



AGENDA
SPECIAL MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road, Moss Landing, CA 95039

June 8, 2022 7:00 P.M.

Moss Landing Harbor District is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/83732434498?pwd=MDhZTXRGVGdjcZVTOGxacVlySDIHdz09>

Meeting ID: 837 3243 4498

Passcode: 507388

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B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE – ROLL CALL

Russ Jeffries – President

Tony Leonardini – Vice President

Vince Ferrante – Secretary

James Goulart – Commissioner

Liz Soto - Commissioner

Tommy Razzeca – General Manager

Mike Rodriguez – District Counsel

Shay Shaw – Administrative Assistant

C. PRESIDENT'S REMARKS

The President will use this opportunity to inform the public of issues affecting the District and other items of a general nature not otherwise provided for on this agenda.

D. PUBLIC COMMENTS

Members of the general public may address the Board of Harbor Commissioners regarding any item that is not on the Agenda. The President may limit the total amount of time of testimony.

E. CONSENT CALENDAR

1. Approval of May 25, 2022 Regular Meeting Minutes

F. NEW BUSINESS

2. ITEM – Public Hearing and Fixing Final Budget FY 22/23

- a. Staff report
- b. Public Comment
- c. Board discussion
- d. Board action

3. ITEM – Consider Adopting Ordinance 209 Amending the District’s Fee Schedule

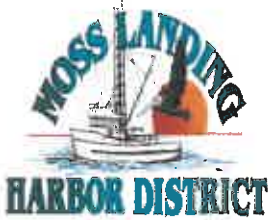
- a. Staff report
- b. Public Comment
- c. Board discussion
- d. Board action

G. COMMISSIONERS COMMENTS AND CONCERNS

Commissioners may address items of concern at this time, and may request that items be placed on future agendas in accordance with the By-laws of the Board.

H. ADJOURNMENT

The next Meeting of the Board of Harbor Commissioners is scheduled for June 22, 2022 at 7:00 PM at the Moss Landing Harbor District, 7881 Sandholdt Road, Moss Landing, CA. Individuals requiring special accommodations should contact Administrative Assistant, Shay Shaw at Shaw@mosslandingharbor.dst.ca.us or at 831.633.2461 no less than 72 hours prior to the meeting or if a Special Meeting, as soon as possible after the Agenda is posted. Copies of the agenda will be available 72 hours prior to Regular Meetings and 24 hours prior to Special Meetings and/or by contacting the District at 831.633.5417 or Shaw@mosslandingharbor.dst.ca.us or on the District’s website at www.mosslandingharbor.dst.ca.us. All meetings are noticed and conducted in accordance with the Ralph M. Brown Act.



MINUTES
REGULAR MEETING
OF THE BOARD OF HARBOR COMMISSIONERS
MOSS LANDING HARBOR DISTRICT
7881 Sandholdt Road, Moss Landing, CA 95039

MAY 25, 2022

Moss Landing Harbor District scheduled Zoom meeting.

Join Zoom Meeting

https://us02web.zoom.us/j/81498524051?pwd=TGtjke5lI9E_r28TMvG6zneY6pMEos.1

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+1 929 205 6099 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 814 9852 4051

Passcode: 882307

Find your local number: <https://us02web.zoom.us/u/ky5UGXeNe>

A. CLOSED SESSION

A closed session was held immediately prior to the public open meeting to consider the following items:

1. Confer with real property negotiators (District Counsel and GM) pursuant to Government Code §54956.8 regarding: Development proposal received regarding the District new 9500'sf building in North Harbor.
2. Meet and confer with legal counsel pursuant to Government Code 54956.9(d)(4) deciding whether to initiate litigation.

B. OPEN SESSION CALL TO ORDER - PLEDGE OF ALLEGIANCE

The open session was called to order at 7:02 pm, after the Pledge of Allegiance Roll was called:

Commissioners Present:

Russ Jeffries – President

Tony Leonardini – Vice President

Vince Ferrante – Secretary

Liz Soto – Commissioner

Staff Present:

Tommy Razzeca – General Manager

Mike Rodriguez – District Counsel

Shay Shaw – Administrative Assistant

Commissioners Absent:

James Goulart - Commissioner

C. PRESIDENT'S REMARKS

The President announced that the Board met in Closed Session and no decisions were made; direction was given to the General Manager and District Counsel.

