

## **REGULAR AGENDA - 7:00 PM**

### **I. CALL TO ORDER**

Chairman Swanson called the meeting to order at 7:02 P.M. in Council Chambers.

### **II. ROLL CALL**

Commission Members  
Present:

*Chair Mark Swanson  
Commission Member Colleen Stephens  
Commission Member Montgomery Morgan  
Commission Member Steve Cotter  
Commission Member Stu Hirsch  
Commission Member Ryan Sontag, Jr.  
Commission Member Alan Sorum*

Also Present:

*Acting Ports & Harbor Director Jeremy  
Talbot  
Port Operations Manager / Recording  
Secretary Jenessa Ables  
Harbor Operations Manager Sarah Von  
Bergen*

### **III. APPROVAL OF MINUTES**

#### **1. Approval of the Regular Meeting Minutes of May 2, 2016**

Chairman Swanson noted the misspelling of Commissioner Stephens name in the last paragraph of the regular meeting minutes of May 2nd, 2016. The regular meeting minutes of May 2nd, 2016 were approved as amended.

### **IV. PUBLIC APPEARANCES**

#### **1. Alaska Clean Harbors Presentation**

Mr. Talbott introduced Heather Leba of Cook Inlet Keeper to speak about the Alaska Clean Harbors program. Founded in 2011, the ACH program provides a set of voluntary regulations and suggested best management practices. The ACH guidelines cover everything from sewer management and maintenance to employee training. Ms. Leba said active ACH participants reduce environmental

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impact and improve customer service.

Ms. Leba said the Valdez Small Boat Harbor recently completed a long checklist of criteria, with the sole exception of the storm water permit. Staff is working to meet this final requirement and obtain the ACH certification.

Marine Exchange of Alaska will be taking over the ACH program in the near future. Rachel Lord, Cook Inlet Keeper, is currently assisting with the transition. Once the Valdez Small Boat Harbor is certified as an Alaska Clean Harbor there will be a presentation to publicize the Harbor's participation in the program and associated signage will be provided.

Commissioner Sorum said he was involved in the inception of the ACH program ten years ago. The goal was to have a non regulatory proactive approach rather than waiting to be contacted by outside agencies. Commissioner Sorum said they received a grant from the Department of Transportation Ports & Harbors Section to publish a guidebook with best management practices. Many past Harbor improvements were efforts to comply with the developed criteria, including the wash down pad, garbage containers and pumps. Commissioner Sorum said City Council approved a resolution in support of participating in the ACH program.

Commissioner Morgan asked if the current Harbor can be successfully certified even though the basin has poor circulation. Ms. Leba explained that ACH takes the design of each harbor into consideration. Participants are not penalized for limitations that are a result of design characteristics. Commissioner Hirsch thought the ACH participation requirements might serve as a catalyst for prioritizing or funding corrective action for issues such as poor circulation. Commissioner Sorum said there was federal funding available to improve flushing in the past but the project was voted down by a prior City Council.

Chairman Swanson asked how many harbors are currently certified. Ms. Leba believed there are four certified harbors at this time. Chairman Swanson asked if ACH was under the auspice of Cook Inlet Keeper or Marine Exchange of Alaska. Ms. Leba said the grant awarded to Cook Inlet Keeper facilitating the ACH program will expire at the end of the summer. At that time, the Marine Exchange of Alaska will take over the program.

Chairman Swanson asked if there is evidence participation in the ACH program creates better boater behavior. Ms. Leba said it may be helpful to publicize good harbor user behavior. She added that clear signage in highly visible areas, consistent communication, and other best management practices tend to go a long way.

Mr. Talbott said he went through the Clean Marina certification process at his

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previous place of employment. He said the most notable change followed the implementation of pump out boats and portable pump out stations. Using this system, approximately 80,000 additional gallons of waste material was recovered that may have otherwise ended up in the water.

Ms. Leba said there is funding available through the Alaska Department of Fish & Game Clean Vessel Act. She thought Valdez should be eligible to apply for the grant.

