

**City of Gustavus, Alaska  
Resolution 2011-20**

**A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF GUSTAVUS  
(CoG) DIRECTING THE MARINE FACILITIES COMMITTEE TO  
REVIEW AND DRAFT UPDATES OF THE CoG MUNICIPAL CODE  
TITLE 8, HARBOR FACILITIES, FOR CONSIDERATION BY THE CITY  
COUNCIL BY NOVEMBER 1, 2011.**

**WHEREAS**, the Gustavus Dock Replacement Project, No. 67599 (Gustavus Multi-Modal Marine Facility), was substantially completed in 2010, and

**WHEREAS**, a Memorandum of Understanding was signed between the State of Alaska Department of Transportation and Public Facilities (DOT&PF), the Southeast Region Alaska Marine Highway System (AMHS), the United States Department of Interior National Park Service, and the City of Gustavus in 2010 regarding uses, regulations, and responsibilities pertaining to the Gustavus Multi-Modal Marine Facility, and

**WHEREAS**, in the above-mentioned MOU the City of Gustavus agrees to adopt harbor regulations specifying rules governing the use of the Facility and Float System, and

**WHEREAS**, the new breakwater float and expanded mooring float, known in the MOU as the Small Vessel Harbor Float System, have an expected completion date of May 2012, and

**WHEREAS**, the DOT&PF will transfer ownership of the Float System to the City of Gustavus by separate bill of sale and accompanying memorandum of agreement, and

**WHEREAS**, the City of Gustavus submitted a petition to the Local Boundary Commission to annex territory that includes the waters between the City's original boundary and Pleasant Island, and

**WHEREAS**, pending the Local Boundary Commission's decision and the Legislature's approval on the CoG annexation petition, the City may need to exercise powers and provide facilities and services in the above waters through "extraterritorial jurisdiction" as provided under AS 29.35.020; and

**WHEREAS**, the City Council intends to amend the CoG Code and take such additional steps necessary to regulate and control the Gustavus Multi-Modal Marine Facility and related waters on or before the May 2012 estimated completion date for the Small Vessel Harbor Float System.

**AND NOW THEREFORE BE IT RESOLVED**, that the Gustavus City Council directs its Marine Facility Committee to:

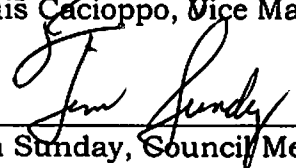
1. Review CoG Title 8, Harbor Facilities, to identify necessary or desirable amendments pertaining to access, use, regulation and control of the City's Small Vessel Harbor System, and recommend those amendments to the City Council for action;
2. Consult with concerned state and federal agencies to determine whether existing regulations, controls and cooperative agreements are adequate to facilitate safe and efficient access to the dock by the AMHS, fuel barges, emergency response vessels and others; and, based upon those consultations, make recommendations to the City Council regarding necessary or appropriate regulations, controls or cooperative agreements necessary to facilitate safe and efficient access to the dock by the AMHS, fuel barges, emergency response vessels and others;
3. Identify and recommend to the City Council those facilities, services, regulations and controls that the City of Gustavus will provide in waters under its jurisdiction either by the CoG or through one or more multi-agency management agreements, and recommend those steps necessary for the CoG to provide those facilities, services, regulations and controls on a timely basis;
4. Identify and recommend to the City Council any other changes deemed necessary or appropriate to offer municipal facilities and services, and to exercise municipal powers at the Gustavus Multi-Modal Marine Facility and in adjacent waters;
5. Report on its progress on this assignment at each regular meeting of the City Council until completed; and
6. Complete this assignment not later than November 1, 2011.

PASSED and APPROVED by the Gustavus City Council this 11<sup>th</sup> day of August 2011.

  
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 Jim Mackoyjak, Mayor

  
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 Louis Cacioppo, Vice Mayor

  
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 Melanie Lesh, Council Member

  
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 Tim Sunday, Council Member

  
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 John Nixon, Council Member

  
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 Joe Lassiter, Council Member

  
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 Karen Colligan-Taylor, Council Member

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 Attest: Kapryce Manchester, CMC  
 City Clerk