D. PUBLIC COMMENTS

Kate Cummings of Blue Ocean Whale Watch asked the Board if they would consider putting a cap on any new Whale Watching Businesses in the Harbor. The Board replied they will consider her request and consult with the General Manager with their recommendations. Stephanie Waldrip wanted to inform the Board that the two smoke stacks at the Moss Landing Power Plant may be pending removal. Stephanie pointed out the safety importance of the stacks being used as a landmark for boaters in the Monterey Bay asking for MLHD support to ensure they are not removed.

E. CONSENT CALENDAR

1. Approval of April 27, 2022 Special Meeting Minutes. A motion was made by Commissioner Ferrante, seconded by Commissioner Soto, to approve the April, 2022 Special Meeting Minutes. The motion passed 4-0-1 (Commissioner Goulart was absent).

H. FINANCIAL REPORT

2. Financial report month ending April 30, 2022. GM Razzeca gave the report. A motion was made by Commissioner Leonardini, seconded by Commissioner Soto to accept the financial report. The motion passed 4-0-1 (Commissioner Goulart was absent).

I. MANAGER'S REPORTS

The General Manager will make oral or written presentations on the below subjects. The Board may take such action as deemed necessary.

3. Projects Status/Update – written report/no questions
4. Summary of Permits Issued – written report/no questions
5. Meeting Announcements – written report/no questions
6. Assigned Liveboard Report – written report/no questions
7. Slip Income Report – written report/no questions
8. Incident Report– written report/no questions

J. COMMITTEE REPORTS

9. Finance Committee – Ferrante/Leonardini – nothing to report
10. Elkhorn Slough Advisory Committee – Leonardini – nothing to report
11. Special Districts – Jeffries/Ferrante – Commissioner Ferrante attended the Legislative Days meeting in Sacramento and reported out on the events that took place.
12. Liveboard Committee – Goulart/Soto – nothing to report
13. Harbor Improvement Committee – Goulart/Soto – nothing to report
14. Real Property Committee I – Jeffries/Leonardini – nothing to report
15. Real Property Committee II – Ferrante/Goulart – nothing to report
16. Personnel Committee- Ferrante/Jeffries – nothing to report
17. Ad Hoc Budget Committee – Goulart/Soto – nothing to report
18. Meetings attended by Commissioners at District expense since the last regular meeting of the Board (AB 1234 requirements). Such reports may be oral or written.

K. NEW BUSINESS

19. ITEM – Consider Resolution 22-06 Awarding the Contract for the Cannery Building HVAC Penthouse Project.
 - a. Staff report – GM Razzeca gave the report
 - b. Public comment – None
 - c. Board discussion – None
 - d. Board action – A motion was made by President Jeffries, seconded by Commissioner Ferrante to approve Resolution No. 22-06 Awarding the Contract for the Cannery Building HVAC Penthouse Project. The motion passed 4-0-1 (Commissioner Goulart was absent).

20. ITEM – Consider Resolution 22-07 Approving the Architectural Services Agreement with Wald Ruhnke & Dost Architects.

- a. Staff report – Gm Razzeca gave the report
- b. Public comment – None
- c. Board discussion – None
- d. Board action – A motion was made by Commissioner Ferrante, Seconded by Commissioner Leonardini to approve Resolution 22-07 Approving the Architectural Services Agreement with Wald Ruhnke & Dost Architects. The motion passed 4-0-1 (Commissioner Goulart was absent).

21. ITEM – Consider Offer to Accept Public Access Easement.

- a. Staff report – GM Razzeca gave the report
- b. Public comment – Linda Lockton of the California Coastal Commission made a presentation providing background information regarding the easement and the importance of the District's acceptance in relation to the Monterey Bay Sanctuary Scenic Trail.
- c. Board discussion – The board expressed some concern with the acceptance of the easement and asked District Counsel to review and provide an opinion for future consideration.
- d. Board action – This item on the agenda has been forwarded to District Counsel for review.

22. ITEM – Consider Insurance Proposal for Approval

- a. Staff report –GM Razzeca gave the report
- b. Public comment – None
- c. Board Discussion – None
- d. Board action – A motion was made by Commissioner Ferrante, Seconded by Commissioner Soto to approve the insurance proposal. The motion passed 4-0-1. (Commissioner Goulart was absent).

