people coming in and everyone getting an understanding. How critical this port is to the whole region. I think one is going to be appropriated in the years to come for the completion of the project.

PCM 1 - There are other things we can do. I think that we can do to side this money. We have to talk to with our ideas.

Stuart - One other thing, I got the advertisement going for fill of City's Portion of dredging the small boat harbor. I'm going to be focusing my part on the perimeter on the Harbor itself. The water in the middle of the Small Boat Harbor is pretty good. The bidding will close on the 14th of October. At that time, the award will be given, best price to low bidder for the large portion. This is a good time to give a good bid for city's part of dredging.

PCM 2 - Give it time, the water up river will get pretty low.

Q - Boat harbor, do you have a good response on getting the boats out of the Small Boat Harbor?

A - They're slowly taking them out. I know there going to be boats left over. There is a lot of boats. I'm really hoping that people will start to be getting out of the harbor. Most of the small boat harbor, I don't want to give people that much but I want to get it a never been done, so I am going to do it this year.

Q - Is there going to be a place to store them.

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A - I'm going to store them in my warehouse and pick it up with vans. If nobody claims them, I plan to auction them off and generate some money for the city. Ones left out, I may bury or burn them.

PCM 1 - Is that it!

VI. COUNCIL REPRESENTATIVE REPORT

No council representative present

VII. COMMENTS OF COMMISSION

PCM 1-I have a question, On your report you showed about \$300,000 revenue. What are the expenditures of the port.

Stuart-If you commissioners want I could supply a plan or budget...But we are still waiting for...

PC 1-I was just concerned because you said we needed \$600 thousand more to match that 5 million federal appropriation. If we make \$300 - \$500 thousand a year, maybe we could come up with something to cover some of the \$600 thousand, match up.

Stuart-My expenditures are over \$300 thousand at the end of the season.

PC 1 - He easily could make that much expenditures.

PC 2 - Are they necessary.

PC 1 - Yes, he is fixing all that needs fixing!

Stuart -In the past the Dock lost money to the general fund anyway And there's a lot of work around need to be done on the dock and if I generate over \$50 thousand a year. I should be able to stay afloat and match or beat the port and so I try to maintain a budget and ensure where its right in line with revenue so I don't go in the red. But then I don't get a big surplus in mind that I would lose to the general fund.

PC 2 - Remember that one meeting we had...Where Grand brought up, "Why can't we start an account, or something like that. Just for this reason, you know we need 600 thousand dollars to match.

PC 1 - I don't think setting the city finance director will do any benefit because he doesn't want to see us do that, he wants the money coming into his account, he's going to see, then you figure it out by yourself, he's not going to help us out.

PC 2 - We'd have to have some kind of expertise in a way to set it up.

PL - When there was a little money, we think there was no need, but when we had a little more, but it was approved for the city manager, but he said there was at least we had to set an account up, but I don't believe that, there got to be a way.

Stuart-I don't think the City Administration, let alone the City Council will approve something like that.

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PMC 2 - Next time you talk to the Port Directors, or Harbor Masters at the convention, find out what they do for continuance of route fares and stuff like that. Maybe one of them already have the bill already. We can't do that. We have to do it at about 8:00-9:00. That is the time. They've been knocked around in the Port Commission for years. Ever, bodies agreed with me yet, but we just can't find a way to do it.

PC 2 - Can we schedule our next meeting to try and get our finance and city manager here so we can built on that and see what their commands are about next.

PC 1 - I will be having to do that at the scheduled meeting then.

Stuart - yes, fine.

PC 1 - Third agenda item.

PC 3 - I was told something the other day by Warren, and he was talking about there commissions activity, where they made it, act it, and did it. I asked what the difference between our commission and our commission, we were told that we couldn't do that. The thing is, they are a committee not a commission.

