



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

June 2, 2021 7:00 P.M.

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

Join Zoom Meeting

<https://us02web.zoom.us/j/83699988522?pwd=UGZicTJIYlp0UVpYQzVaaVVYQjJXUT09>

Meeting ID: 836 9998 8522

Passcode: 668696

One tap mobile

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Meeting ID: 836 9998 8522

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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.

J. NEW BUSINESS

19. ITEM – Public Hearing and Fixing Final Budget FY 21/22

a. Staff report

- b. Public Comment
- c. Board discussion
- d. Board action

20. ITEM – Consider Adopting Ordinance 209 Amending The District’s Fee Schedule

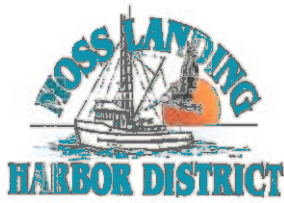
- a. Staff report
- b. Public Comment
- c. Board discussion
- d. Board action

K. 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.

L. ADJOURNMENT

The next Meeting of the Board of Harbor Commissioners is scheduled for June 30, 2021 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.



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

7881 SANDHOLDT ROAD
MOSS LANDING, CA 95039

TELEPHONE – 831.633.2461
FACSIMILE – 831.633.1201

GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 19 – PUBLIC HEARING AND FIXING FINAL BUDGET BOARD MEETING OF June 2, 2021

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 28, 2021 regular meeting, and a Notice of Adoption was published in a newspaper of general circulation on April 29, 2021 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 2021-2022.

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, 2021 in accordance with Harbors and Navigation Code §6093.3.

SERVING COMMERCIAL FISHING AND RECREATIONAL BOATING SINCE 1947



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

Legal No. 0006571121
Public Notice - 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:

04/29/21

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

Executed on 04/29/2021 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

NOTICE IS HEREBY GIVEN that on April 28, 2021, 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 2021-2022.

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 29th through June 1st.

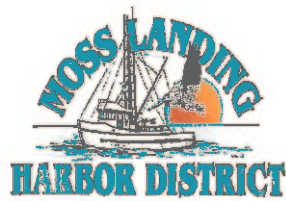
On June 2nd, 2021 at 7:00 p.m. at the Moss Landing Harbor District Office, 7881 Sandholdt Road, Moss Landing, California, the Board of Harbor Commissioners will meet at a duly noticed special meeting for the purpose of fixing the Final Budget; and any taxpayer may appear and be heard regarding the increase, 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
4/29/2021