L. COMMISSIONERS COMMENTS AND CONCERNS

Commissioner Leonardini recommended that the Real Property Committee II look at the MLHD Ordinances in regards to the request for placing a cap on the Whale Watching businesses operating in the Harbor.

M. ADJOURNMENT

The meeting adjourned at pm 8:30 pm

Respectfully submitted,

Vince Ferrante, Secretary
Board of Harbor Commissioners

ATTEST:

Tommy Razzeca, Deputy Secretary
Board of Harbor Commissioners



BOARD OF COMMISSIONERS
Russell Jeffries
Tony Leonardini
Vincent Ferrante
James Goulart
Liz Soto

7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

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GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 2 – PUBLIC HEARING AND FIXING FINAL BUDGET BOARD MEETING OF JUNE 8, 2022

After the Board adopts a Preliminary Budget, Harbors & Navigation Code § 6093 requires the publication of a notice that the Preliminary Budget has been adopted, specifying a date not less than 30 days from the publication of the notice for the purpose of fixing the Final Budget.

The Preliminary Budget was adopted at the April 27, 2022 regular meeting, and a Notice of Adoption was published in a newspaper of general circulation on May 4, 2022 according to Code requirements. No written comments were received during the public review period and no requests were made for copies of the Preliminary Budget.

Commissioner Goulart is the Chairman of the Ad Hoc Budget Committee and Commissioner Soto is Vice-chair, and they may wish to make additional comments to the Board on behalf of that Committee.

The Board should conduct a public hearing, consider making any changes, and then fix the final budget for the fiscal year 2022-2023.

Once adopted, the General Manager will provide a copy of the final budget to the Monterey County Board of Supervisors no later than August 1, 2022 in accordance with Harbors and Navigation Code §6093.3.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



MONTEREY HERALD

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MOSS LANDING HARBOR DISTRICT
Account No. 3795682
7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

Legal No. 0006665542
Notice of Adoption of Preliminary Budget

Ordered by: Shay Shaw

PROOF OF PUBLICATION

STATE OF CALIFORNIA
County of Monterey

I am a citizen of the United States and a resident of the County aforesaid. I am over the age of eighteen years, and not a party to or interested in the above-entitled matter. I am the principal clerk of the printer of The Monterey Herald, a newspaper of general circulation, printed and published daily and Sunday in the City of Monterey, County of Monterey, and which newspaper has been adjudged a newspaper of general circulation by the Superior Court of the County of Monterey, State of California; that the notice, of which the annexed is a printed copy (set in type not smaller than 6 point), has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to wit:

05/04/22

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Executed on 05/04/2022 at Monterey, California.

Signature

This space is reserved for the County Clerk's Filing Stamp

NOTICE OF ADOPTION OF PRELIMINARY BUDGET Moss Landing Harbor District

For Immediate Release
Thursday, April 28, 2022

NOTICE IS HEREBY GIVEN that on April 27, 2022, at a regular meeting duly noticed and called, the Board of Harbor Commissioners of the Moss Landing Harbor District adopted a Preliminary Budget for the District for the Fiscal Year 2022-2023.

A copy of the preliminary Budget is available at the offices of the Moss Landing Harbor District, 7881 Sandholdt Road, Moss Landing, Ca 95039 between the hours of 9:00 a.m. and 5:00 p.m., Monday through Friday, excluding certain holidays. Written comments will be received during the public review period from April 28th through June 7th.

On June 8th, 2022 at 7:00 p.m. at the Moss Landing Harbor District Office, 7881 Sandholdt Road, Moss Landing, California, the Board of Harbor Commissioners will meet at a duly noticed special meeting for the purpose of fixing the Final Budget; and any taxpayer may appear and be heard regarding the increase, decrease, or omission of any item in the budget or for the inclusion of additional items.

Tommy Razzeca, General Manager
Moss Landing Harbor District
7881 Sandholdt Road
Moss Landing, CA 95039
Phone: 831/633-5417
razzeca@mosslandingharbor.dst.ca.us
5/04/2022

Advertising Order Confirmation

The Monterey County Herald

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<u>Payment Amount</u>	<u>Amount Due</u>
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BOARD OF COMMISSIONERS
Russell Jeffries
Tony Leonardini
Vincent Ferrante
James Goulart
Liz Soto

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GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 3 – CONSIDER ADOPTING ORDINANCE 209 AMENDING THE DISTRICT'S FEE SCHEDULE BOARD MEETING OF JUNE 8, 2022

When the Board fixes the final budget an Ordinance modifying the fee schedule must be adopted to coincide with the fees approved in the Budget. Attached is Ordinance No. 209 reflecting the new fee schedule.

