

**COUNTY OF SONOMA
AGENDA ITEM
SUMMARY REPORT**

Clerk of the Board Use Only
Meeting Date **Held Until**
 ___/___/___ ___/___/___
Agenda Item No: **Agenda Item No:**

Department: Regional Parks

() 4/5 Vote Required

Contact:
Todd Holmes

Phone:
(707) 565- 2590

Board Date:
4/21/09

Deadline for Board Action:

AGENDA SHORT TITLE:

Ordinance adopting increases for Park Mitigation Fees

REQUESTED BOARD ACTION:

Ordinance increasing Park Mitigation Fees throughout all unincorporated areas of Sonoma County.

CURRENT FISCAL YEAR FINANCIAL IMPACT

EXPENDITURES

ADD'L FUNDS REQUIRING BOARD APPROVAL

Estimated Cost \$

Contingencies \$
(Fund Name:)

Amount Budgeted \$

Unanticipated Revenue \$
(Source:)

Other Avail Approp \$
(Explain below)

Other Transfer(s) \$
(Source:)

Additional Requested: \$

Add'l Funds Requested: \$

Explanation (if required):

Prior Board Action(s):

4/15/08 - Ordinance increasing Park Mitigation Fees for FY 08/09

Alternatives - Results of Non-Approval:

No increase in Park Mitigation Fees. Flat fee will not reflect rising costs of acquiring and constructing park facilities for FY 09/10

BACKGROUND:

EXECUTIVE SUMMARY

Park Mitigation Fees are collected and held in a special revenue fund until expended on park capital improvement projects. The Board last increased the Park Mitigation Fees to \$2,994 per residential unit that took effect on July 1, 2008. The Park Mitigation Fee charged by the County for construction of new residential units in the unincorporated areas is currently lower than the majority of the fees charged by cities which require Park Mitigation Fees. The following is a list of fees charged by cities:

- Santa Rosa \$7,252/unit Northwest, \$9,077/unit Northeast, \$3,597/unit
Fountaingrove, \$7,138/unit Southwest, \$8,040/unit Southeast.
- Petaluma \$9,159/unit
- Healdsburg \$2,057/unit
- Windsor \$10,494/unit
- Cloverdale \$2,002/unit
- Sebastopol \$6,500/unit

Under the existing Sonoma County Code provisions that established the Park Mitigation Fees for residential development (Sections 20-65 and 20-66), the Board has the authority to change the flat fee to reflect changes in the Cumulative Assessed Value of Residential Property (CAVRP) within the County. The CAVRP is based on the annual increase in residential property values over the 2008 calendar year. The CAVRP for December 2007 to December 2008 was 1.4%. The CAVRP was last used to calculate the fee increase in FY 06/07

Alternatively, the provisions also allow the Board to use “any other basis” to increase the flat fee. Another index used in the past is the Engineering News Record (ENR) Cost of Construction Index. The ENR index is based on the average increase of labor, steel, and lumber over the calendar year for 20 cities across the country. This index increased between December 2007 and December 2008 from an average of 8090 to 8551. This is an increase of 5.7%. The ENR Cost of Construction Index was last used to calculate the fee increase in FY 05/06.

Attachments: Exhibit A - Fee & Revenue Summary Chart, Ordinance

On File With Clerk:

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote:

BACKGROUND:

Code provisions governing subdivisions (Sections 25-58 and 25-58.1) provide that the in-lieu park mitigation flat fee is to be based on estimated park acquisition and development costs. In FY 07/08 and FY 08/09, an average of the CAVRP and ENR indices were used as the basis for establishing the flat fee rate in order to meet estimated park acquisition and development costs. During this two-year period the CAVRP increased an average of 10.8%, while the ENR increased an average of 4.9%. As a result of the high cost of land, and the relatively stable cost of construction, an average of the two indices was used to account for the cost of acquiring and developing parkland. For FY 09/10, the Department recommends an increase of 5.7%, the ENR rate, over the FY 08/09 rate in order to pay for new and expanded park facilities. The reason we have chosen to use the ENR for FY 09/10 is because, while the cost of acquiring land for park development has not increased significantly as in previous years (1.4%), the cost of construction for new park facilities has increased 5.7%.

The fee adjustment is necessary due to increased park development costs, and reflects the overall increase in the cost of construction based on the Engineering News Record (ENR) Cost of Construction Index for 2008. The proposed new fee is \$3,165, an increase of \$171 or 5.7% in the flat fee.

Regional Parks generally uses the sixteen (16) year average for the seven (7) park mitigation fee areas to estimate new residential construction for budgeting purposes. Over the last two fiscal years there has been a decline in building permits from budgeted estimates, and that trend is expected to continue through 2009. In FY 07/08 the budgeted projections for new housing units was 384, but the actual number of units for new housing was 257. This constitutes a 33% reduction between projected and actual fees collected in FY 07/08. In FY 08/09 the budgeted projections for new housing units is 351, but the mid year projection for new housing is 166 units. This is a decrease of 53% from the budgeted projections for FY 08/09. The housing market is expected to remain flat throughout FY 09/10, and the Permit & Resource Management Department is expecting a similar level of new residential construction next fiscal year. As a result, the number of projected new residential units estimated in the FY 09/10 budget will be 166, which is reflected in the revenue summary chart.

The Department is recommending the use of the ENR, as described above, to adjust the Park Mitigation Fees. Based on the projected new residential units for FY 09/10, this would result in a net increase of \$28,386 in additional funding for park acquisition and development. The new fee will take effect on July 1, 2009.

SERVICE IMPROVEMENT PLAN

Productivity, Efficiency and Customer Service Improvement Measures

It is estimated that in FY 09/10, Park Mitigation Fees will account for approximately 10% of funding for new and expanded park facilities. These funds will be leveraged in order to secure the remaining 90% of required funding from competitive grants, transportation taxes and other non-county funding sources.

BACKGROUND:

Summary of Expected Results – FY 09/10

Projects identified for use of park mitigation fees in FY 09/10 include:

- Bodega Bay Bicycle and Pedestrian Trail
- Sea Ranch Bluff Top Trail Repair
- Cloverdale River Park Phase 3
- Hood Mountain Regional Park Ridge Trail and Expansion
- Tolay Lake Regional Park Interim Plan Improvements
- Santa Rosa Creek Trail
- SF Bay Trail
- Sonoma Schellville Trail
- Sonoma Valley Regional Park Expansion

Summary of Results – FY 0809

In FY 08/09, the Department will have completed construction of the following capital improvement projects partially funded by park mitigation fees:

- Maxwell Farms Regional Park Accessible Playground
- Sunset Beach Phase 1
- Riverfront Regional Park Phase 2
- Guerneville River Park Phase 1
- Completion and adoption of the Tolay Lake Regional Park Interim Plan

RECOMMENDATION

Amend County Code Sections 25-58(r)(1), 20-65(a), 25-58.1(r)(1), and 20-66(a), by adopting an ordinance increasing Park Mitigation Fees charged for the construction of new residential units in the unincorporated areas of the County from \$2,994/residential unit to \$3,165/residential unit, an increase of \$171.

Fee and Revenue Summary Chart

Fee Description	FY 09/10 Estimated Budget Units of Service	FY 08/09 Rate	FY 09-10 Proposed Rate	Rate Dollar Change	Rate Percent Change	FY09/10 Revenue Increase Due to Rate Change
Park Mitigation Fee	166	\$2,994	\$3,165	\$171	5.7%	\$28,386

ORDINANCE NO. _____

ORDINANCE OF THE BOARD OF SUPERVISORS OF THE COUNTY OF SONOMA,
STATE OF CALIFORNIA, INCREASING PARK MITIGATION FEES THROUGHOUT ALL
UNINCORPORATED AREAS OF SONOMA COUNTY.

The Board of Supervisors of the County of Sonoma, State of California, ordains
as follows:

SECTION I. The Board of Supervisors finds and determines as follows:

(a) In April 2008, the Board raised the flat fee for park
mitigation to \$2,994;

(b) Park mitigation fees continue to provide funds needed to
acquire and develop park facilities, in conformance with Sonoma County General and Specific
Plan requirements, to meet the demands caused by the increasing urbanization of Sonoma
County's unincorporated areas.

