

Harbor Commission

Regular Meeting Minutes

Tuesday, February 26, 2013
5:30 p.m., City Hall Council Chambers
South Haven City Hall



City of South Haven

1. Call to Order

Present: Pyle, Stephens, Sullivan, Arnold
Absent: Jeffers, Silverman, Strong

Also present: Patti Reinert-Montgomery, Michigan Maritime Museum

2. Approval of Agenda

Motion by Sullivan, second by Stephens to approve the agenda as presented.

All in favor. Motion carried.

3. Approval of Minutes: January 15, 2013 Meeting

Motion by Stephens, second by Sullivan to approve the January 15, 2013 minutes as written.

All in favor. Motion carried.

4. Interested Citizens in the Audience Will be Heard on Items Not on the Agenda

None at this time.

5. Marina Reports

VandenBosch reviewed the Marina Reports.

6. Dredging

VandenBosch updated the board on dredging activities. The State of Michigan Department of Natural Resources - Waterways has provided a \$436,050 grant for emergency dredging. Bids for the North Side/South Side Marina Dredging project were

received yesterday. The low bidder was Gro America at \$236,653. Gro America uses a hydraulic dredging process, which will require a change in the permit.

Referring to the handout, Dredging Cost Estimate and Funding Resources, VandenBosch noted that using the Abonmarche volume estimates and yesterday's bid price per cubic yard of \$26.30, the cost to dredge the projects in the harbor in 2013 is \$700,160. This includes 15% for engineering and permitting.

On the funding side, the handout showed \$436,050 from the Waterways grant, \$109,050 from the Marina Fund, \$45,060 from Black River Park Fund, and \$110,000 from the River Maintenance Fund will fully fund the dredging as estimated. If the estimates are correct, VandenBosch feels that no special assessment will be required to fund dredging in 2013.

VandenBosch stated that there are some unknowns with the current estimate. We have heard reports that sailboats with an 8 foot draft have run aground outside of the pierheads. We do not have soundings yet, but there may be more material to be removed than shown in the estimate.

VandenBosch requested action from the board on two items. First to recommend the bid contract with Gro America to City Council, and secondly to consider adding as a change order the Turning Basin and Friends Goodwill Channel to the bid.

Under the DEQ/Army Corps dredging permit, the material in the Turning Basin and Friends Goodwill Channel must be treated the same way as the North Side and South Side Marinas. It can go in the same location at the Dunkley site. The additional cost related to the change order would be roughly \$68,000.

Stephens asked about the status of the dredging permits.

VandenBosch said that the North Side/South Side permit had been submitted on December 20, 2012, and we believe that we are close to receiving that permit. The change to hydraulic dredging from mechanical dredging will require an amendment to the permit, which may take additional time.

The Main Channel permit was submitted on January 27, 2013, and it may be some time before we receive that permit. VandenBosch said that the Turning Basin dredging permit was good until 2015.

VandenBosch stated that we do not yet have a grant award in writing, and this affects whether we can award the contract prior to the grant award. VandenBosch said that he hopes to bring the bid contract to the City Council meeting on March 4, but without a grant award in writing he cannot take the risk of approval prior to the grant agreement.

Stephens asked if we add the Turning Basin and Friends Goodwill Channel to the North Side/South Side bid contract as a change order, will we still have enough funding to do the Federal Channel, as shown in the estimate?

VandenBosch responded, yes, assuming that the Abonmarche estimate for volume is correct. We will also have funding to go upriver.

Sullivan asked if the River Maintenance Fund has always been set aside for the Federal Channel, as well as upriver?

VandenBosch stated that in the past we have used the River Maintenance Fund upriver and in the Turning Basin. The assessments were paid by all slip owners, from Lake Michigan all the way upriver. To speak to the question of whether the River Maintenance Fund should be dedicated upriver, the fund is dedicated to where this board and City Council feel it should be dedicated.

Sullivan said that he was concerned because the upper river had \$84,160 of work but we are depleting the entire River Maintenance Fund. VandenBosch said that Black River Park is also paying for the upriver portion, because it will be dredged as part of the same project.

Stephens asked about the funding source for permits. VandenBosch stated that the cost estimate includes 15% Engineering which includes the permits.

Pyle asked if the bid for the Main Channel will be as low as the current bid, and asked if the Main Channel could be added to the current bid at the current price. We don't want to lose out on the opportunity. There may be more ports bidding out dredging services.

VandenBosch stated that the Main Channel work should be bid out separately, because of the permitting requirements, and because it would be a beach replenishment job. VandenBosch said that he thinks that the Main Channel dredging project will likely not happen before September.