PC 1 - If you are a commission, you can have you know, so either we should change the name or somehow get the authority to do the things that Bruce is talking about. I had it kicking around in my head for a while. I dug into it sometime ago, and was told that that's how it's supposed to work. However, the council has not gone along with it. So some body, the council, they are an ad hoc committee and I don't know where the name Port Commission came from but seeing that's the way it is, maybe we should just let our representative, the council, know that's the way it is and from now on, we're a commission and were going to act like a commission.

PC 2 - All this business that goes on, so what good is it to talk about it if we don't do it.

PC 1 - We would still be a committee, the city council know of our action. They would still be the body, the appeal court.

PC 3 - yes, they would have the veto power.

PC 1 - I thought this was crazy, how this could have to go through so much channels, just to go through.

PMC 2 - Never connected as it is, there was another system out in this, we could look into it.

PC 1 - we could run into anyone, read about on our way, let me talk to Warren. He is a good friend of mine.

PC 3 - he is a man to talk to on that.

PC 1 - Our council representative should be made aware of what going on. That is per job.

Stuart - I will see the council on the 21.

PC 2 - New agenda item, I will be on the 21st of October.

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PMC 1 - The only other I have to tell you is, We are being watched. Everything we do is being watched. Just about every place I have been to and once they find out that I'm in the Port Commission, lot of questions is asked to what we're doing.

PC 3 - What kind of questions are they asking?

PC 1 - They basically have a dike on the Aniakchik river, and they had built a dike to protect part of the village from flooding, so they have a boat storage facility, and they are considering leasing out moorage space along the dike slough side, and maybe winter storage and they have adopted alot of...

PC 3 - How does it work? Especially this time of year.

PC 1 - The dike is not up yet, this time of year, but fishing season is over so they are storing all the boats.

PC 3 - They don't get barges there do they?

PC 1 - No, they get barges all the way from Nome. They usually have to wait until high tide in the spring.

VIII PEOPLE TO BE HELD

None

IX OLD BUSINESS

ITEM A: ELECTION OF OFFICERS

PC 1 - Election of 3 officers. I gave Stuart a note, a packet. I was thinking of Chairman, vice chairman, and Secretary. A secretary is a person who will make sure that everybody get notified of meetings and make sure that the information gets to the members of the Port Commission. Right now Stuart doesn't have a secretary. He has a packet of something. There is no reason why the job of a secretary should be required to take care of our business. We're here to serve them not the other way around. In the past, I know Stuart has had to have his secretary tied up for quite awhile doing our stuff and I think it's only fair that one of us do the secretarial work. This is what I propose. Chairperson, Vice chairperson, and secretary.

Stuart: Did you ask for some of the time committees, a Commissioner had the City Clerk at all the minutes for them. I don't know if it's appropriate not that we will have a new City Clerk coming on board to try to incorporate that or should we just maintain...

PC 3 - Once we pass this, we don't have a choice.

PC 1 - There's a lot of stuff to be done. We need more equipment.

PC 3 - There's a lot of stuff to be done. It's not so dramatic about this.

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PC 3 - Like that meeting, and type it up, but I'm your suggestion. I like your suggestion, we can take it over to them to do it.

PC 1 - I mean it's not necessary to do the job. It's to see that it gets done. Until the next meeting. If that means taking the tapes over to the city office. They finish these by next week or whatever. That kind of responsibility is not on the Port's but it is the city's where it is supposed to be. So the meetings are called and passed out to the members. So that Stuart and his secretary would not have to do it. Make sure everybody gets called and find out who is going to be attending and who is not, so that we will know if we have a quorum. It would be a bummer if somebody had to come in from a village for a meeting and find out that we didn't have a quorum. It's not a good way to do this at a meeting.

PC 1 - Administrative support is what we need. Management records of the minutes of meetings and other records, village law, all resolutions and minutes of Port Commissions and similar reports be presented to the city council by member of the council, a council representative appointed to serve on the commission, or in the absence of the city manager. The minutes shall be prepared, reviewed, and certified in the city clerk and shall be given full attention of the city council and by the way that is not our choice the law.