(c) Whereas Sonoma County Code provisions authorize the
Board to increase Park Mitigation Fees on a yearly basis, and for such increase to be based on
the Cumulative Assessed Value of Residential Property ("CAVRP"), the Engineering News
Record (ENR) Cost of Construction Index, or any other basis then determined by the Board, and
the flat fee is to be based on the estimated costs of developing regional and community park
facilities to service the County; and

(d) Whereas the cost of acquiring land and developing
recreational facilities to serve newly developed areas has increased significantly; and

(e) Whereas the ENR has been used in years past as a basis
for estimating the additional cost of acquiring and developing County regional and community
park facilities; and

(f) Whereas the Engineering News Record Cost of
Construction Index increased 5.7% between December 2007 and December 2008; and

(g) Whereas, in order to maintain the quality of life in Sonoma
County, its rural underpinnings and its great natural beauty, it is necessary to maintain Park
Mitigation Fees at a level that will adequately fund the development of park facilities to service
the residents of the County; and

(h) Whereas, an increase of 5.7% in the flat fee is determined
to be the minimum increase necessary to maintain the flat fee at an adequate level.

SECTION II. Section 25-58(r)(1) of the Sonoma County Code relating to County
areas other than Larkfield-Wikiup is hereby amended to read as follows:

"Section 25-58(r)(1) Option to Pay Flat Fee.

- (1) Notwithstanding anything else contained in this section to the contrary, when a subdivider is required to pay a fee pursuant to this section, such subdivider may elect to pay a flat fee of three thousand one hundred sixty five dollars (\$3,165) per residential unit in lieu of the fee otherwise due under this section. This flat fee is based on estimated cost of developing regional and community park facilities to service the County. Nothing in this subsection shall be construed to authorize the payment of a flat fee in those instances where the advisory agency is requiring a dedication of land."

SECTION III. Section 20-65(a) of the Sonoma County Code relating to County areas other than Larkfield-Wikiup is hereby amended to read as follows:

"Section 20-65(a) Park Fees for Residential Development--Generally.

- (a) Where a developer applies for a building permit or other discretionary approval from the County to establish one or more new residential dwelling units on property located within the County, on referral from the Planning Department, the Director of Regional Parks shall: (1) in the case of discretionary approvals, request and the appropriate decision making body shall require a condition on such development which requires the payment of a park fee in the amount of three thousand one hundred sixty five dollars (\$3,165) per residential unit prior to the issuance of a building permit for each new residential dwelling unit; or (2) in those cases where the application is for a building permit only, collect a fee in the amount of three thousand one hundred sixty five dollars (\$3,165) per residential unit as a condition precedent to the issuance of the building permit."

SECTION IV. Section 25-58.1(r)(1) of the Sonoma County Code relating to the Larkfield-Wikiup study area is hereby amended to read as follows:

"(r)(1) Notwithstanding anything else contained in this section to the contrary, when a subdivider is required to pay a fee pursuant to this section, such subdivider may elect to pay a flat fee of three thousand one hundred sixty five dollars (\$3,165) per residential unit in lieu of the fee otherwise due under this section. This flat fee is based on the estimated cost of developing community parks to serve the study area."

SECTION V. Section 20.66(a) of the Sonoma County Code relating to the Larkfield-Wikiup Study Area is hereby amended to read as follows:

- (a) Where a developer seeks to obtain a discretionary approval from the County to establish one or more new residential dwelling units on a parcel located within the Larkfield-Wikiup Study area (e.g., design review approval, use permit, second-unit permit), on referral from the Planning Department, the Director of Regional Parks shall request that the appropriate decision making body place a condition on such development which requires the payment of a park fee in the amount of three thousand one hundred sixty five dollars (\$3,165) per residential unit prior to the issuance of a building permit for each new residential dwelling. Alternatively, the developer may, at his option, elect to have the property appraised in the same manner as a subdivision, in which case the fee to be

paid shall be computed in accordance with those provisions of Chapter 25 governing in lieu of park fees for subdivisions. Fees paid pursuant to this section shall be collected, accounted for, and disbursed in the same manner as are in lieu park fees for subdivisions approved pursuant to Chapter 25 of this Code."

SECTION VI. If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Supervisors hereby declares that it would have passed this ordinance and every section, subsection, cause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION VII. This ordinance shall be and the same is hereby declared to be in full force and effect from and after sixty (60) days after the date of its passage, but no earlier than July 1, 2009, and shall be published once before the expiration of fifteen (15) days after said passage, with the names of the Supervisors voting for or against the same, in _____, a newspaper of general circulation published in the County of Sonoma, State of California.

In regular session of the Board of Supervisors of the County of Sonoma introduced on the _____ day of _____, 2009, and finally passed and adopted on this day _____ of _____, 2009, on regular roll call of the members of said Board by the following vote.

Supervisors:

Brown: _____ Kerns: _____ Zane: _____ Carillo: _____ Kelley: _____

Ayes: _____ Noes: _____ Abstain: _____ Absent: _____

WHEREUPON, the Chair declared the above and foregoing ordinance duly adopted and

SO ORDERED.

Chair, Board of Supervisors
County of Sonoma

ATTEST:

Robert Deis, Clerk of the Board of Supervisors

**COUNTY OF SONOMA
AGENDA ITEM
SUMMARY REPORT**

Clerk of the Board Use Only
 Meeting Date: ___/___/___ Held Until: ___/___/___
 Agenda Item No: _____ Agenda Item No: _____

Department: Regional Parks

() 4/5 Vote Required

Contact:
Allan Darrimon

Phone:
(707) 565-2041

Board Date:
4/21/09

Deadline for Board Action:

AGENDA SHORT TITLE:

Resolution adopting increases for fees at Spud Point Marina.

REQUESTED BOARD ACTION:

Resolution of the Board of Supervisors approving:

- Increased fees for permanent and transient recreational berthing, and other services.
- Schedule of Rates and Fees containing procedures for payment of fees, imposition of late fees, and response to delinquent accounts.

CURRENT FISCAL YEAR FINANCIAL IMPACT

EXPENDITURES

ADD'L FUNDS REQUIRING BOARD APPROVAL

Estimated Cost \$

Contingencies \$
(Fund Name:)

Amount Budgeted \$

Unanticipated Revenue \$
(Source:)

Other Avail Approp \$
(Explain below)

Other Transfer(s) \$
(Source:)

Additional Requested: \$

Add'l Funds Requested: \$

Explanation (if required): See Fee and Revenue Summary Chart

Prior Board Action(s):

The Board has annually adopted fee increases for Spud Point Marina since 1985.

Alternatives - Results of Non-Approval:

If not approved, Spud Point Marina may fail to meet its long-term and deferred maintenance obligations.

BACKGROUND:

EXECUTIVE SUMMARY

The Regional Parks Department requests that the Board authorize adjustment of Spud Point Marina fees in order to offset increased operating costs, minimize reductions in levels of service, and provide for the health and safety of Marina facility users and employees. The Department estimates the proposed fee increases may produce additional revenue in FY 09/10 in the following amounts: \$101,774 from permanent berthing fees, \$16,153 from transient/guest berthing, \$5,568 from fuel, and \$219,804 from other revenue items.

The proposed fee changes for Spud Point Marina will become effective as of June 1, 2009. The increased revenues for FY 09/10 are estimated to be \$343,299.

The attached exhibits detail the new fees and charges. The adjusted rates and revenues for new fees and proposed fee increases are detailed in Exhibit A. Exhibit B contains the revised rates and proposed collection procedures for the Marina, Exhibit C contains a rate survey based on the marina's market area as specified and required by California Department of Boating and Waterways.

Spud Point Marina Issues

Spud Point Marina Financial Condition

Spud Point Marina is owned and operated by the County as an enterprise fund. The County built the marina in 1984 to meet the needs of the area's commercial fishing fleet, with loans from the State Department of Boating & Waterways and the State Coastal Conservancy. However, due to poor fishing seasons, droughts, and continuing federal fishing restrictions, the commercial fishing industry has been adversely affected, resulting in reduced revenues to the marina. With declining revenues, the marina had been unable to make loan payments, and according to the State, had accumulated a potential outstanding debt of \$15.5 million. The County worked with the State to resolve the issues with the Spud Point Marina loans. On July 18, 2007, the County and the State Department of Boating & Waterways finalized a settlement agreement, by which the state agreed to accept a one-time payment of \$2.0 million and fifteen annual payments of \$372,456, which began in July 2008. An annual surety bond of \$10,000 was also required.