Sullivan asked if there are any restrictions on the grants that would affect the Friends Goodwill Channel. VandenBosch stated that he has asked the DEQ whether that would be eligible under the grant program, but he has not yet received an answer. That is a question that must be answered before we move forward.

Sullivan asked about the Friends Goodwill getting grant funding when other non-profit condominiums are not getting grant funding.

Patti Reinert-Montgomery stated that the work is being done in the public area of the Turning Basin, it is not just used by the Friends Goodwill.

VandenBosch responded to Sullivan stating that it is a fair question and that it is a decision that has to be recommended by this board to City Council. It is true that the reason we are going to Low Water Datum -12 feet is for one boat. The City does have the ability to do this if it so chooses.

Pyle asked if the Museum is able to contribute anything at all toward the dredging project.

Patty Reinert-Montgomery responded stating that the Museum had budgeted \$5,000 to do dredging at its docks. If those funds need to be put towards the approach area, we are willing to do that.

Sullivan asked about controlling depths on the upper river and whether there had been any discussion to allow the river to be dredged deeper.

VandenBosch responded that the controlling depths on the upper river are based on the depth of underground utilities plus a cover depth. The dredging depth on the upper river is Low Water Datum -5.85 feet. There has been some conversation about what it would take to lower utilities, however the costs are likely to be very high. VandenBosch believes that there are water, sewer and electric utility crossings under the river.

Pyle asked if any other marinas or organizations have asked for help in funding dredging.

VandenBosch said that he had not heard any request for funding, but there have been requests for use of City property to off-load dredge spoil. VandenBosch worked with the City Attorney and environmental consultant to put an agreement together with a dredging contractor. There were concerns regarding mixing of soil from an environmental perspective. The contractor proposed off-loading directly onto trucks, but then found that dewatering would be a problem. At this point, VandenBosch has not heard back from the contractor. The City is willing to consider allowing use of the site, but it does need to consider the City Attorney's concerns about environmental contamination. VandenBosch is waiting to hear back from the contractor.

Sullivan asked if it is safe to say that others could request use of the City sites?

VandenBosch responded that the City is working with dredging contractors and that the contractors could then work with property owners. The City might not accept contaminated materials.

Motion by Stephens, support by Pyle to recommend changing the bid to include the Friends Goodwill channel and Turning Basin in the bid. Motion carried, with Sullivan voting no.

Motion by Stephens, support by Sullivan to recommend the Gro America bid contract to the City Council with the additions noted above. Motion carried, all in favor.

7. General Comments

Pyle asked if a marina came to the board requesting dredging funding, would we be able to consider it?

VandenBosch stated that the Waterways grant funding was specific to the City projects identified in the December cost estimate in the agenda. He did not think it was likely that

other projects would be acceptable to the DNR. If other grants are available, VandenBosch will attempt to go after them.

Stephens asked if there is any chance that the May-June moratorium on dredging will be lifted.

VandenBosch said that he had heard that the State is talking about it.

Stephens asked if there is any chance that we can do spot dredging in the Federal Channel during May and June?

VandenBosch stated that he had requested a proposal from the engineer to bid out the Main Channel dredging, and if the bid and permit were ready, and the moratorium were lifted, he would be willing to do the work. However, he would be reluctant to do the work in July and August.

Pyle asked how the North Side Marina project is coming along.

VandenBosch stated that they are working on tile at the moment and that the project is on track. Most drywall is complete. The windows are in on the main room and it looks very good from across the river. VandenBosch will schedule a walk-through in mid-March while the building is still under construction. He hopes to be able to invite the Harbor Commission and City Council to the walk-through.

Pyle asked about the fish cleaning station.

VandenBosch stated that he had not made progress, but was waiting on the state to provide plans of the fish cleaning station that was built at Holland State Park. He will request those plans again.

Pyle asked about the Harbor Commission strategic plan and asked if the board needed to work on that plan.

VandenBosch stated that the Harbor Commission would receive the budgets for review at the next meeting, and that he would include the strategic plan in the packet.

Sullivan asked about the Spring safety gathering.

VandenBosch said that he can get started on that, but it is a little early.

Arnold asked about the Grand Rapids Boat Show.

VandenBosch said that he had heard from Marple that it went very well.

Patti Reinert-Montgomery said that the City and the Maritime Museum had a booth together and the booth was very popular with spectators. The Municipal Marina display

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and touch screen computers were well received. There was a lot of interest in South Haven, and many people learned where South Haven is for the first time. There was also a booth at the Strictly Sail show in Chicago.

9. Adjourn

Motion by Stephens, second by Pyle to adjourn. Motion carried.

RESPECTFULLY SUBMITTED,

Paul VandenBosch
Harbormaster