MOSS LANDING HARBOR DISTRICT									
	A	B	C	D	E	F	G	H	
BUDGET FYE 6/30/2022									
Revenues	FYE 6/30/16	FYE 6/30/17	FYE 6/30/18	FYE 6/30/19	FYE 6/30/20	Projected	Budget	Budget	
Marina Revenues	19.05%	20.24%	18.72%	22.25%	23.79%	FYE 6/30/21	FYE 6/30/21	FYE 6/30/22	CPI = 2.02%
1 Assigned Berthing	7,151	7,351	7,551	7,901	8,151	8,401	8,401	8,551	Vacancy Rate based on 22070 LF
2 Temporary Berthing	1,532,803	1,552,554	1,625,225	1,626,780	1,644,944	1,719,726	1,779,725	1,811,506	Prior year \$8.40, with CPI \$8.55
3 Transient Berthing	228,103	288,794	282,371	277,828	254,746	292,000	273,182	278,680	12.75% no amenity fee (Prior year 12.50%/Indexed CPI)
4 Qtrly/Annual Discount	46,450	37,639	24,750	52,720	38,852	32,000	50,000	50,000	1.25% (Prior year 1.25%)
5 Commercial Discount	(9,626)	(4,818)	(3,270)	(2,489)	(1,890)	(4,466)	(3,500)	(3,500)	3% quarterly annual
6 Liveboard Fees	(13,439)	(13,125)	(13,080)	(13,446)	(12,574)	(12,000)	(12,000)	(12,000)	less \$0.50/mo, 41 berth holders avg. 30 ft. boats
7 Intra-Harbor Towing	109,950	118,673	115,715	119,975	125,658	125,000	120,000	133,000	\$170 for each person (Prior year \$160/Added \$6)
8 Pump outs	900	450	150	450	900	600	600	600	\$180 each way
9 Non-Op Surcharge	1,000	1,000	600	400	1,950	1,200	800	800	\$200 per occurrence
10 Assigned Ship/LA App. Fee	8,527	9,587	7,625	10,375	5,625	8,500	9,000	6,500	\$175 per month
11 Recovered Lien Costs	700	10,868	660	2,985	1,790	1,000	2,000	2,000	\$75 filling fee/\$250 application fee liveboard
12 Late Fees	28,395	31,778	38,330	42,172	24,540	34,000	36,000	36,000	\$30 dollar charge per month (\$26 in 2016), on balances over \$120 past due
13 Total Marina Revenues	1,935,773	2,033,400	2,078,876	2,117,740	2,084,341	2,197,560	2,254,787	2,302,585	
14 Trust Lands Lease Revenue									
15 MBARI - Dock	25,297	25,667	28,713	28,254	28,961	29,541	29,442	30,132	Paid annually w/CPI (Expires 4/39)
16 MBARI/MAWS Cable	1,247	1,285	1,326	1,378	1,378	1,421	1,421	1,449	Paid annually w/CPI (Expires 2/31)
17 Vista	61,795	63,595	65,533	67,716	69,070	72,039	71,790	73,480	Paid annually w/CPI (Expires 3/56)
18 Total Trust Lands Lease Revenue	88,339	90,547	95,572	97,348	99,409	103,001	102,652	105,061	
19 Leases									
20 Ganery Sutes - (3)	82,549	85,060	88,440	90,216	93,555	95,980	95,980	97,577	\$8,090.90 mo. (MLL Seafood Lund's, Prev. Sea Harvest) (Expires 11/31)
21	(4)	81,268	84,413	88,420	91,368	92,816	92,816	94,370	\$7,824.74/mo. (Monteary Fish) (Expires 11/31)
22	(1,810)	16,832	17,853	18,147	16,788	19,577	19,577	19,899	\$1,650.27/mo. (Lablonski) (Expires 12/22)
23	(2)	29,724	31,481	32,668	33,736	34,702	34,702	35,288	\$2,925.86/mo. (Deyerte) (Expires 8/21)
24	(5A)	9,722	9,972	10,311	10,448	10,941	10,941	11,493	\$852.95 (Running Stream) (Month to Month)
25	(5B)	13,645	13,788	14,112	14,831	15,459	15,459	16,088	\$1,334.49 (Local Bounty)(Expires 7/21) w/ (1) 1-yr options