Attachments: Exhibit A: Fee and Revenue Summary Chart; Exhibit B: Schedule of Rates and Fees; Exhibit C: Market Survey; Resolution

On File With Clerk:

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote:

BACKGROUND:

AB990 became law on January 1, 2009, allowing the marina to charge separate rates for commercial fishing and recreational boat berth rentals and to set all rates to market amounts necessary to support the financial needs of this enterprise fund. In FY0809, the berth rental occupancy percentage fell to 55%, which was 15% below low normal due to the cancellation of the 2008 salmon season and the low adult crab population. The bill also maintained an advisory function and removed the requirement for approval by Spud Point Advisory Committee.

State Regulatory Agencies have closed the fishing season for all salmon fishing. Preliminary indications are that this trend will continue into the coming year. In addition to reduced demand for berthing, the marina has experienced a significant decrease in fuel sales as a result of the reduced fish and crab season. Consequently, other services that are used, such as oil product purchases and ice purchases have also experienced a proportional reduction.

Implemented Cost Cutting Measures

The following measures will be implemented in FY09/10 to reduce costs at the marina in light of declining profitability: suspension of second weekday day shift, reductions from 10 to 85% of various operating and supply costs, for a total expenditure reduction of -\$277,497.

Fee Proposals

Despite cost cutting measures, the Marina must also increase fees in order to generate adequate revenue for its continued successful operation. Significant fee increases this year include: recreational permanent and transient berthing, live aboard charges, returned check fee, impoundment/lien fee, and key deposit fees. Fees are proposed to increase based on a survey of prevailing charges (Exhibit C) within the Spud Point Marina market area, in accordance with the July 2007 Settlement Agreement executed with the California Department of Boating and Waterways.

Commercial berthing fees were not increased to support the commercial fishing industry. Potential effects of the increased fees will not adversely impact the customers more than any other facility in the market area. Additional customer and revenue counts are not anticipated to decrease.

The last fee change was authorized on April 15, 2008. The Board adopted increased fees for permanent and transient/guest berthing and other revenue items.

By adopting the attached resolution, the Board would authorize the Department to increase fees effective June 1, 2009. The public will be notified by May 1, 2009. A notice will be posted at the marina and the Department's main office. This complies with a required 30-day notification to berth holders. All current berth holders will be notified by mail thirty days in advance.

BACKGROUND:

Significant Fee Increases

Areas where significant fee increases are proposed include: Recreational permanent and transient berthing, live aboard rates, impoundment/lien process fee, and key deposits.

Past permanent and transient berthing fees were 53% below market comparisons. Recreational permanent and transient berthing rates are proposed to increase to within 25% of the market ceiling, as part of a multi-year effort to make Spud Point rates consistent with the market. Live aboard rates are proposed at 5% below market ceiling, based on a four-person live aboard situation. Returned check fees are proposed at \$100 to help correct and prevent the use of bad checks at the marina. The impoundment fee increase to \$150 (at 100% of market ceiling) is intended to correct and prevent significant account delinquencies. The \$50 key deposit fee (at 100% of market ceiling) is intended to curb key losses and reduce costs associated with key replacement. No serious loss of patronage is expected as a result of these fee increases as rates are still competitive with market area marinas. Proposed rate increases will bring Spud Point Marina closer to financial stability, but these increases will not recover the full cost of the marina.

The Department has identified a new revenue source; charging for daily and hourly parking at Spud Point Marina. Spud Point has sufficient parking spaces to provide accommodation for the permanent berth holders and others who desire to park at the marina. Parking is currently free of charge. Four of all surveyed marinas have a charge for hourly and daily parking. The proposed rates are below the highest rate in the market area by 6%+ for daily parking and 25% less than the highest rate for hourly parking. Permanent and transient berth holders will be issued two parking stickers included with the lease. The parking fees will potentially provide \$34,675 per year in new revenue.

The fund balance for the marina will continue to decrease steadily toward eventual failure should additional revenue sources not be gained.

Increase in Marina Berthing Delinquencies/Late Fee Payment Practice

Due to the decline in fishing and the overall economy, the Marina has experienced an increase in the number of berth holders who have fallen behind in payment of their berthing rent and other charges. The marina has created an accounts receivable collection team comprised of County Counsel, Debt Management, and marina management staff to address delinquent accounts. The current marina practice is to cancel a lease after 90 days if payment is delinquent. To allow quicker action in enforcing berthing fee requirements and prevent delinquency amounts from becoming too large, marina staff and County Counsel recommend that marina practice be changed to allow the marina to terminate berthing leases which are over 30 days past due. It is current practice to charge lease berth holders a 10% late fee on accounts with past due amounts owing, including previously imposed late fees. It is also a current practice to charge transient rates to berth holders without a lease, whether or not they initially had a lease that has expired or has been terminated. A new practice specifies that late fees shall be charged to berth holders who never had a lease and have always been transient berth holders.

The Department recommends continuing to charge late fees on applicable lease berth holder accounts, and clarifying how late fees apply to transient berth holders. The recommended

BACKGROUND:

procedure is to require transient berthing fees to be paid in advance or, charge a daily late fee, if full payment has not been made after 3 days, and apply the late fee every 5 days until full payment is received. Attached as Exhibit B is the Spud Point Marina Schedule of Rates and Fees for Commercial and Recreational Boaters which incorporate the proposed fee rates and also contain clarifying language concerning lease termination, boat removal in situations of delinquent accounts, and late fees for lease berth holders.

Critical Maintenance Needs

Spud Point Marina has several maintenance projects, which are required in order to provide full service and meet safety standards. Critical repairs include: Boat Lift Repair, Fuel Dock Refurbishment, Water Tower Replacement, and Oily Waste Service System replacement. Without the approved proposed fee increases, the above mentioned projects may not be completed.

The Boat Lift has been non-operational since 2002 and in need of significant repairs. The boatlift important to the boating public and to the U.S. Coast Guard for safety and maintenance reasons. Currently, any smaller vessel repairs must be done by pulling the boat out of the water at Westside boat launch and transporting to another location. Not having this resource available has eliminated a source of revenue at the marina and important service that attracts customers to the marina. Absence of the boat lift operation has caused boaters to go to other ports to remove their boats from the ocean

The Water Tower project is designed to remove and replace the old equipment in the ice processing plant. Ongoing repair costs for the current water tower continue to accumulate, making replacement of the Water Tower more cost-effective than continued repair.

The Oily Waste Service System is for the removal of decommissioned storage tanks in the fuel dock apron, and replacement with a new stainless steel oil/water separator system and oily waste tank. The old tanks were determined to be leaking, and replacement is necessary in order to restore oily waste pump out utility to the marina. Currently, customers must hand bail oily waste and hand carry it to a temporary oily waste tank.

The Fuel Dock Refurbishment involves repairs to the timber surrounding the fuel dock and replacement of the rollers on the dock pilings. The project is necessary to repair damage that was caused to the fuel dock in 2008 as a result of a foreign object getting lodged in one of the rollers, causing damage to the structural integrity of the dock. Temporary repairs have been completed, but a permanent repair is needed to secure the fuel lines within the fuel dock from possible rupture. Without the approved fee increases, the repair of worn and rotted timber on the fuel dock would be delayed until at least FY 10/11. The Department considers the timely repair of this dock system to be a public safety issue.

Spud Point Advisory Committee

The Spud Point Advisory Committee met in March of 2009 to review the Department's proposed FY 09/10 fees prior to the Board of Supervisors fee hearing. The Advisory Committee agrees with the Department regarding the proposed fee increases for recreational permanent and transient boating and the new live aboard rates. They are not in favor of increased fuel charges. However, these fees increases are 11% below market ceiling.

BACKGROUND:

SERVICE IMPROVEMENT PLAN

Productivity, Efficiency and Customer Service Improvement Measures FY 09/10

- Complete replacement of the high volume diesel and the unleaded fuel dispensers at the fuel dock. Replace worn support lumber around fuel dock. Modernize and automate the fuel dispenser communication system.
- Provide WiFi computer connectivity for marina customers.
- Link accounting computers with fuel system and automate fuel and berthing data collection.
- Install Spud Cam to provide web site enhancement and coastal visual information.

Pending possible federal stimulus funding, install separate fire system on docks, repair boatlift, replace electrical system on docks, and renovate ice production plant.