Highlights of the fees that have been changed, largely by COLA based on a CPI of 5.52% are as follows:

Assigned slip fees increased from \$8.55 to **\$9.02** per foot per month.
Temporary slip fees increased from \$12.75 to **\$13.45** per foot per month.
Transient slip fees remained **\$1.25** per foot per day.
Assigned-vessel pass-through Amenities fee increases from \$66.50 to **\$69.50** monthly resulting from high utility cost over the last fiscal year.
The monthly Liveboard Fee was increased from \$170 per person to **\$180** per person.
Dry storage has increased **\$10** per space to **\$110, \$120, \$130** depending on size.

Staff recommends that the Board adopt Ordinance No. 209 amending the District's Fee Schedule to reflect the new fees included in the 2022 - 2023 budget.

ORDINANCE NO. 209

AN ORDINANCE OF THE BOARD OF HARBOR COMMISSIONERS OF THE MOSS LANDING HARBOR DISTRICT AMENDING CHAPTER 20 – “FEES AND CHARGES” OF THE MOSS LANDING HARBOR DISTRICT ORDINANCE CODE

WHEREAS, District is proposing to amend Chapter 20 - “Fees and Charges” of the Moss Landing Harbor District Ordinance Code through the modification, elimination and addition of certain fees and charges;

WHEREAS, District has held open and noticed budget committee meetings allowing input on the proposed changes prior to the proposed date of adoption of this Ordinance and has received comments from Board Members.

THEREFORE, BE IT ORDAINED by the Board of Harbor Commissioners of the Moss Landing Harbor District as follows:

Chapter 20 of the Moss Landing Harbor District Ordinance Code, titled “Fees and Charges,” is hereby amended in the manner set forth in Exhibit “A,” attached hereto and by this reference incorporated herein. Although Exhibit A is set forth in the underline-strikeout format for ease of reference with respect to the changes made to the Code, the final version of the same shall be incorporated into the Code with struck-out items deleted and underlining removed.

This Ordinance was introduced and adopted at a special meeting of the Moss Landing Harbor District Board of Harbor Commissioners on June 8, 2022 to become effective July 1, 2022, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Russ Jeffries, President
Board of Harbor Commissioners

Tommy Razzeca, Deputy Secretary
Board of Harbor Commissioners

Table 20.100 - District Fee Schedule
Revised July 1, 2021~~22~~

The fees and charges for services established by the Board under Section 20.100 of the Moss Landing Harbor District Ordinance Code for (A) berth rental fees, (B) District permits, and (C) services and equipment, are set forth below:

A) **Berth rental fees.** Berth rental fees for assigned, temporary, and transient berths, and for mooring in designated locations, are in the amounts set forth. Exceptions to assigned berth fees may be granted by the Board when the Board determines that conditions may warrant the suspension of the assigned berth charge or assessing a different charge against the government of the United States, or of any other nation, or otherwise is in the interest of public welfare.

1) Assigned Berth Permit Fees - Calculated on a monthly basis of \$ ~~8.55~~ 9.02/foot. All vessels holding an assigned berth permit will be billed on the basis of vessel length over-all, or berth length, whichever is the greater for the berth to which the vessel is assigned. This is irrespective of the actual berth held by the vessel. Persons having an Assigned Berth shall be entitled to the following discounts:

a) Annual Payment Discount - A discount of 3% off the regular fee for payment of one year in advance. All such annual fees are due on October 1st of each year.

Should an assigned berth permit be issued subsequent to October 1st of any year, and the permittee wishes to pay the slip fee annually, a discount of 3% off the regular fee will be applied for the remaining months thru the following September 30th.

Existing annual assigned berth permittees will be entitled to a 3% discount until all annual accounts expire on September 30th, 2008.