26	(6A, B & D)	24,545	25,112	25,983	26,607	26,947	27,514	27,514	\$1,193.40(Deep Water Deesal)(Expires 2/23) w/ (1) 1-yr option
27	(7)	662	-	-	9,734	9,734	-	15,087	\$1,251.15/mo. Upstairs inside (Miller Marine Solutions)(Exp. 10/21)
28	(9)	662	-	1,370	9,127	8,544	8,879	9,033	\$748.53/mo. (Veridian Advisors) (Term. 5/2022)
29	(9)	-	-	-	9,090	9,438	9,438	9,600	\$795.88/mo. (Verizon) Roof top and under stairs
30	-K-Pier	16,498	5,558	-	43,591	20,878	40,000	13,616	\$1,128.89/mo. (Upon Expiration 8/50)
31	32 Ganery NNN	13,340	36,140	29,258	34,662	35,750	36,589	37,205	Utility reimbursement per lease
32	33 Sea Harvest	33,996	35,057	36,930	34,662	35,750	36,589	37,205	\$3,084.85 base + % rent (Expires 5/32)
33	34 Pot Stop	37,862	47,081	9,740	31,329	44,572	65,000	45,000	Not occupied
34	35 MB Kayak	39,195	58,478	25,335	26,355	24,562	28,481	28,481	\$1,713.39/mo, plus percentage rent (Month to month)
35	36 Martin/Mason	21,932	22,998	-	-	-	-	-	\$7,879.68, or 24% of gross, whichever is greater (Exp. 10/24)
36	37 S.H. Spare Office	5,146	1,772	-	-	-	-	-	\$436.27/mo.
37	38 RV Lot	30,605	31,468	32,447	33,589	34,764	35,585	36,180	\$2,998.74/mo. No less than 3% in lease agmt. (Expires 9/31)
38	39 Total Lease Revenue	456,749	501,554	437,982	476,272	480,532	549,662	523,304	
39	40 Revenues - Other	286,334	281,892	290,878	281,784	277,938	340,000	355,000	\$86.50 for all assign. vessels in harbor (Prior year \$85)
40	41 Amenities Fee - Slip holders	-	-	-	12,480	28,946	30,000	30,000	\$100 per multiplied by vessel capacity dia annually.
41	42 Passenger Vessel Fees	-	-	-	58,463	60,557	60,000	63,000	10X20/\$100, 10X30/\$110, 10X40/\$120
42	43 Dry Storage (2)-Gear & Trailer	-	-	-	-	-	-	-	Current 10X20/\$140, 10X30/\$180, 10X40/\$180
43	44 Near Shore Storage	-	-	-	-	-	-	-	
44	45 North Harbor Use Fee	68,762	72,334	100,829	121,398	112,693	125,000	125,000	Current Vessels: \$20 use/park, \$14 use, \$200 annual use/park, Kayaks/ PWC:
45	46 NH Boat Wash	2,945	1,718	1,993	1,559	1,076	250	2,000	\$15 use/park, \$9 use, \$160 annual use/park, \$80 annual use only
46	47 SH Parking	109,592	106,321	118,889	105,430	84,330	80,000	115,000	\$4 for 6 min
47	48 Camping/RV	4,059	4,902	1,907	200	650	500	2,500	Monthly permits \$100, daily \$10, 24 hrs. \$18 (CCC Reg.)
48	49 Equipment Rental	1,725	-	-	-	-	250	250	\$50.00 per night
49	50 Facilities Use Permits	10,827	7,800	8,264	13,505	4,920	4,500	4,500	\$250 1st application, \$50 renewal Application, \$250 insurance fee
50	51 Vending (Sodall/Alndry)	8,901	10,712	11,865	9,415	8,123	6,500	8,500	\$1.00-\$1.25 per load to washdry
51	52 Merchandise - Clothing, etc.	1,009	1,952	366	108	222	100	250	
52	53 Copies, Key Sales, Bid Packages, etc.	7,195	6,084	6,272	6,022	4,817	4,000	5,000	\$1.00 pag. 16 pg. thereafter, Gate Keys \$10-25
53	54 Government Grants	-	13,700	-	148,819	-	1,200	-	Derelect Dispositions
54	55 Misc. Charge/Pet fee	2,884	1,450	11,023	2,865	1,531	2,500	2,500	