Summary of Expected Results – FY 09/10

- Enhance fuel system accounting, providing better money control and sales analysis that will point to additional profit-center products.
- WiFi service will provide communication capability for marina customers that may attract additional customers to the marina.
- The Spud Cam installation will provide fishing customers and tourists the ability to see current conditions that may attract additional business to the marina.
- Replacement of the electrical and fire systems on the marina docks will provide enhanced safety for the boating public.
- Provision of boatlift service at the marina will provide commercial/recreational boaters and the U.S. Coast Guard the ability to pull out and perform repairs within the harbor. Additional customers may be attracted.

BACKGROUND:

Summary of Results of FY 08/09

- Repaired 3-ton Jib Crane at Fuel Dock for fish offloading.
- Replaced condenser and cooling tower in ice production plant.
- Streamlined office accounting procedure to provide more efficient service for customers and created new lease agreement for permanent berthing to better limit County liability and assure payment for services rendered.
- Added fuel sump and upgraded fuel line sensors to improve leak detection in the fuel system.
- Created accounts receivable collection team comprised of County Counsel, Debt Management, and marina Management that successfully recovered 50% of outstanding debts.

RECOMMENDATIONS:

Adopt resolution approving:

- Increased fees for permanent and transient recreational berthing, and other services.
- Schedule of Rates and Fees containing procedures for payment of fees, imposition of late fees, and response to delinquent accounts.

FEE AND REVENUE SUMMARY CHART

REGIONAL PARKS DEPARTMENT					
FEE DESCRIPTION	FY 09-10 BUDGET UNITS OF SERVICE	FY 08-09 RATE	FY 09-10 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE

Spud Point Marina Fee Increase Impacts FY 09-10

Index: 290106

PROPOSED FEE INCREASES (COLA):

OIL

PRODUCT	UNIT					
Delo 100-30	Gallon	27	\$11.93	\$14.10	\$2.17	18.2%
Delo 100-30	Pail	39	\$60.52	\$73.48	\$12.96	21.4%
Delo 100-40	Gallon	35	\$11.93	\$14.10	\$2.17	18.2%
Delo 100-40	Pail	45	\$60.50	\$73.48	\$12.98	21.5%
Delo 400-30	Gallon	39	\$11.73	\$14.10	\$2.37	20.2%
Delo 400-30	Pail	35	\$61.65	\$73.48	\$11.83	19.2%
Delo 400-40	Gallon	20	\$11.73	\$14.70	\$2.97	25.3%
Delo 400-40	Pail	37	\$61.78	\$84.59	\$22.81	36.9%
Delo 400-15/40	Gallon	15	\$12.70	\$15.61	\$2.91	22.9%
Delo 400-15/40	Pail	35	\$65.77	\$75.81	\$10.04	15.3%
RYKON OIL AW 46 Hydraulic	Pail	23	\$52.07	\$63.91	\$11.84	22.7%
2-cycle Oil	Quart	24	\$4.35	\$4.97	\$0.62	14.3%
Bio-Bor	Pint	41	\$40.90	\$54.40	\$13.50	33.0%
80/90 Gear Oil	Quart	36	\$3.70	\$4.36	\$0.66	17.8%
Corrosion Block 3oz.	Can	20	\$5.73	\$9.60	\$3.87	67.5%
No Spill Kits	Kit	20	\$22.20	\$23.01	\$0.81	3.6%
Chev Techron concentrate	Bottle	24	\$6.38	\$6.82	\$0.44	6.9%
Total Revenue						

Justification: Comparison data is limited due to lack of Marinas offering like products. New prices reflect increase or decrease of wholesale costs. Increases do not fully recover marina costs.

Authorized live aboard

Monthly Fee	15	\$300.00	\$480.00	\$180.00	60.0%
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Total Revenue

Justification: Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Rate is at 5% below market. Increase

Fuel Margins

	Gallons					
	Diesel	282,284	\$0.40	\$0.42	\$0.02	4.0%
	Unleaded	52,555	\$0.50	\$0.52	\$0.02	4.0%
Total Revenue						

Justification: Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Increases do not fully recover

Pump Out

Minimum charge - \$30.00 (per 1/2 hour)

First time (per hour charge)	25	\$51.00	\$60.00	\$9.00	17.6%
Additional (per hour charge)	40	\$51.00	\$60.00	\$9.00	17.6%

Total Revenue

Justification: The labor rate of the Marina Attendant is increasing by 14%. Proposed fee increase is 33% lower than market ceiling. Increases meet applicable administrative costs not previously recovered.

Work Boat (Towing)

	12	\$152.00	\$167.20	\$15.20	10.0%
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Total Revenue

Justification: Proposed hourly rate is for two Marina Attendants by 14%. Proposed fee increase is 4% lower than market ceiling. Increases do meet applicable administrative costs not previously recovered.

POLICY CHANGES (includes new fees):

Permanent Berth Holders - Recreational (based on \$8.00 per foot per month)

Boat Length in feet	Day					
80	\$21.33	1	\$6.55	\$8.00	\$1.45	22.1%
70	\$18.67	6	\$6.55	\$8.00	\$1.45	22.1%
60	\$16.00	6	\$6.55	\$8.00	\$1.45	22.1%
56	\$14.93	5	\$6.55	\$8.00	\$1.45	22.1%
52	\$13.87	9	\$6.55	\$8.00	\$1.45	22.1%
48	\$12.80	12	\$6.55	\$8.00	\$1.45	22.1%
44	\$11.73	25	\$6.55	\$8.00	\$1.45	22.1%
40	\$10.67	18	\$6.55	\$8.00	\$1.45	22.1%
36	\$9.60	24	\$6.55	\$8.00	\$1.45	22.1%
32	\$8.53	20	\$6.55	\$8.00	\$1.45	22.1%
30	\$8.00	14	\$6.55	\$8.00	\$1.45	22.1%
Total Revenue		137				

Justification: Prior to January 1, 2009, when AB990 was passed, recreational vessels paid the same as commercial vessels. Fee increases decrease in revenues. SPM is currently in the upper half of Marinas surveyed. Fee increases are necessary to ensure fiscal viability of the m

FEE AND REVENUE SUMMARY CHART

REGIONAL PARKS DEPARTMENT					
FEE DESCRIPTION	FY 09-10 BUDGET UNITS OF SERVICE	FY 08-09 RATE	FY 09-10 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE

Spud Point Marina Fee Increase Impacts FY 09-10

Index: 290106

Transient/Guest Berth - Recreational

Boat Length in feet	Day					
50		\$24.57	500	\$24.57	\$30.00	\$5.43
60		\$26.73	400	\$26.73	\$36.00	\$9.27
70		\$29.49	200	\$29.49	\$42.00	\$12.51
80		\$31.69	200	\$31.69	\$48.00	\$16.31
90		\$34.17	200	\$34.17	\$54.00	\$19.83

Total Revenue

Justification: Prior to January 1, 2009, when AB990 was passed, recreational vessels paid the same as commercial vessels. The table is per day. Comparison survey shows SPM at upper half of surveyed Marinas. Fee increases are necessary to ensure fiscal viability of the marina ; make SPM competitive with marinas within it's market area. Increases do not fully recover marina costs.

Administrative Processing Fee

60	\$30.00	\$33.00	\$3.00	10.0%
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Total Revenue

Justification: Customer requests for administrative services have resulted in increased staffing costs. Increased rate reflects actual staff time. Increases do not fully recover marina costs.

Boat Dealer Fee

5	\$0.00	\$250.00	\$250.00	100.0%
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Total Revenue

Justification: This new fee will help defray routinely-incurred labor and materials costs due to the increased use of dock and equipment as a result of boat dealer's activities. Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Increases do not fully recover marina costs.

Returned check fee

6	\$30.00	\$100.00	\$70.00	233.3%
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Total Revenue

Justification: To discourage customers from writing checks on accounts with insufficient funds. The prior \$30 bad check fee has not served as an adequate deterrent. Increases do not fully recover marina costs.

Impoundment/Lien Process

12	\$25.00	\$175.00	\$150.00	600.0%
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Total Revenue

Justification: Actual cost of staff to process move, store, bail, and otherwise maintain boat and processing for lien service and sale. To discourage boat owner operators from allowing vessels to become derelict. Increases do not fully recover marina costs.

Key deposit

54	\$20.00	\$50.00	\$30.00	150.0%
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Total Revenue

Justification: To discourage key theft and to provide for key replacement. Increases do not fully recover marina costs.

Electricity

248	\$8.80	\$9.68	\$0.88	10.0%
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Total Revenue

Justification: Increase reflects contract increases in labor relating to collection of meter readings. Increases do not fully recover marina costs.