Stuart - Here, it doesn't say whose going to do the minutes though.

PC 1 - There was someplace in here, where it says that the city has to provide us with administrative support.
"Port Commission shall receive full support from City Manager..."

Page 1 of Bethel Municipal Code - Harbor Ports.

PC 2 - That doesn't say, he's going to turn it over to Stuart. So Stuart here has to tend for these guys.

PC 1 - Is your secretary too busy to fit us into her schedule. Once she get figured out.

PC 2 - The Secretary is the third person in the year.

PC 2 - Its the precedents that... if the city clerk is doing it for other commissions, why can't they do it for us.

PC 3 - The other commissions, they have staff as well, so if the city clerk is doing it for them, why can't they do it for us.

PC 3 - That's if they are trying to turn it around, or maybe they wouldn't even try to turn it around.

PC 1 - What are they charging you for overhead, 17.75%?

Stuart - 17.75% which is... they charging you for them to issue... the... the... accounts receivable... it took in... equal... they... have a... you or contractor, whatever... personally don't think we are getting our money's worth, when you consider we do our own billing, do all our receivables and we do everything and they're basically getting 17.75% of our total revenue.

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PC 3 - I motion that the incumbent chairperson be nominated to another term as chairperson.

PC 2 - I second it.

PC 1 - I except it.

All in favor say aye.

Aye

PC 2 - you could vote for yourself?

PC 3 - You could even vote against yourself.

PC 1 - Nomination be closed for chairperson.

PC 3 - Seconded.

Stuart - He was also the one who I spoke to about.

PC 1 - Any nomination for a vice chairperson.

PC 2 - I nominate Bruce next.

PC 3 - Seconded

Bruce - I - I guess I better study the manual

PC 1 - anymore nominations

PC 3 - vote to close motion for vice chairperson

PC 2 - second

PC 1 - All in favor

aye

PC 1 - Nomination for a secretary

PC 3 - Fairbanks would like that job. He works hard. done a lot. He'd appreciate the honor, and think he conscience. So I nominate Fairbanks.

PC 2 - second

Can you nominate someone who is not here.

PC 2 - No, he can be here and vote against himself, but he is still get it.

Stuart - If he doesn't want it, I guess he can decline, and we could always change it.

PC 1 - He doesn't have to except it.

PC 1 - Do you except the motion

Aye

Stuart - If Peter is not here for the next meeting, I will make sure to report to the council, or I could just include what we discussed in my weekly council report.

PMC 3 - What we need to do. "Did you say she was running again" Her seat is going to be vacant.

PC 1 - Open anymore on the election.

PC 2 - Vote to close

Aye

PC 1 - Election is closed.

X PORT ORDINANCE

PC 1 - The Ordinance is now in a computer, up dated, spelling checked, could be used. It could be approved for all the input

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except for Item L, on page 2. The reason we had was we did not have title 28, to look up the order on Item L of the revised ordinance. So unless we have copy of title 28, we will pass the ordinance.

PC 3 - If our new secretary needs help, let him know that I offer my help, like if he cannot make it to the meeting, I could help out.

PC 1 - The Revised Ordinance is accepted, except for Item L. See that title 28 is provided for the next Port Commission Meeting. I make a motion to close port ordinance until next time.

Bruce - Seconded.

PC 1 all in favor

Aye

PC 1 - approved

END OF TAPE

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have a guy that used to sore his vessel at Dillingham storing his boat here. He said instead of paying \$3000 he could pay \$750 for the whole season.

Allen- Anymore questions for Stuart.

John - I have a question. You said you were going to reject the bid from H2W. What is the reason.

Stuart-They were supposed to bid on per yard basis. The city only has \$107 thousand for our portion of dredging. \$100 thousand is in my budget, \$7 thousand received from FEMA when we had the storm damage last year.

Allen- On top of that I heard that they were thinking they had to pay big wages, that's why they bid so high.

Stuart-They thought it was some grand money we received.