In the event the berthing permit is terminated prematurely the berthing fee shall be recalculated without the advance payment discount prior to issuing of any refund. This discount may not be taken in addition to the Quarterly Payment Discount.

b) Quarterly Payment Discount - A discount of 3% off the regular fee for payment of 3 months in advance. In the event the berthing permit is terminated prematurely the berthing fee shall be recalculated without advance payment discount prior to issuing of any refund. This discount may not be taken in addition to the Annual Payment Discount.

c) Commercial Vessel Discount - A discount of \$.50/foot for commercial vessels defined as follows provided the owner's account is paid current:

(i) Commercial Fishing Vessel - A vessel currently licensed by the California Department of Fish and Game for commercial fishing, and currently documented by the United States Coast Guard as a fishing vessel or licensed by a state, and having landing receipts dated not more than one year prior to the date of application for commercial discount. Application for commercial discount shall be made under penalty of perjury on forms provided by the District.

(ii) The \$5,000 landing receipt requirement is suspended during any closure of any given fishery for which the assigned slipholder has a valid permit and on which the slipholder has relied in the past to meet the provisions of this section. The suspension is valid until the fishery reopens, the slipholder allows the fishing permit to lapse, or for a period of two years, whichever first occurs. Nothing contained herein shall prohibit the District from discontinuing or reducing the discount at any time.

EXHIBIT A ORDINANCE 209

- (iii) Notwithstanding the foregoing, unless the vessel provides \$5,000 worth of landing receipts, no persons will be allowed to stay on board the vessel without a liveaboard permit applied for and issued in accordance with §6.110.
 - (iv) Commercial Passenger Vessel - A vessel currently documented by the United States Coast Guard for the carriage of passengers or licensed by a state, and having proof of commercial service in the form of receipts or IRS Form 1040, Schedule C or other such proof acceptable to the Harbormaster, and whose owner holds a current Facilities Use Permit issued by the Moss Landing Harbor District permitting the commercial use of the vessel in or from Moss Landing Harbor. Application for commercial discount shall be made under penalty of perjury on forms provided by the District.
 - (v) Other Commercial Vessel - A vessel currently documented by the United States Coast Guard or licensed by a state, and having proof of commercial status acceptable to the Harbormaster, and whose owner holds a current Facilities Use Permit issued by the Moss Landing Harbor District permitting the commercial use of the vessel in or from Moss Landing Harbor. Application for commercial discount shall be made under penalty of perjury on forms provided by the District.
- d) Offloading Commercial Vessel Discount – a discounted berth fee of 50¢/foot per day will be charged to commercial vessels that are not subject to an existing berthing agreement with Moss Landing Harbor that offload fish in an established commercial fish offloading facility in the Harbor, subject to providing a landing receipt for such service to the Harbor upon check-in. Such discounted fee shall be in effect for a maximum of 48 hours. Thereafter, the vessel shall be subject to standard berthing fees established by the District's fee schedule.
- e) Traveling Vessel Discount - A discount of \$1.00/foot for each full calendar month that the vessel is away from Moss Landing Harbor. This discount may only be taken if the owner or operator of the vessel notifies the harbor office on or before the 1st day of the month that the vessel will be absent for the month following.
Except as otherwise provided for in this section the definition of "Commercial Vessel" contained in Section 2.200 remains in effect.
- 2) Temporary Berth Permit Fees - Calculated on a monthly basis of \$ ~~12.75~~ 13.45/foot. All vessels holding a temporary berth permit will be billed on the basis of the berth size appropriate to the length of their vessel over-all. Fees apply whether vessel is side-tied, end-tied, in a berth or rafted. Fees apply whether or not vessel has access to utilities. Persons having a temporary berth shall be entitled to the following discount:
- a) Quarterly Payment Discount - A discount of 3% off the regular fee for payment of 3 months in advance. In the event the berthing permit is terminated prematurely the berthing fee shall be recalculated without advance payment discount prior to issuing of any refund.
- 3) Transient Berth Permit Fees - Calculated on a daily basis of \$1.25/foot. All vessels holding a transient berth permit will be billed on the basis of boat length over-all. Fees apply whether vessel is side-tied, end-tied, in a berth or rafted. Fees apply whether or not vessel has access to utilities. The minimum daily fee shall be \$10.00. No discounts.
- 4) Multi-Hull Permit Fees – Unless occupying only a single berth, catamaran type vessels shall pay 150% of the applicable berthing fees for a vessel of its length, or length of its berth, as applicable and trimaran type vessels shall pay 200% of the applicable berthing fee for a vessel of its length, or length of its berth, as applicable.