Ice

533	\$75.01	\$80.00	\$4.99	6.7%
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Total Revenue

Justification: Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Increases do not fully recover

Slip Transfer

24	\$45.00	\$50.00	\$5.00	11.1%
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Total Revenue

Justification: Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Increases do not fully recover

General Parking - Daily Rate

10	\$0.00	\$7.50	\$7.50	100.0%
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Total Revenue

Justification: Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Increases do not fully recover

General Parking - Hourly Rate

20	\$0.00	\$1.00	\$1.00	100.0%
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Total Revenue

Justification: Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Increases do not fully recover

Trailer Storage

156	\$0.00	\$85.00	\$85.00	100.0%
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Total Revenue

FEE AND REVENUE SUMMARY CHART

REGIONAL PARKS DEPARTMENT					
FEE DESCRIPTION	FY 09-10 BUDGET UNITS OF SERVICE	FY 08-09 RATE	FY 09-10 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE

Spud Point Marina Fee Increase Impacts FY 09-10

Index: 290106

Commercial Activity Permit

per month	1	\$0.00	\$250.00	\$250.00	100.0%
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Total Revenue

Justification: Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Increases do not fully recover

Pay Showers

per year	1,500	\$0.00	\$1.25	\$1.25	100.0%
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Total Revenue

Justification: Fee increases are necessary to ensure fiscal viability of the marina and to meet rising costs. Charge is based on \$1.25 per 5 minutes. Increases do not fully recover marina costs.

Total New Revenue - All Fees

FEES NOT CHANGING

OIL

PRODUCT	UNIT					
Super Blue degreaser	Pail	31	\$48.52	\$48.52	\$0.00	0.0%
Grease Regular	Tube	32	\$3.49	\$3.49	\$0.00	0.0%
Corrosion Block Grease	Tube	36	\$12.04	\$12.04	\$0.00	0.0%
Starting Fluid - Pyroil	Can	38	\$2.65	\$2.65	\$0.00	0.0%
Penetrant - Pyroil	Can	30	\$3.13	\$3.13	\$0.00	0.0%
Degreaser – can only	Can	24	\$4.51	\$4.51	\$0.00	0.0%
A.T.F.	Quart	36	\$3.47	\$3.47	\$0.00	0.0%
Corrosion Block/Spray	Can	24	\$17.96	\$17.96	\$0.00	0.0%
Soltron	Bottle	24	\$19.88	\$19.88	\$0.00	0.0%
Silicone Spray Can	Can	20	\$2.50	\$2.50	\$0.00	0.0%
Absorbent Pads	Sheet	87	\$0.56	\$0.56	\$0.00	0.0%

Total Revenue

Permanent Berth Holders - Commercial (based on \$6.55 per foot per month)

Boat Length in feet	Day					
80		-	\$6.55	\$6.55	\$0.00	0.0%
70		3	\$0.00	\$0.00	\$0.00	0.0%
60		5	\$0.00	\$0.00	\$0.00	0.0%
56		8	\$0.00	\$0.00	\$0.00	0.0%
52		5	\$0.00	\$0.00	\$0.00	0.0%
48		11	\$0.00	\$0.00	\$0.00	0.0%
44		20	\$0.00	\$0.00	\$0.00	0.0%
40		16	\$0.00	\$0.00	\$0.00	0.0%
36		15	\$0.00	\$0.00	\$0.00	0.0%
32		16	\$0.00	\$0.00	\$0.00	0.0%
30		11	\$0.00	\$0.00	\$0.00	0.0%

Total Revenue

Transient/Guest Berth - Commercial

Boat Length in feet	Day					
50		500	\$24.57	\$24.57	\$0.00	0.0%
60		400	\$26.73	\$26.73	\$0.00	0.0%
70		200	\$29.49	\$29.49	\$0.00	0.0%
80		200	\$31.69	\$31.69	\$0.00	0.0%
90		200	\$34.17	\$34.17	\$0.00	0.0%

Total Revenue

Clothing (tax incl.)

PRODUCT						
SPM T-shirt	145	\$15.00	\$15.00	\$0.00	0.0%	
SPM Sweatshirt	79	\$35.00	\$35.00	\$0.00	0.0%	
SPM Hat (plain)	10	\$15.00	\$15.00	\$0.00	0.0%	
SPM Hat (single scramble)	10	\$20.00	\$20.00	\$0.00	0.0%	
SPM Hat (double scramble)	10	\$25.00	\$25.00	\$0.00	0.0%	

Total Revenue

FEE AND REVENUE SUMMARY CHART

REGIONAL PARKS DEPARTMENT					
FEE DESCRIPTION	FY 09-10 BUDGET UNITS OF SERVICE	FY 08-09 RATE	FY 09-10 PROPOSED RATE	RATE DOLLAR CHANGE	RATE PERCENT CHANGE

Spud Point Marina Fee Increase Impacts FY 09-10

Index: 290106

Public Hoist

Transient and non-berth holders:

1. Equipment: A charge of \$7.50 per 15 min. of loading/unloading	480	\$7.50	\$7.50	\$0.00	0.0%
2. Seafood: Minimum of \$15.00 charge and appropriate wharfage rate	120	\$15.00	\$15.00	\$0.00	0.0%

Total Revenue

Commercial Fish Buyers Permit

1	\$250.00	\$250.00	\$0.00	0.0%
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Total Revenue

FISH OFFLOADING PRICES:

Permanent Berth Holders/Commercial Fish Buyers:

Fish Price Per Lb.

Salmon	32,427	\$0.10	\$0.10	\$0.00	0.0%
Crab	85,120	\$0.10	\$0.10	\$0.00	0.0%
Albacore/Swordfish	1,946	\$0.10	\$0.10	\$0.00	0.0%
Sea Urchine	4,864	\$0.10	\$0.10	\$0.00	0.0%
Shark	1,946	\$0.10	\$0.10	\$0.00	0.0%
Rock Cod	4,864	\$0.10	\$0.10	\$0.00	0.0%
Drag Boat Catch	4,864	\$0.10	\$0.10	\$0.00	0.0%
Prawns	4,864	\$0.10	\$0.10	\$0.00	0.0%
All Other Species 5% of mkt.value					

Total Revenue

Transient Vessels:

Fish Price Per Lb.

Salmon	4,054	\$0.20	\$0.20	\$0.00	0.0%
Crab	10,640	\$0.20	\$0.20	\$0.00	0.0%
Albacore/Swordfish	244	\$0.20	\$0.20	\$0.00	0.0%
Sea Urchine	487	\$0.20	\$0.20	\$0.00	0.0%
Shark	244	\$0.20	\$0.20	\$0.00	0.0%
Rock Cod	487	\$0.20	\$0.20	\$0.00	0.0%
Drag Boat Catch	487	\$0.20	\$0.20	\$0.00	0.0%
Prawns	608	\$0.20	\$0.20	\$0.00	0.0%
All Other Species 5% of mkt.value					

Total Revenue

The following Rates and Fees were established by
Resolution of the Sonoma County Board of Supervisors

**SPUD POINT MARINA
SCHEDULE OF RATES AND FEES
Effective June 1, 2009
COMMERCIAL FISHERY RATE SHEET**

A. PERMANENT BERTH HOLDERS – COMMERCIAL (based on \$ 6.55 per foot per month)

<u>Boat Length</u>	<u>Per Day</u>	<u>Per Month</u>	<u>Annual Rate</u>	<u>Ann. Rate includes 10% Savings below</u>	<u>Monthly for annual</u>
80'	17.47	524.00	5,659.20	(628.80)	471.60
70'	15.28	458.50	4,951.80	(550.20)	412.65
60'	13.10	393.00	4,244.40	(471.60)	353.70
56'	12.23	366.80	3,961.44	(440.16)	330.12
52'	11.35	340.60	3,678.48	(408.72)	306.54
48'	10.48	314.40	3,395.52	(377.28)	282.96
44'	9.61	288.20	3,112.56	(345.84)	259.38
40'	8.73	262.00	2,829.60	(314.40)	235.80
36'	7.86	235.80	2,546.64	(282.96)	212.22
32'	6.99	209.60	2,263.68	(251.52)	188.64
30'	<u>6.55</u>	<u>196.50</u>	<u>2,122.20</u>	<u>(235.80)</u>	<u>176.85</u>

B. TRANSIENT/GUEST BERTH RATES: COMMERCIAL

<u>Boat Length</u>	<u>Per Day</u>	<u>2 Days</u>	<u>3 Days</u>	<u>4 Days</u>	<u>5 Days</u>
Under 50'	24.57	49.14	73.71	98.28	122.85
51' TO 60'	26.73	53.46	80.19	106.92	133.65
61' TO 70'	29.49	58.98	88.47	117.96	147.45
71' TO 89'	31.69	63.38	95.07	126.76	158.45
90' and up	<u>34.17</u>	<u>68.34</u>	<u>102.51</u>	<u>136.68</u>	<u>170.85</u>

Boat owners without a current lease in effect will be charged the applicable transient rate for each day the boat is berthed at the Marina.