John - All this information wasn't available to them.

Stuart-They had the bid packet. It wasn't specified. I told Harry Falkener, who is the sub for H2W, that it was City money. A city job, not States.

John - I'm surprised KNIK, BNC or SONNY'S did not bid.

Stuart-Sonny's might have talked with H2W to lease their equipment out, therefore they didn't want to get involved because if H2W got the contract, they would definitely have to lease with Sonny's.

Allen- Anymore questions.

Stuart-On impounding boats out of the harbor, I have stuck two vans on both doors, and completely sealed off. So it should be just fine.

Allen- I suggest that Howard winterized the engines, just to covers us. It only takes few drops of oil in the Cylinder, If it freezes up sitting in storage, if winterized we could get more for it.

George-Will the Owner pay some kind of fee for storage.

Stuart-\$40 for impound \$5 a day for storage. Like the police department does to their impounded vehicle. We have dozer boats. 4 already claimed, 2 out of the rest should be claimed and the rest burned. One was given to me.

Allen- Anymore questions.

John - I move that we except the Port Directors Report

Bruce- Seconded

Allen- All in favor.

"AYE"

Allen- Oppose, Vote Unanimous

VI: COMMENTS OF COMMISSIONER

John - I'd like to comment on the good work that our Port Director is doing. I am very pleased to see our interested City Fathers attending the meeting. Its a very good precedent and I hope that it continues.

Allen- I thought this was a special occasion because of the council members here

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----- John just took the words out of my mouth. I thought Stuart was doing a great job. I'm just tickled to death. Things are getting done. He is one of the Good City Employees.

IX. PEOPLE TO BE HEARD

Allen- None

X. OLD BUSINESS

ITEM A: PORT ORDINANCE

Allen- We need to get that done, I'd like to see new ones completed before spring.

REGULATIONS : Small Boat Harbor
 Seawall
 Others

Allen- I would like you the commissioners to make up a list of regulations, or write down anything you think should be in on the port ordinance. This section was drafted from scratch. So far the attorney approved our draft. I would like to see the regulations in effect by next season, like the speeding regulation. But we will have problems with enforcing the regulations, because the Police have no time, and the Port people are not law enforcers.

John - So how will we enforce it.

Allen- Find a way with Port department and write citations, or get cooperation of the police department, but they can't be everywhere at once.

John - I think that the last resort we should have because the police just do not have the time.

Allen- In most Ports I know of, they write their own citations, but the problem with that is, the next day, the guy who wrote the citation spends time writing it and bringing it up to the court. So, the way to do this is if we are going to do it, is set it up so the money gets back to the port instead of the general fund.

Stuart-We'll work on that the next meeting.

Buster-I see a lot of people speeding out of that small boat harbor. I find that a lot of people think the small boat harbor starts as you make the final turn into the main portion of Harbor, not here at the River. So they feel they can speed until that point. There needs to be an education program put forward.

Allen- Yes there is, because the federal law, the coast guard says, that any vessel, no matter what size, where it is, is responsible for any damage that its weight causes. That means any navigable water ways. (more discussed on this subject)

Allen- 100 thousand is already allocated to the Small Boat Harbors dredging project.

Small boat harbor discussed, how much it will cost, and how many times it will be dredged.

George-Sen. Ted Stevens appropriated the \$5 million for Fiscal Year 92', this is Phase I. Phase II has already started. We had 12 hydrologist, and 4 geologist come in to look at and measure the river and seawall. The next Phase will cost us \$4.4 million for local match to the \$14 million appropriated from the federal government.

John - Why are we fighting this then. Where will we find \$4
George explained that he hopes that Governor Hickel will work it into the state budget for all the years City of Bethel needs it.

More discussion on the Fuel thru-put, and storage.

Stuart-Wharfage rate at Bethel is already pretty high already. If fuel thru-put is raised to 6 cent, wharfage rate on commodities doesn't need to be raised.