EXHIBIT A ORDINANCE 209

- 5) In addition to berth rental fees specified above all Assigned Berth Permittees vessels utilizing District owned or operated facilities shall be charged an AMENITY FEE in the amount of ~~\$66.50~~ 69.50 per month. The AMENITY FEE shall be billed on a monthly basis only without adjustment. Failure to pay in accordance with your berthing agreement will result in disconnection of power to your vessel.
- 6) Liveaboard Fee: Liveaboards, as defined by §6.110 shall pay a fee of ~~\$170.00~~ \$180.00 per person per month.
- 7) Pet Fee: Any berther or regular visitor of the Harbor District or regular visitor of a berther who brings a pet onto District property shall pay a monthly fee of \$5.00 per pet.

B) **District permits.** Permit application fees and permit fees are in the amounts set forth below. Applications for construction permits, rental business permits, short-term facilities use permit, and special activities use permits shall be accompanied by the CEQA review deposit described in paragraph C of this Table 20.100.

Permit	Application Fee	Permit Fee
Construction Permit	Actual cost to District. Payable per application form. CEQA review fee is also required.	None. Lease or License may be required as condition of permit.
Access/Use Permit Trailered Vessels, Includes 12 hours Parking		Daily Permit - \$20.00 \$21.00 per In and Out. Annual Permit - \$200.00 \$210 per calendar year. Vessels – Launch Only; \$14.00 \$15.00
Access/Use Permit PWC and Kayaks only; Includes 12 hours Parking		\$15.00 \$16.00 per day (Vehicle + a PWC/Kayak) \$150.00 \$160.00 per calendar year. Additional PWC/ Kayak –Launch Access Only; \$9.00 \$10.00 Annual Launch Access Only - \$90.00 \$95.00
Parking Permit Assigned vessel receives one "free" Assigned Parking Permit unless owner has Handicap Placard or sticker which is automatically free.	None	Temporary and Transient Vessels and other persons having business in the Harbor or parking for any additional liveaboard - \$100.00 per month. Daily Parking \$10.00; \$18.00/24 hrs. Boat Trailer Parking overnight in certain areas as designated by General Manager - \$10.00
Living Aboard Permit Required By All Assigned Vessels With One or More Persons Living Aboard Except Commercial Fishing Vessels, Transient Vessels	\$250.00 – One time application processing fee	\$170.00 \$180.00 per person per month.
Recreational Vehicle Park (Only available through District if commercial RV	None.	Self-contained vehicles only on unimproved site. \$50.00 per night. Failure to pay will result

EXHIBIT A ORDINANCE 209

Park is full)		in removal of vehicle at owner's expense.
Amenity Fee		\$65.00 69.50 per month
Facilities Use Permit, including Peddlers with Principal Place of Business offsite	\$250.00 application fee \$50 annual renewal Fee if no changes plus appropriate CEQA review fee if use is not exempt from CEQA.	\$250.00 per year issuance fee. Lease or license may be required as a condition of permit.
Special Activities Use Permit	\$250.00 application fee plus appropriate CEQA review fee if use is not exempt from CEQA.	\$250.00 issuance fee
Pet Permit		\$5.00 per month per pet.

C) **District services and equipment.** Persons utilizing the below-described District services and equipment shall pay the fee shown below. Persons utilizing other District services required by this Code shall pay the amount of expenses actually incurred by the District to provide the service. Examples include but are not limited to the expense under Section 6.120.B.2 of a surveyor to determine a vessel unseaworthy, the District's costs and expenses under Section 14.150.C for refuse removal. Use of District equipment shall be in the discretion of the General Manager and persons utilizing such equipment will be required to execute a written waiver of liability in advance of such use.

Service/Equipment	Fee
Pass-through credit card transaction fee	3.5% per transaction added to all payments made to District using Master Charge or Visa.
Appeal to the Board (Sec. 24.100)	\$25.00 filing fee
Berth Exchange Between Two Assigned Berth Holders (Sections 6.024 and 6.026)	\$25.00 processing fee for berth exchange between two assigned berth holders to be split between applicants.
Berth Rental Security Deposit (assigned berth) (Section 6.022.B.1.a.)	\$500.00
Assigned Slip and Liveboard Waiting List per §6.050.C.1 and (E) The \$75 assigned slip wait list application fee shall be waived in the event slips in the size category required are available immediately. Notwithstanding the foregoing fee waiver, the applicant will be required to complete the wait list application for administrative and documentary tracking purposes.	\$75.00 waiting list fee payable annually in January. An assigned vessel that intends to be away for one year or greater may give up its berth and be assigned to the highest position on the waiting list by payment of an annual fee equal to one month's berthing fee in advance and without discount. In the case of multiple vessels utilizing this provision Section 6.050(B) shall apply.
	\$75.00 deposit for project application subject to review by