C. PUBLIC HOIST:

1. Permanent Berth Holders:
 - a) Equipment: May unload and load free of charge.
 - b) Seafood: 125 lbs. of fish or one fish box and 300 lbs. of crab free of charge thereafter, a \$15.00 minimum fee.
2. Transient and Non-Berth Holders:
 - a) Equipment: A charge of \$7.50 per 15 minutes for all loading and unloading.
 - b) Seafood: Minimum \$15.00 and appropriate wharfage rate.
3. Commercial Fish Buyers:
Fish Buying Permit: \$250.00 for six months.

4. Fish Off-Loading:

	<u>Permanent Berth Holders and Commercial Fish Buyers</u>	<u>Transient Vessels</u>
1. Salmon	.10 per lb.	.20 per lb.
2. Crab	.10 per lb.	.20 per lb.
3. Albacore/Swordfish	.10 per lb.	.20 per lb.
4. Sea Urchins	.10 per lb.	.20 per lb.
5. Shark	.10 per lb.	.20 per lb.
6. Rock Cod (line caught)	.10 per lb.	.20 per lb.
7. Drag Boat Caught	.10 per lb.	.20 per lb.
8. Prawns	.10 per lb.	.20 per lb.
9. All Other Species	5% of current market value	5% of current market value

D. PUMP OUT: Minimum charge = \$30.00 ; over 1/2 hour = \$60.00 ; additional times = \$60.00

E. PAYMENT DUE DATE/LATE PAYMENTS:

1. For lease bertholders, payment is due on the 1st of every month, and shall be paid without notice from the County. A 10% late fee will be assessed on the 6th of the month on the outstanding balance, and the late fee will be applied monthly to the outstanding balance, including but not limited to any previously imposed late fee, until the outstanding balance is paid in full. After 30 days, the deposit will be applied to the outstanding balance, the lease will be cancelled, and the boat and boat owner will be subject to legal process for removal of the boat from the Marina and payment of any outstanding fees and any costs related to removal. Once the lease is cancelled, the boat owner will be automatically charged at the higher transient rate for continued berthing of the boat, but late fees will continue to be applied monthly. The boat owner will be liable for any legal fees that might be incurred during the collection process, including but not limited to attorney's fees.
2. For transient berth holders, payment may be paid in advance for the days the berth will be occupied, or payment must be made each day a berth is occupied. Payments not made after 3 days of occupancy will be assessed a 10% late fee on the outstanding balance assessed every 5 days on the entire outstanding fee, including but not limited to any previously imposed late fee, until the outstanding balance is paid. In addition, the boat owner will be subject to legal process for removal of the boat from the Marina, payment of any outstanding fees and any costs related to removal, and will be liable for any legal fees that might be incurred during the collection process, including but not limited to attorney's fees.

F. RETURNED CHECK CHARGE: \$100.00 for the first instance; legal action will be taken for subsequent instances.

G. IMPOUNDMENT, ABANDONMENT, LOCATOR FEE, FAILURE TO REGISTER:

A \$175.00 fee will be charged, plus any expenses incurred in connection with action taken, including but not limited to attorney's fees.

H. KEY DEPOSITS: A \$50.00 deposit will be charged for each key issued, refundable upon return of key to the Marina Office WITHIN 30 DAYS OF CANCELLATION.

I. ELECTRICAL CHARGES:

Permanent Berth Holders:

A \$9.86 minimum will be charged regardless of whether or not power is used. All meters are read monthly and berth holders will be charged, per kilowatt-hour, for usage over the \$9.86 minimum pursuant to the PG&E Rate and Fee Schedule.

Transient/Guest Vessels:

For transient berth holders, a separate electricity charge will not be required unless the Marina determines the vessel is using a significant amount of power. In such case, the Marina reserves the right to read the meter and charge for the power used during the transient berthing period.

J. DAMAGE TO DOCK BOXES, SLIPS, OR EQUIPMENT:

Charges will be made accordingly for any damage done to Marina property.

K. FUEL PRICES:

Periodically assessed by the Sonoma County Board of Supervisors. Currently rates reflect a 42-cent (\$0.42) mark-up over cost on Diesel and a 52-cent (\$0.52) mark-up over cost on Unleaded.

L. ICE PRICES: \$80.00 per ton with a 600 lb. minimum.

M. LABOR:	General Services Dept Building Mechanic	\$77.11 per hour
	General Services Dept Painter	\$78.87 per hour
	Regional Parks Dept Marina Attendant	\$49.44 per hour
	Regional Parks & Grounds Maint Worker	\$49.38 per hour
	Regional Parks Dept Senior Marina Attendant	\$51.00 per hour
	Regional Parks Dept Marina Supervisor	\$62.46 per hour

N. WORK BOAT: \$167.00 per hour, \$83.50 per half hour. (2 attendants mandatory + labor cost)

- O. AUTHORIZED LIVE ABOARD FEE:** \$480.00 a month
- P. SLIP TRANSFER FEE:** \$50.00 each transfer
- Q. WAITING LIST/LIST OF INTEREST FEE:** \$25.00 yearly
- R. CREDIT CHECK FEE:** \$40.00 each credit check
- S. ADMINISTRATIVE FEE:** \$33.00 per Special Account Request
- T. BOAT DEALER FEE:** \$250.00 annual permit
- U. TRAILER STORAGE:** \$85.00 per month per space
- V. GENERAL PARKING:** \$7.50 per day or \$1.00 per hour
- W. PAY SHOWERS:** \$1.25 per 5 minutes

The following Rates and Fees were established by
Resolution of the Sonoma County Board of Supervisors

SPUD POINT MARINA
SCHEDULE OF RATES AND FEES
Effective June 1, 2009
RECREATIONAL BOATER RATE SHEET

A. PERMANENT BERTH HOLDERS – RECREATIONAL (based on \$ 8.00 per foot per month)

<u>Boat Length</u>	<u>Per Day</u>	<u>Per Month</u>	<u>Annual Rate</u>	<u>Ann. Rate includes 10% Savings below</u>	<u>Monthly for annual</u>
80'	21.33	640.00	6,912.00	(768.00)	576.00
70'	18.67	560.00	6,048.00	(672.00)	504.00
60'	16.00	480.00	5,184.00	(576.00)	432.00
56'	14.93	448.00	4,838.40	(537.60)	403.20
52'	13.87	416.00	4,492.80	(499.20)	374.40
48'	12.80	384.00	4,147.20	(460.80)	345.60
44'	11.73	352.00	3,801.60	(422.40)	316.80
40'	10.67	320.00	3,456.00	(384.00)	288.00
36'	9.60	288.00	3,110.40	(345.60)	259.20
32'	8.53	256.00	2,764.80	(307.20)	230.40
30'	<u>8.00</u>	<u>240.00</u>	<u>2,592.00</u>	<u>(288.00)</u>	<u>216.00</u>

B. TRANSIENT/GUEST BERTH RATES: RECREATIONAL

<u>Boat Length</u>	<u>Per Day</u>	<u>2 Days</u>	<u>3 Days</u>	<u>4 Days</u>	<u>5 Days</u>
Under 50'	30.00	60.00	90.00	120.00	150.00
51' TO 60'	36.00	72.00	108.00	144.00	180.00
61' TO 70'	42.00	84.00	126.00	168.00	210.00
71' TO 89'	48.00	96.00	144.00	192.00	240.00
90' and up	<u>54.00</u>	<u>108.00</u>	<u>162.00</u>	<u>216.00</u>	<u>270.00</u>

Boat owners without a current lease in effect will be charged the applicable transient rate for each day the boat is berthed at the Marina.

C. PUBLIC HOIST:

Permanent Berth Holders:

Equipment: May unload and load free of charge.

Transient and Non-Berth Holders:

Equipment: A charge of \$7.50 per 15 minutes for all loading and unloading.