Buster-I make a motion to increase the fuel thru-put to 4 cents.

John - seconded the motion.

Allen- All in favor

All - Aye

Allen- Proposal for a 4 cent increase has been passed.

FIVE MINUTE BREAK

Buster-I'd like to add to the motion on the 4 cent increase that we put a designated time limit to the increase.

Stuart-That should depend on what the appropriation we will be getting next year or years to come by.

Buster-Still would like the time limit set on the increase.

Stuart-We already have a contract with BES to either increase or decrease.

George-Let those business' know it's going for a good cause and has a definite life span.

Allen- I will even suggest we write them a letter and inform them what the increase is for.

John - It's a good public relation to keep business' notified.

----- George, do you think its a realistic assumption to believe that the \$6 million and \$15 million will fix the seawall. How much money is the seawall going to require.

Stuart-It is an on going project. River will not sit still.

Allen- We have discussed this already, but I'd like to stress some more that the seawall needs to set up its own fund, especially for emergency reasons. We need to set an account so we can make a reserve especially for this reason.

George-Stuart, why don't you explain to them what we do in that case.

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Stuart-We file an emergency damage report and submit it to the city, and the city acts on the report, ordering the appropriate departments to do the job.

George-We already have a 4.4 million worth of Rock pile set up.

Stuart talked about the success of the rip rap that was put on the last section of the seawall, and the failure of the pipes. The pipes should be sold and used for the local match up, besides they could end up being a tremendous bill for the dock if anybody gets hurt on them .

ITEM B: WHARFAGE

Stuart-Wharfage rates here in Bethel has not been changed since 1987. Lot of other Ports raise there wharfage. Our wharfage dose not amount to much for the consumer. What is killing them is the handling charges. I propose that we raise the rates 25%, and this would generate \$10 thousand extra a year. I would like to raise the wharfage rate on the inbound fish to \$1 a hundred weight. Processors make alot of money, so they can afford it.

John - that is a significant jump.

Stuart-Yes, but considering that I pay for all bills, and fees and what ever the cost. Other Ports are getting more than penny a pound.

Bruce-It is our biggest renewable resource, and our biggest damage inflicter on our seawall, fence and even water.

More discussion of raising the wharfage rates. Explaining all involved with fish shouldn't complain about paying a little bit more, especially if it will help them have better facilities.

Allen- Draw a motion for this.

John - Draw a full recommendation from Port Director.

Allen- All in favor.

Recommendation from the Port Director was passed without opposition from any of the port commission. And a resolution is to be drafted by the Director, and submitted to the City Council during the public meeting.

ITEM C: STABILIZATION

Allen- During my travels, I have noticed all the stabilization projects that the cities had build, especially at the coast.

One particular I have noticed is at Togiak. It's made of wood and it seems better. Instead of dredging the small boat harbor, every 4-5 years maybe we should follow Togiaks stabilization project.
more on stabilization

PORT COMMISSION MEETING
OCTOBER 21, 1991

ITEM D: SECRETARY

Allen- It came to our attention that Grant Fairbanks is not accepting because he doesn't have enough time to do a good job of it. So this position is open for anybody that wants it. What the secretary dose or should be doing is discussed. Making sure that the agenda is posted and packets passed out.

John - Without the honor of the title, I would like to volunteer for the position.

Allen- Thank you for your input. The floor is now open for nomination.

----- I Nominate John Hawkins for the position.,

Buster-I second it.

----- I move that the nomination be closed

----- Second it.

Allen- All in favor

John Hawkin respectfully excepted to the position without opposition.

----- Before adjournment I would like to invite Mr. Wintersteen to be our council representative.

Stuart-I would like to ask you to call me in advance what you would like to discuss at the meetings. I will appreciate your input.

Bruce- We should discuss dredging the slough, or where people dock there boats. We shouldn't phase them out just because we have the small boat harbor. I know in the future we will be needing more room.

Allen- Mr. Secretary, The minutes need to be brought to the City Office after you type them out.