### **V. PUBLIC BUSINESS FROM THE FLOOR**

Terry Hermach introduced himself as the owner of the 44' vessel Beachcomber moored on H Dock. He said he had been a long standing employee of the Port Department but recently resigned. Mr. Hermach said Mr. Talbott let him know that he would be moving his boat to accommodate another vessel. He said he took issue with the move because transient moorage has always been first come first serve and he felt Mr. Talbott had given preferential treatment to another Harbor user.

Mr. Hermach said the issue was first addressed during a Port Staff meeting which created an unpleasant work environment and led to his resignation after 20 years of employment with the Port. He acknowledged the difficulty of assigning slips in a crowded harbor, but emphasized the importance of honoring the first come first serve transient moorage policy.

Commissioner Sorum said he felt any action should be vetted through the City Attorney rather than discussed by the Ports & Harbor Commission. Chairman Swanson agreed.

Chairman Swanson asked if Mr. Hermach's slip was permanently assigned. Mr. Hermach said his location on H Dock is for transient vessels but he believes it is an abuse of power to order the relocation of one vessel for another. Chairman Swanson noted he is the owner of a transient vessel and he readily moves wherever the Harbor staff requests.

Commissioner Stephens said the Commission could review the transient moorage policy per the request of a Harbor user, but declined to discuss any personnel or personal issues that may be involved with the scenario. Chairman Swanson agreed.

Mr. Hermach said he would like to see the policy reviewed. He added that Mr. Talbott gave the directive to move the boat during his first Port staff meeting, which he deemed to be very inappropriate timing.

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Commissioner Hirsch recalled Mr. Talbott communicating the need to temporarily relocate two permanent slip holders to accommodate the new Silver Bay pilings. The vessels relocated to Mr. Hermach's area of moorage are the same permanent slip holders Mr. Talbott mentioned prior to the approval of the project.

Commissioners and staff agreed to review the policies and procedures of the Harbor. Mr. Talbott said transient moorage regulations are part of the City Code. Commissioners agreed they could take a closer look at the verbiage.

Mr. Hermach thanked the Commission for listening.

## **VI. PUBLIC HEARINGS**

There were no public hearings.

## **VII. UNFINISHED BUSINESS**

### **1. Approval of Recommendation to the Planning and Zoning Commission for preliminary approval of (SUBD 16-04) ATS 621 Subdivision. Applicant: Jason C. Wells**

**MOTION: Commission Member Alan Sorum moved, seconded by Commission Member Colleen Stephens, to Approve the Recommendation to the Planning and Zoning Commission for preliminary approval of (SUBD 16-04) ATS 621 Subdivision. Applicant: Jason C. Wells.**

Ms. Ables said AnnMarie Lane, Community and Economic Development Senior Planner/GIS Technician, was originally scheduled to brief the Commission but was unable to attend the meeting. Ms. Ables discussed the item in short with Ms. Lane and offered to try and answer any questions regarding the preliminary approval of Subdivision 16-04 ATS 621.

The Commission asked Ms. Ables to provide a summary of the request to subdivide. Ms. Ables said the applicant, Jason C. Wells, is the owner of ATS 621 Lots 1 and 2 and wishes to subdivide the tract where South Harbor Drive intersects. Chairman Swanson asked if the owner was subdividing to allocate different uses to Lots 1 and 2. Ms. Ables said Lots 1 and 2 are already zoned for different uses within the same tract. Although Ms. Ables was not sure whether Mr. Wells has intentions to sell, subdividing now would make the sale of either tract easier in the future.

Commissioner Stephens asked if there had been a staff recommendation from the Community and Economic Development Department. Ms. Ables said the item was brought before the Ports & Harbor Commission to ensure the subdivision

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would not affect Harbor operations. The staff recommendation is to approve the recommendation to the Planning & Zoning Commission.

Chairman Swanson asked whether Tract 621 is leased or owned by Mr. Wells. Ms. Ables confirmed Mr. Wells owns the property.