D. PUMP OUT: Minimum charge = \$30.00; over 1/2 hour = \$60.00 ; additional times = \$60.00

E. PAYMENT DUE DATE/LATE PAYMENTS:

- For lease berthholders, payment is due on the 1st of every month, and shall be paid without notice from the County. A 10% late fee will be assessed on the 6th of the month on the outstanding balance, and the late fee will be applied monthly to the outstanding balance, including but not limited to any previously imposed late fee, until the outstanding balance is paid in full. After 30 days, the deposit will be applied to the outstanding balance, the lease will be cancelled, and the boat and boat owner will be subject to legal process for removal of the boat from the Marina and payment of any outstanding fees and any costs related to removal. Once the lease is cancelled, the boat owner will be automatically charged at the higher transient rate for continued berthing of the boat, but late fees will continue to be applied monthly. The boat owner will be liable for any legal fees that might be incurred during the collection process, including but not limited to attorney's fees.
- For transient berth holders, payment may be paid in advance for the days the berth will be occupied, or payment must be made each day a berth is occupied. Payments not made after 3 days of occupancy will be assessed a 10% late fee on the outstanding balance assessed every 5 days on the entire outstanding fee, including but not limited to any previously imposed late fee, until the outstanding balance is paid. In addition, the boat owner will be subject to legal process for removal of

the boat from the Marina and payment of any outstanding fees and any costs related to removal, and will be liable for any legal fees that might be incurred during the collection process, including but not limited to attorney's

- F. RETURNED CHECK CHARGE:** \$100.00 for first the instance; legal action taken for subsequent instances.
- G. IMPOUNDMENT, ABANDONMENT, LOCATOR FEE, FAILURE TO REGISTER:**
A \$175.00 fee will be charged, plus any expenses incurred in connection with action taken, including but not limited to attorney's fees.
- H. KEY DEPOSITS:** A \$50.00 deposit will be charged for each key issued, refundable upon return of key to the Marina Office WITHIN 30 DAYS OF CANCELLATION.
- I. ELECTRICAL CHARGES:**
Permanent Berth Holders:
A \$9.68 minimum will be charged regardless of whether or not power is used. All meters are read monthly and berth holders will be charged, per kilowatt-hour, for usage over the \$9.68 minimum pursuant to the PG&E Rate and Fee Schedule.
Transient/Guest Vessels:
For transient berth holders, a separate electricity charge will not be required unless the Marina determines the vessel is using a significant amount of power. In such case, the Marina reserves the right to read the meter and charge for the power used during the transient berthing period.
- J. DAMAGE TO DOCK BOXES, SLIPS, OR EQUIPMENT:**
Charges will be made accordingly for any damage done to Marina property.
- K. FUEL PRICES:**
Periodically assessed by the Sonoma County Board of Supervisors. Currently rates reflect a 42-cent (\$0.42) mark-up over cost on Diesel and a 52-cent (\$0.52) mark-up over cost on Unleaded.
- L. ICE PRICES:** \$80.00 per ton with a 600 lb. minimum.
- M. LABOR:**
- | | |
|---|------------------|
| General Services Department Building Mechanic | \$77.11 per hour |
| Painter | \$78.87 per hour |
| Regional Parks Department Marina Attendant | \$49.44 per hour |
| Parks & Grounds Maintenance Worker | \$49.38 per hour |
| Senior Marina Attendant | \$51.00 per hour |
| Marina Supervisor | \$62.46 per hour |
- N. WORK BOAT:** \$167.00 per hour, \$83.50 per half hour. (2 attendants mandatory + labor cost)
- O. AUTHORIZED LIVE ABOARD FEE:** \$480.00 a month
- P. SLIP TRANSFER FEE:** \$50.00 each transfer
- Q. WAITING LIST/LIST OF INTEREST FEE:** \$25.00 yearly
- R. CREDIT CHECK FEE:** \$40.00 each credit check
- S. ADMINISTRATIVE FEE:** \$33.00 Per Special Account Request
- T. TRAILER STORAGE:** \$85.00 PER MONTH PER SPACE
- U. GENERAL PARKING:** \$7.50 PER DAY OR \$1.00 PER HOUR
- V. PAY SHOWERS:** \$1.25 per 5 minutes
- W. BOAT DEALER FEE:** \$250.00 PERMIT ANNUAL

**Spud Point Marina
FY 2008/09 Rate Survey**

Exhibit C
Conducted February 2009

Facility	Proposed Fees FY 08/09 Spud Point Marina	Bodega Bay, CA Mason's Marina *	Brookings, OR Port of Brookings Harbor	Crescent City, CA Crescent City Harbor *
Fees				
Permanent Berth Rate Commercial Recreational	\$6.55 per foot \$8.00 per foot	\$6.00 per foot	\$10.16 per foot	\$5.50 per foot
Transient Berth Rate	\$0.60 per foot per day	\$0.66/ft/day 30' \$0.50/ft/day 40'	\$0.56 per foot per day	\$0.44 per foot per day + \$1.19
Oil Products	Chevron Delo \$9.80-\$10.06/gallon	DELO 15-40 quart \$3.99- gallon \$15.00 hydraulic fluid gallon \$13.00	Not Offered	Chevron Delo, 76 brands \$2-\$3 /qt
Live Aboard	\$480/month	Not Offered	Not offered	\$300/month for 2 \$75 for each other
Clothing	SPM T-shirt \$15 SPM Sweatshirt \$35 SPM Hat (plain) \$15 SPM Hat (single scramble) \$20 SPM Hat (double scramble) \$25	Not Offered	Not Offered	Not Offered
Public Hoist	Transient and non-berth holders: 1. Equipment: A charge of \$7.50 per 15 min. of loading/unloading 2. Seafood: Minimum of \$15 charge and appropriate wharfage rate	Not Offered	Not Offered	\$20.00 half hour
Fuel Diesel	Diesel \$2.98/gallon \$0.42	\$3.35/gallon	\$3.19/gallon	\$3.32/gallon
Gasoline	Unleaded \$3.20/gallon \$0.52	\$3.46/gallon	\$3.29/gallon	\$3.35/gallon
Pump Out	\$60 \$30.00 minimum	Not Offered	No charge	No charge for sewage. \$1.75/gallon + labor for waste oil/bilge
Work Boat (Towing)	\$182.40	Not Offered	\$80.00/hour	\$33.00/hour Labor Rate
Fish Offloading	\$0.10/lbs Permanent Berthing \$0.20/lbs Transient Berthing	Not Offered	Not offered	No charge
<u>Proposed New rates</u>				
Administrative Processing Fee	\$30.00	No charge for service	No charge for service	\$30
Boat Dealer Fee	\$250.00	No charge for service	No charge	No Charge
Returned check fee	\$100	No charge for service	\$25	\$20
Impoundment/Lien Process	\$150	No charge for service	Time for materials	Time and Materials costs
Key deposit	\$50	\$20	\$20	No charge
Electricity	\$9.68	Metered use	Metered Over \$20, invoiced	Metered
Ice	\$80	\$1.86/10lbs bag	Not offered	Not offered
Slip Transfer	\$50	No charge for service	No charge	\$500 charge for modifying lease, may include slip transfer
General Parking - Daily Rate	\$7.50	No charge for service	No charge	No charge
General Parking - Hourly Rate	\$1	No charge for service	No charge	No charge
Trailer Storage	\$85	\$100 full access	included in berthing rate	\$20/item (crab pots etc)
Commercial Activity Permit	\$250	No charge for service	\$200 cleaning deposit	No charge