MOSS LANDING HARBOR DISTRICT									
	A	B	C	D	E	F	G	H	
BUDGET FYE 6/30/2022									
56 Surplus Sale & Misc. Insurance reimb.	FYE 6/30/16	FYE 6/30/17	FYE 6/30/18	FYE 6/30/19	FYE 6/30/20	Projected FYE 6/30/21	Budget FYE 6/30/21	Budget FYE 6/30/22	CPI = 2.02%
57 Total Other Revenue	562,687	701,435	754,716	888,515	585,603	662,650	701,645	713,600	Excess District equipment
58 TOTAL REVENUES	3,043,548	3,326,936	3,377,146	3,561,875	3,249,885	3,512,873	3,551,884	3,644,551	
59 Expenses									
60 Media/Publications/Advertising	2,663	6,408	2,613	6,101	7,192	5,000	5,500	6,500	Newspaper ads, NH Development, TV, website, public notice
61 General & Administrative	68,426	54,652	73,660	58,954	68,835	65,500	60,000	70,000	Telephone, office supplies, postage, etc.
62 Accountant	34,796	38,306	40,645	35,250	38,179	38,000	45,000	48,000	
63 Auditor	14,500	14,500	15,000	15,500	16,500	16,500	18,000	18,000	
64 Attorney	115,328	313,228	67,618	69,873	52,770	35,000	100,000	100,000	
65 Personnel	687,422	692,184	698,900	739,957	639,705	670,000	788,000	808,000	
66 Insurance & Bonding	115,426	124,853	126,264	144,388	163,307	165,000	150,000	165,000	
67 PG&E	223,714	230,000	211,315	201,167	281,068	280,000	215,000	300,000	
68 Sewer	35,783	38,200	39,741	37,246	39,865	43,000	42,000	43,000	CPI
69 Water	32,238	26,802	30,065	31,819	38,097	38,000	42,000	40,000	CPI
70 Trash	48,044	52,392	69,741	62,552	98,269	114,000	100,000	115,000	CPI
71 Maintenance & Repairs	46,843	35,094	73,345	65,674	68,002	51,000	75,000	75,000	dockmat/roofing/gangway
72 Operating Supplies	28,328	28,666	26,432	26,047	32,109	32,000	32,000	32,000	Fuel, paper products, parking envelopes, uniforms/CPI adj
73 Outside Service Contracts	66,427	93,170	50,821	74,454	74,325	70,000	70,000	75,000	
74 Bad Debt/Bank charges	29,902	25,429	23,736	52,378	29,531	36,000	30,000	30,000	
75 Commissioner Expenses	13,984	13,043	15,416	16,006	14,588	15,000	25,000	25,000	Includes Union Bank monthly charges of approx. \$1k
76 Comm Election							500,000		Only if incumbent challenged, \$5-\$7 per voter
77 Detached Disposal	17,020	278	100	19,184	34,666	70,000	70,000	50,000	Mandatory membership fee
78 LAFCD	5,637	5,588	6,411	6,160	6,357	5,425	7,500	7,000	Mandatory membership fee (required for workers comp policy)
79 GSDA	5,659	6,026	6,358	6,740	7,077	7,077	6,800	7,500	Optional membership (required for workers comp policy)
80 County EIR									Moss Landing Community planning
81 Dredging	82,602	22,750	203,645	202,353	1,483,866	1,000,000	250,000	250,000	Increase for NH Building
82 Depreciation	920,234	924,813	909,479	841,062	772,652	1,000,000	1,000,000	1,000,000	
83 Total Expenses	2,594,976	2,746,183	2,630,945	2,712,885	3,966,970	2,756,502	3,631,800	3,265,000	
84 Net Operating Income (Loss)	448,572	580,753	746,201	868,990	(717,085)	756,371	(79,916)	379,551	
85									
86 Interest, Tax and Other Income									
87 Interest - First Capital Bank	3,089	3,086	3,084	3,080	3,131	3,136	3,100	3,100	.20% on \$1,65M
88 Interest Umpqua	1,515	1,513	1,515	2,586	2,815	500	3,600	550	.05% on \$1.0M
89 Interest Union Bank - Trust Account				200					
90 Interest Union Bank	2,678	379	590	200	296	200	300	300	.01% on 4.5M
91 Desal Reimbursement	131,354	200,000	244,650	6,879	20,553	1,000	200,000	200,000	Nader Alpha per reimbursement agreement
92 Property Taxes	269,055	279,193	293,976	315,386	325,922	350,000	300,000	300,000	
93 Total Other Income	407,691	484,171	543,815	328,341	352,717	354,836	507,000	503,950	
94									
95 Interest and Other Expenses									
96 Interest - UMFQUA (includes refi. Fees)	126,402	116,185	105,686	99,407	83,776	77,201	77,201	66,585	Note Interest 2.85%
97 CEOA-Desal Expenses reimbursable		200,000	214,217	5,791	20,553	1,000	200,000	200,000	Aspen Environmental
98 Interest - Premium Finance	800	800	800	800	800	800	800	800	Insurance policy, financed through AFCD
99 Total Other Expenses	127,202	316,985	320,703	105,988	105,129	79,001	278,001	267,385	
100									
101 NET INCOME (LOSS)	729,061	747,939	969,313	1,091,343	(469,497)	1,032,206	149,083	616,116	
102									
103 Capital Projects:									
104 Electric Panel Cabinets (3 of 6)			2,700				100,000	100,000	Subject to quote
105 Security Camera							50,000	50,000	
106 Piling replacement project							100,000	100,000	\$12K each, pile only
107 Seal Lion Deterent			6,583				25,000	25,000	Fencing and other materials
108 Dock maintenance	9,545		34,008	104,546			100,000	100,000	Lumber, material, electrical and Rods
109 Concrete docks replacement	253,943						200,000	200,000	Replacement (B174-B178) including fingers
110 Computers (incl software)			1,157		9,763		225,000	25,000	Replace Marina program and system maintenance