Commissioner Cotter said he didn't see an issue with subdividing because South Harbor Drive already physically subdivides the two areas. The Commissioners agreed.

**VOTE ON THE MOTION: 7 yeas. MOTION CARRIED.**

## **2. Discussion Item: Transition to Granicus**

Ms. Ables said all meeting agendas and materials will be compiled and distributed through Granicus, a software taking the place of Sire. She provided instructions on how to install the necessary applications and asked if the Commissioners had any questions.

Ms. Stephens suggested a representative of the IT Department attend a Commission meeting and assist the Commissioners all at once rather than requiring individual meetings. Staff said they would pass this suggestion along to the IT Department.

## **IX. REPORTS**

### **1. Purchase of Airport Leased Land Report**

Ms. Ables said Council Member Needles had requested Port staff contact the State of Alaska regarding the possibility of purchasing property at the Valdez Pioneer Field Airport. The State's response was reviewed by City Council during the June 7<sup>th</sup> meeting.

### **2. New Valdez Boat Harbor Construction Project Report #35**

Mr. Talbott said there is nothing new to report. There has been a stall in the decision making process regarding the inclusion of the drive down float. He said Western Marine has been making good time. Mr. Talbott said they have started on both east and west breakwaters. Commissioner Morgan asked if Western Marine has been using the Harris Sand & Gravel temporary dock at the old town site. Mr. Talbott confirmed they have been utilizing the temporary dock. Commissioner Hirsch asked if the new Harbor will be Alaska Clean Harbor certified. Mr. Talbott said all the necessary facilities are in place to become certified shortly after opening for business.

### **3. Ports & Harbor Report**

Ms. Ables said Commissioners Sontag, Cotter and Sorum all reapplied for seats on the Ports & Harbor Commission. There was a fourth applicant and the City Council will vote on the appointments during the June 21st Council Meeting. Ms. Ables encouraged the applicants to attend the meeting should they feel inclined.

Ms. Ables said the Joint Pipeline Office has chosen not to continue their sublease at the Valdez Pioneer Field Airport and will be vacating by June 30th. Commissioner Hirsch asked the square footage of the JPO space. Ms. Ables said they had occupied a little more than 1,700 square feet.

Mr. Talbott said Port staff met with Ryan Sontag, North Star Terminal and Stevedore Co., to discuss maintenance and safety concerns at the Valdez Container Terminal. Port staff is currently working to address needs identified during the meeting.

Mr. Talbott said the new Travelift passed its annual inspection as well as both cranes. New carpet and flooring has been installed in the front room of the Harbor Office and the bathroom floors were resurfaced. Other recent improvements include the installation of a cell phone charging station on the exterior of the Harbor Office and a concrete repair in front of the building. Mr. Talbott said plans to permanently repair the sink hole continuously reappearing in front of the Harbor Office are in the works as well.

Mr. Talbott said Harbor staff completed 144 hours of training last month.

Silver Bay Seafoods installed two new pilings as discussed during the April 18<sup>th</sup> Ports & Harbor Commission meeting. He said it has been challenging to accommodate everyone but they are making it work. He anticipated possible issues with relocating the permanent slip holders but was surprised transient vessels had taken issue with the temporary arrangements.

Mr. Talbott said he plans to clean up the Pipe Yard and auction off some of the pilings.

Mr. Talbott said Administration, Port staff, and Community & Economic Development staff recently met with the USCG to discuss the feasibility of home porting two fast response cutters in Valdez. They are looking at several other communities as well.

### **X. COMMISSION BUSINESS FROM THE FLOOR**

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Commissioner Hirsch said Harbor staff has been very pleasant to work with and operations seem to be going smoothly. Chairman Swanson agreed with Commissioner Hirsch. In his experience, the Harbor staff has delivered unpleasant news with grace.

**XI. ADJOURNMENT**

There being no further business, Chairman Swanson adjourned the meeting at 8:14 P.M.