Meeting Adjourned

FILE COPY

CITY OF BETHEL
PORT COMMISSION MEETING

FILE COPY

MINUTES: November 18, 1991

MEMBERS PRESENT: Robert Konig, Bruce Nerby, Buster Richardson,
Alan Desousa, Alan Wintersteen

ABSENT: John Hawkins, Grant Fairbanks

M/M by Nerby, 2nd by Konig to approve minutes of the meeting of October 21, 1991. Motion carried unanimously.

M/M by Konig, 2nd by Richardson to accept the agenda as amended to include: Marine Fuel Tax, Police Boat, Raw Fish Tax. Motion carried unanimously.

The Port Director presented his report.

The Commission next discussed the items: Tidelands survey; False Pass fish donation; BNC/City land exchange; petition against Ben Barnes operation; the take over of the City's Ports and Harbors from the State Department of Transportation and Public Facilities.

Comments by Commissioners:

Regarding question by Mr. Wintersteen as to whether a council member serving on the Commission has voting privileges, Mr. Desousa stated he would look into the matter.

Mr. Desousa next commented on obtaining phone numbers from commission members.

Old Business:

Item A: Port Ordinances

M/M by Wintersteen, 2nd by Nerby to accept lawyer's definition of a motorized vehicle as provided in Title 28. Motion carried unanimously.

The Commission directed Port Director, Stuart Snaydanus, to complete the draft of port ordinances for review by the Commission at its January 13, 1991, 7:00 pm work session.

Item B: Press Releases

The Commission discussed the importance of submitting agendas to the local press for distribution, especially when dealing with important issues.

Port Commission Minutes
November 18, 1991
Page 2

Item C: Police Boat

Port Director Greydanus proposed that the Port Department takeover of the police boat from the Police Department and submit that recommendation to the Council for its consideration.

M/M by Nerby, 2nd by Konig to accept the Port Director's proposal. Motion carried unanimously.

Item D: Marine Fuel Tax

This matter was table until the next meeting of the Port Commission.

Item E: Raw Fish Tax

Port Director Greydanus recommended the appropriation of fish tax monies for fisheries enhancement.

M/M by Nerby, 2nd by Konig to obtain an interpretation from the State regarding the use of raw fish tax monies. Motion carried unanimously.

M/M by Konig, 2nd by Wintersteen to adjourn. Motion carried unanimously.

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Port Commission Meeting
December 16, 1991
Minutes
7:30 PM

- I. **Call To Order:** By Chairman Allen DeSousa
- II. **Roll Call By Secretary:** By John Hawkins
- III. **Present Were:** Allen DeSousa, John Hawkins Bruce Nerby, Manny Konig, Allen Wintersteen. Grant Fairbanks came in late during the Marine Fish Raw discussion.
- Absent Were:** Buster Richardson

IV. **Approval Of Agenda:**

Manny Konig made a motion to approve the agenda as amended, seconded by John Hawkins. All in favor say aye, opposed, none. Motion carried.

V. **Port Director Report:** Stuart gave out a written report. Question by John Hawkins about the 275 horse power motor, and Stuart stated that they'll go out with R.F.P. in January and advertise it in Anchorage, Fairbanks and Seattle. Stuart wanted to trade it in, but nobody didn't wanted anything to do with it.

VI. **Council Representative Report:** Allen Wintersteen stated that he didn't have a whole lot to report. At the Council meeting, boat issue came up a couple of times that Stuart talked about and discussion over the light situation that regards to vandalism at the dock. Stuart stated that he made an appointment and met with Bethel Utilities, and Public Works has four lights and they needed the long arms. He wanted to put four lights depending on how much they would cost. John questioned if the City is liable for damage done or anything stolen since it was under the care of the Port Commission. Stuart replied that there is a storage agreement that was signed, and that the Port Commission isn't liable for damages. Question, if the lights will be done by January. Stuart stated that it'll be done by the end of January.