MOSS LANDING HARBOR DISTRICT										
	A	B	C	D	E	F	G	H		
BUDGET FYE 6/30/2022										
111 New NH Building	FYE 6/30/16	FYE 6/30/17	FYE 6/30/18	FYE 6/30/19	FYE 6/30/20	Projected FYE 6/30/21	Budget FYE 6/30/21	Budget FYE 6/30/22	CPI = 2.02%	
112 NH Visitor Dock	46,913	399,033	1,584,972	2,204,319	306,397	1,719	1,000,000	1,000,000	New North Harbor Building, including lighting	
113 NH Wharf entrance repair							400,000	400,000	Repair/replacement	
114 NH Pig Resurfacing	9,070	12,186					100,000	100,000		
115 Sewer Lift Station							50,000	50,000		
116 SH Streetlight replacement							40,000	40,000		
117 Tsunami Erosion Repair	66,332	876,814	152,985	79,307					2 at NH, 1 at SH	
118 NH 30 Rm. Hotel							75,000	75,000	Through permitting	
119 Fisherman's Dorrn/Caté									Through permitting	
120 Cannery - Roof							250,000	250,000	Roof and drywall	
121 Cannery HVAC/Mechanical Penthouse	10,982						50,000	125,000	1 replaced, 3 left to replace	
122 Misc. Small Capital Purchases			10,642			29,997				
123 Pot Stop Building demo.							50,000	70,000		
124 District Vehicle								40,000	annually under a lease including service	
125 Total Capital Requirements	396,785	1,288,033	1,793,057	2,421,172	317,178	178,053	2,815,000	2,750,000		
126										
127 Capital Project Funding:										
128 From: FEMA		573,712				662,710				
129 General Funds	396,785	1,288,033	1,793,057	2,421,172	317,178	178,053	2,215,000	2,150,000	For dredging - 2017 Atmospheric River Storms	
130 Total Capital Contributions	396,785	1,861,745	1,793,057	2,421,172	979,888	178,053	2,815,000	2,750,000	All other capital projects funded by General funds	
131 Capital Projects Budget										
132										
133 Loan Payments										
134 Loan - UMPQUA	(359,358)	(363,425)	(369,147)	(379,197)	(389,516)	(400,107)	(400,107)	(344,871)	Principal Payment (Unpaid balance \$2,508,701 Int. rate 2.85%)	
135 Total Loan Payments	(359,358)	(363,425)	(369,147)	(379,197)	(389,516)	(400,107)	(400,107)	(344,871)		
136										
137 Cash Flow Reconciliation										
138 Add: Net Income (Loss)	729,061	747,939	969,313	1,091,343	(469,497)	1,032,206	149,083	616,116		
139 Add: Depreciation	920,234	824,813	909,479	841,062	772,652	1,000,000	1,000,000	1,000,000		
140 Plus: Loan Payments	(359,358)	(363,425)	(369,147)	(379,197)	(389,516)	(400,107)	(400,107)	(344,871)		
141 Net Increase (decrease) in Cash	1,289,937	1,309,327	1,509,645	1,553,208	(86,361)	1,632,099	748,976	1,271,245		
142										
143 Reserved Funds Allocation										
144 Capital Projects to be Funded	(396,785)	(1,288,033)	(1,793,057)	(2,421,172)	(317,178)	(178,053)	(2,215,000)	(2,150,000)	All other capital projects funded by General funds	
145 Plus Net Increase (decrease) in Cash	1,289,937	1,309,327	1,509,645	1,553,208	(86,361)	1,632,099	748,976	1,271,245		
146										
147 From General Funds	893,152	21,294	(283,412)	(867,964)	(403,539)	1,454,046	(1,466,024)	(876,755)	Extra funds needed for capital project funds	