EXHIBIT A ORDINANCE 209

Service/Equipment	Fee
CEQA Review - Sections 20.240 and 22.220	General Manager. \$500 deposit for project application subject to review by Board. Additional fees in amount actually incurred by the District for consultant, studies, public notices, etc. (See Section 20.240.)
Copies of Code Amendments – §1.200(B)(9) & and Copies of Public Records – §20.210	\$1.00 for first page, \$0.15 for each additional page. Fees waived for official distribution copies per Ordinance Code.
Dry Storage Space Rental – Section 12.300	<p>Palletized or Unitized storage of materials or gear.</p> <p>Loose gear or materials must be secured on pallets and stacked not more than 8 feet high. Vehicles including boats on trailers; current registration required. Inoperable vehicle registration or immobile vehicles not allowed.</p> <p>10' X 20' = \$100 110.00 10' X 30' = \$110 120.00 10' X 40' = \$120 130.00</p>
Dry Storage Space – North Harbor	<p>Boats on trailers only; current registration required</p> <p>10' X 20' = \$140.00 10' X 30' = \$160.00 10' X 40' = \$ 180.00</p>
Small Barge	\$115.00 per hour or fraction thereof for equipment and 1 employee, 1 hour minimum.
Skiff	\$150.00 per hour or fraction thereof for equipment and 1 employee, 1 hour minimum.
Forklift	\$75.00 per hour or fraction thereof including 1 employee, 1 hour minimum.
Truck	\$200.00 per hour or fraction thereof for equipment and 2 employees, 1 hour minimum.
Floating Barge/Crane (Requires skiff at separate skiff fee)	\$200.00 per hour or fraction thereof for equipment and 2 employees (skiff separate), 1 hour minimum.
Miscellaneous Equipment	As determined by the General Manager.
Pumpout	\$200.00 per hour or fraction thereof for 1 pump and 1 employee; \$100.00 per hour or fraction thereof for each additional pump with employee, 1 hour minimum.
Refloating of Sunken Vessel	The greater of \$800 or actual costs.
Towing Outside the Harbor (for non-emergency in Elkhorn Slough)	\$250.00 per hour or fraction thereof for one boat and two employees. Time begins when boat leaves berth. Time ends when boat returns to berth. 2 hour minimum.
Towing Within the Harbor	\$150.00 one way - includes 1 boat and two employees. \$100.00 per hour for each additional boat with employee, 1 hour minimum.
District Vehicle	\$75.00 per hour or fraction thereof for vehicle and 1 employee, 1 hour minimum.

EXHIBIT A ORDINANCE 209

Service/Equipment	Fee
District Personnel	\$70.00 per hour or fraction thereof per employee during normal business hours; \$100.00 per overtime hour or fraction thereof per employee, 1 hour minimum.
Phone Installation	\$90.00 flat fee (installation only, any repairs refer above to District personnel for hourly rate)
Inoperable Vessel Mooring Surcharge - Sec. 6.120.C	\$175.00 per month until the vessel is made operable, or is removed from the Harbor, pro-rated for periods less than 1 month. Surcharge begins at the expiration of the 30-day period.
Key Issuance	<p>Metal keys - \$25.00 per key deposit. Deposit will be forfeited if key not returned within 60 days of departure.</p> <p>Magnetic keys - \$10 per key purchase price. District may repurchase in its discretion in an amount based on condition.</p> <p>Magnetic key fobs - \$12 per fob purchase price. District may repurchase in its discretion in an amount based on condition.</p>
Returned Check, Non-Sufficient Funds	\$25.00 per check.
Late Payment Handling Charge - Section 20.010(C)(2)	\$30.00 35.00 per occurrence on balances of \$90.00 130.00 or more.
Mailed Notices - Chapter 24.200 A) 2) a) (ii)	\$5.00 per individual notice; Fees waived for official distribution required by Brown Act, or to other agencies, or committee members.