VII. **People To Be Heard:** None

VIII. **Old Business:**

A. **Raw Fish Tax:** Stuart stated that Bruce had brought up that he wanted to see the literature whereby his money is suppose to go back into an upgrade level. Stuart told him that he went to the Legislature Information and read the laws there and the Municipality do not have to give to the Ports. How the raw fish tax work is that the fish processors pay three percent of the total value of fish to the Department of Revenue. He called the Fish & Game and was told that the total value of fish this last season was 4,773,621.00, and the three percent of that would be 143,208.00 and split it with City, the City would get 71,604.00. Stuart wanted support from the Commission, if he would ask the City Council if they could split the raw fish tax with the dock fifty/fifty, that would give the Commission

35,802.00 to put electricity along the seawall for the fish processors or lighting down there. The Commission has 50,000.00 planning grant to enhance the fisheries and with this extra money, the Commission need to start building up the fishery, put in more cleats along there, and there's a lot of things that the Commission needs to do. Next year he could budget 36,000.00 as an expense and show the raw fish tax on his revenue source, and that would still get 17.75% as an administrative overhead. The City Council don't have to give it to the Commission, if they don't want to. What Sitka does with their fish tax is that they use half of it to their operating budget and the half to their dock fund. This money could also be used for dredging the small boat harbor if the City felt that it's necessary to utilize that money for it, because the commercial fishermen that utilize the boat harbor. Stuart makes the budget and the City Council approves it or disapproves it. John Hawkins made a motion to let Stuart make his presentation to the Council in regards to the apportioning of the fish tax, including the documentation on the intend of the law with regard to the subsistence to the fish process. The motion was seconded by Manny Konig, all in favor say aye, opposed, none. Motion carried.

B. Marine Fuel Tax: Stuart stated that the State currently charges 5 cents a gallon for all the fuel that crosses the docks and the facilities, and that money goes into the State General Fund. That money is supposed to be used for maintaining the ports and harbors, but currently it's not. Stuart had proposed that him and George had set up a meeting with Lyman Hoffman, and hopefully get him to sponsor a bill whereby the Legislature would appropriate all the monies that is generated from the marine fuel tax. That money to go back to where it was generated from for upgrading the facilities. Currently the 12 million gallons that come across the fuel dock every year at 600,000.00 that's going to the State general fund that might be used for roads. Stuart would like from the Commission is for them to make a motion for them to support that they can present this to Lyman Hoffman and hopefully he would be in support of this. Stuart has been trying to schedule a meeting with him this week, but haven't been able to get a hold of him, and had left messages for him. Bruce Nerby would like to see something on paper that he can read, something that shows about the marine fish tax, everything that Stuart had said, should be written on paper. It would be interesting to know what happened to the money, who took over for signing that money or whether it was used by everybody or whether the D.A. is got to know. If they are taking the Commissions money, and D.A. is using it, and where they are using it, the Commission has to know where the money goes. Maybe some research can be done, what percent of that the Commission is getting back. Grant Fairbanks made a motion to support Stuart's wishes to re-allocate the marine fuel tax back to the communities, seconded by John Hawkins, all in favor say aye, opposed, none. Motion carried.

C. Taking Over Dock From The State: Stuart stated that he had a contact with Merf O'Brien, the Chief Liaison Officer for the State. He's handling all the harbor transfers over the different Municipality. His recommendation is, if the Port Commission is serious about taking over the dock from the State, the Commission has to make a resolution saying that the Port Commission set their condition for repairs, what they want from the State, what needs to be improved. This item is just for discussion and if the Commission would like to act on it tonight, Stuart personally feels that if they take over the dock, it would be a good asset. They have 800,000.00 in general fund for Port improvements, and they could get some of that money to improve the Port bringing up the degree and turn over. Merf had said that if the Commission took over the dock facilities, it would not cut out the entirety of any future financial support or technical assistance, but basically wanted to get rid of them, because of