BOARD OF COMMISSIONERS
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GENERAL MANAGER/HARBOR MASTER
Tom Razzeca

STAFF REPORT

ITEM NUMBER 20 – CONSIDER ADOPTING ORDINANCE 209 AMENDING THE DISTRICT'S FEE SCHEDULE
BOARD MEETING OF JUNE 2, 2021

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 2.02% are as follows:

Assigned slip fees increased from \$8.40 to **\$8.55** per foot per month.

Temporary slip fees increased from \$12.50 to **\$12.75** per foot per month.

Transient slip fees remained **\$1.25** per foot per day.

Assigned-vessel pass-through Amenities fee increases from \$65 to **\$66.50** monthly resulting from high utility cost over the last fiscal year.

The monthly Liveaboard Fee was increased from \$160 per person to **\$170** per person.

Dry storage has increased \$5 per space to **\$100, \$110 and \$120** depending on size.

The fees charged are supposed to approximate the actual value of the services or (goods) provided; however in an effort to accommodate our slipholders, these fees in many cases are below the value of the services or (goods) provided.

Staff recommends that the Board adopt Ordinance No. 209 amending the District's Fee Schedule to reflect the new fees included in the 2021 - 2022 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 regular meeting of the Moss Landing Harbor District Board of Harbor Commissioners on June 2, 2021 to become effective July 1, 2021, 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

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 \$ ~~8.40~~–8.55/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.

- (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 \$ ~~12.50~~12.75/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.

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- 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 ~~\$65.00~~ \$66.50 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 ~~\$160.00~~ \$170.00 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 per In and Out. Annual Permit - \$200.00 per calendar year. Vessels – Launch Only; \$14.00
Access/Use Permit PWC and Kayaks only; Includes 12 hours Parking		\$15.00 per day (Vehicle + a PWC/Kayak) \$150.00 per calendar year. Additional PWC/ Kayak –Launch Access Only; \$9.00 Annual Launch Access Only - \$90.00
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	\$160.00 \$170.00 per person per month.
Recreational Vehicle Park (Only available through District if commercial RV Park is full)	None.	Self-contained vehicles only on unimproved site. \$50.00 per night. Failure to pay will result in removal of vehicle at owner's expense.

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Amenity Fee		\$65.00 66.50 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	\$7.00 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 Liveaboard 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.
CEQA Review - Sections 20.240 and 22.220	\$75.00 deposit for project application subject to review by General Manager. \$500 deposit for project application

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Service/Equipment	Fee
	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' = \$95 100.00 10' X 30' = \$100 110.00 10' X 40' = \$115 120.00</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.

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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 per occurrence on balances of \$90.00 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.