planning oil revenues, and they wanted to be more sufficient. Bruce wanted to see a report about pros and cons, a proposed budget for the next 3 years operation on the dock income, a balance sheet, what liabilities of the City would be. What kind of budget the Port needs to have. The pros is worth alot of money this Port, and it's a big asset. The Commission would have a good control of the dock. The cons are that the Port Commission would have to maintain it themselves. Before the Port Commission take over the dock they would have to have all the ducks in a row protecting the fund from the City, because the Port had a hard time in the past savings and money in the bank account to protect the dock, if the Port Commission has an emergency. Couple years ago the City had hardly any money, and if the Port Commission needs money right away, the City would say they don't have money to pay for that project. Allen DeSousa stated that the Port Commission for the past year has been talking about building up an emergency funds for the Port, and something that Council has predicted from the general fund, set aside emergencies and at the same time being able to make the improvements. They also discussed the insurance for the seawall. Something to look into and find out if it can be insured and what it can be insured against, from earth quake, flood damage and from something else. This stuff the Port Commission need to know, and how much it'll cost them before making any decisions on it. This is something to pursue and more research on it. John Hawkins made a motion for the Chairman Allen DeSousa name or appoint the committee, which may include himself, and at least one other person to work with the Port Director Stuart and nay other appropriate person in or outside this group to study, evaluate and develop a report on the pros and cons of the City assuming the ownership of the dock, and the airport. The motion was seconded by Grant Fairbanks, all in favor say aye, opposed, none. Motion carried. Allen DeSousa asked the members if they are interested to be on the committee. No comments.

IX. New Business:

A. Fuel Sales Proposals: These proposals were given to the City Council, but they gave them back to the Port Commission.

1. Land Leases: Stuart stated that on the 14C Claim, there's three of them that have claimed part of the land, Bethel Fuel Sales, BNC and the City of Bethel. The two City Council meetings ago, they chose to exchange land with BNC for this 14C Claim, because they didn't wanted the litigation and probably will take years and thousands of dollars, and need to get that, because if the Commission doesn't get that title to the land, than they would be holding up the stabilization of the project. This land would cost close to half a million dollars. John Hawkins made a motion to table this issue until Warren is present at the meeting, no seconds, the motion dies. Bruce Nerby made a motion that the Port present to the Council with the endorsement that Warren be granted with the five year extension, however, the exclusive rights the Port be kept with preferential use of facilities, under the conditions that there is no change of ownership, the motion was seconded by John Hawkins, all in favor say aye, opposed, none. Grant Fairbanks abstained.

2. Land Lease For Housing: Propose of this would be to provide housing for the employees for Bethel Fuel Sales, housing would consist of mobile homes, or duplex types of structures. He would propose ten year lease with first right to refusal of land if they the City decides to sell it. It would be used for housing for its employees, and not for commercial use. The Port Commission agreed that the fact the dates would go along with the dates on the preferential use of the Port to that the zoning ordinance has to be changed in

order for this to take place. It would have to be as stated the owner or its employees use the facilities. Leases expiring at the same time. John Hawkins made a motion to accept this, seconded by Manny Konig, all in favor say aye, opposed, none. Grant Fairbanks abstained.

3. Ownership Of Land At The Dock: Bruce Nerby motions to accept item C as written, seconded by Manny Konig, all in favor say aye, opposed, none.

B. Marine Operations Along The Waterfront: Stuart stated since they have a land with BNC, need to have to deal with Bethel Contractors Operation down at the hospital road. This has been discussed before about this road. Since the Port is going to be the ownership of that land, Mr. Bivens indicated that it's up to the Port to do what they are going to do with it. Will the Port have the same rules with him, and if the Port is going to charge more. Stuart to make a map of where the housing lease areas would be, how big the pile of gravel is going to be, how many tons. Bruce Nerby made a motion to table this item of agenda for next meeting for discussion, until further information, seconded by John Hawkins, all in favor say aye, opposed, none. Motion carried.

X. Adjournment.