**Spud Point Marina
FY 2008/09 Rate Survey**

Exhibit C
Conducted February 2009

Facility	Eureka Humboldt, CA Woodley Island Marina *	Fort Bragg, CA Noyo Harbor * Dolphin Isle	Half Moon Bay, CA Pillar Point Harbor *	Lost Isle, CA Lost Isle Marina *	Monterey, CA Monterey Municipal Marina *
Fees					
Permanent Berth Rate Commercial Recreational	\$3.90/ft/month \$3.25/ft/month	\$3.50 annual rate	\$7.94per foot + \$15.00 base	Did not respond to survey.	\$8.30 per foot
Transient Berth Rate	\$0.35 per foot per day	\$18/day up to 26' \$20/day 27-45' \$26/day 46'+	\$0.75 per foot per day	Did not respond to survey.	\$0.85 per foot per day
Oil Products	Not Offered	Chevron Delo \$13 gallon, 5 gallon bucket \$52 average pails	DELO 100-30 5 gallon \$55 DELO 100-44 5 Gallon \$70	Did not respond to survey.	Not Offered
Live Aboard	\$125.00/month up to 2 \$25.00 more/person	Not Offered	\$350/month	Did not respond to survey.	Half of the berth fee 15 liveaboard by ordinance
Clothing	Not Offered	Not Offered	Not Offered	Did not respond to survey.	Not Offered
Public Hoist	\$25.00 210 hoist/hour \$30.00 510 hoist/hour	Not Offered	\$30.00/hr pro rata \$5.00 minimum	Did not respond to survey.	\$1.50 for 15 minutes
Fuel Diesel	Not Offered	\$1.97	\$2.39	Did not respond to survey.	\$2.71 diesel
Gasoline	Not Offered	\$2.28	\$2.29		\$2.93 gasoline
Pump Out	Oily waste - free up to 50lbs, \$50/pound after Sewage free up to 50lbs, \$.25/pound after	\$10/use Transient Free for permanent	Emergency pumpout - \$90.00 minimum	Did not respond to survey.	No charge
Work Boat (Towing)	Not Offered	\$15 Tow inside basin \$20 outside	\$175/hour transient \$150/hour permanent	Did not respond to survey.	\$100/hour \$50 minimum
Fish Offloading	Not Offered	Not Offered	Fish Sales permit required \$225.00 per year	Did not respond to survey.	wharfage fee \$1.67/ton
<u>Proposed New rates</u>					
Administrative Processing Fee	\$40/hour	No charge for service	\$30.00	Did not respond to survey.	No charge for service
Boat Dealer Fee	No charge for service	No Charge	no charge	Did not respond to survey.	No Charge for service
Returned check fee	No charge for service	up to \$25	\$30	Did not respond to survey.	\$10
Impoundment/Lien Process	No charge for service	\$70	Cost +\$175	Did not respond to survey.	private contractor handles lien costs added to tab gate \$10, \$20 restroom.
Key deposit	\$20	\$20	\$10 each	Did not respond to survey.	
Electricity	\$100 deposit for plug, metered	included in berthing,	= to what district pays monthly	Did not respond to survey.	Included with berthing
Ice	Not offered	Not offered	\$22.50 600 lbs \$7.50 +200lbs	Did not respond to survey.	Not offered
Slip Transfer	No charge for service	No charge	No charge	Did not respond to survey.	No charge for service
General Parking - Daily Rate	No charge for service	No charge	No charge	Did not respond to survey.	\$8 single space \$12 double space
General Parking - Hourly Rate	No charge for service	No charge	No charge	Did not respond to survey.	Metered during 2am-9am
Trailer Storage	Storage charge - \$.25/ft/month Work area 1.15/ft/month	No charge	Has RV lot, \$30/night	Did not respond to survey.	Not offered
Commercial Activity Permit	No charge for service	Time and materials	\$250/year	Did not respond to survey.	Not offered

**Spud Point Marina
FY 2008/09 Rate Survey**

Exhibit C
Conducted February 2009

Facility	Moss Landing, CA Moss Landing Harbor *	Rio Vista, CA Delta Yacht Marina *	Rio Vista, CA Oxbow Marina *	Rio Vista, CA Village West Marina*
Fees				
Permanent Berth Rate Commercial Recreational	\$6.25 per foot	\$6.10-\$9.96 based on size of vessel.	\$7.74-\$10.50 based on size of vessel.	\$6.00-\$8.33 based on size of vessel.
Transient Berth Rate	\$0.80/foot/day \$10.18/ft/month	\$0.75 per foot per day	\$0.75 per foot per day	\$10.00/day
Oil Products	\$3.00-\$5.00 per quart. All grades of Chevron DELO oil	Not Offered	Shell products didn't quote price	Not Offered
Live Aboard	\$120/person/month	Not Offered	\$50/month	No live aboard
Clothing	Not Offered	Not Offered Full service chandlery store	Not Offered	Not Offered
Public Hoist	Currently out of order.	Not Offered	Not Offered	Not Offered
Fuel Diesel	\$2.30	\$3.34/gallon	\$3.37	\$2.54/gallon
Gasoline	\$2.40 \$3.18 at time of calling	\$3.65/gallon	\$3.42	\$2.19/gallon
Pump Out	None	Oily waste - free up to 50lbs, \$50/pound after Sewage free up to 50lbs, \$0.25/pound after	Free	No Charge
Work Boat (Towing)	\$150 one way	Not Offered	Not Offered	Not Offered
Fish Offloading	No charge	Not Offered	Not Offered	Not Offered
<u>Proposed New rates</u>				
Administrative Processing Fee	No charge for service	No charge for service	No charge for service	No charge for service
Boat Dealer Fee	\$120 quarterly (not just boats)	No	No	No
Returned check fee	\$25	\$30	\$25	\$15
Impoundment/Lien Process	\$150 + time and materials private contractor	No charge for service	No charge for service	\$120
Key deposit	\$25	first free, additional \$5 key is for bathroom	\$20 10 pool	\$20 gate card \$25 FOB
Electricity	\$40.82 (included in Amenity fee)	metered	metered	metered, read 1once month some docks have
Ice	Not offered	not offered	\$1.95 7lbs \$ 2.50 block \$4.50 20lbs	\$3.00 bag.
Slip Transfer	Not offered	Not offered	No charge	no charge
General Parking - Daily Rate	\$8/day (\$80/month permit)	Not offered	No charge	no charge
General Parking - Hourly Rate	\$3/4hrs \$5/12hrs, \$8/24	Not offered	No charge	no charge
Trailer Storage	Not offered	Not offered	No charge	\$25 trailer, 65 boat and trail
Commercial Activity Permit	\$125 +CEQA fees if appl'c	Not offered	\$250 cleaning deposit	not offered

**Spud Point Marina
FY 2008/09 Rate Survey**

Exhibit C
Conducted February 2009

Facility	San Francisco Bay, CA SF Yacht Harbor *	Santa Cruz CA Santa Cruz Harbor *
Fees		
Permanent Berth Rate Commercial Recreational	\$7.68-\$9.86 per foot	\$10.13 base Price varies based on type of dock
Transient Berth Rate	\$0.70/ft - \$1.30/ft	\$0.70/foot 1-14 days \$1.00/foot 15+ days
Oil Products	Not Offered	2 stroke oil \$9.99 16 fl, hydraulic fluid. DELO 400 SAE30 1 gallon \$16.99, quarts \$4.99 DELO quart
Live Aboard	Not Offered	\$100/month 1st person \$100 additional Utilities 30% of slip rate
Clothing	Not Offered	\$5.99-\$25.00 \$49.99 Not Offered Not Offered Not Offered
Public Hoist	Not Offered	No charge to use Public Hoist
Fuel Diesel	Not Offered	\$3.18/gallon
Gasoline	Not Offered	\$3.10/gallon \$2.96/gallon (commercial)
Pump Out	\$5.00/incident \$75 1st incident \$125 each incident after	No charge
Work Boat (Towing)	\$75 (standard) \$100 marina to marina	\$50 (inner harbor towing)
Fish Offloading	Not offered	\$0.05 - \$0.10 per lbs, depending on species
<u>Proposed New rates</u>		
Administrative Processing Fee	No charge for service	No charge for service
Boat Dealer Fee	No Charge	No charge
Returned check fee	\$50	no
Impoundment/Lien Process	\$150/incident, \$30/day to store boat.	\$140
Key deposit	\$50.00 per key for transient	\$40, \$20 each additional
Electricity	\$125.00 per adapter	\$75 for adapter
Ice	no offered	no
Slip Transfer	\$45 for 20'-34' \$65 for 34' -45' \$85 for 46'+ \$7.50 parking sticker incl'd with berth	no charge for service
General Parking - Daily Rate	no hourly rate	\$5.00
General Parking - Hourly Rate		\$0.75
Trailer Storage	none, storage lockers \$25/mo	\$5/night \$20 launch ramp
Commercial Activity Permit	handled by County Permit	\$200

Resolution No.: _____

County Administration Building
Santa Rosa, California

Dated: _____

RESOLUTION OF THE BOARD OF SUPERVISORS,
COUNTY OF SONOMA, STATE OF CALIFORNIA,
AUTHORIZING INCREASES TO THE SPUD POINT
MARINA FEES FOR PERMANENT BERTHING,
TRANSIENT/GUEST BERTHING, AND OTHER
SPECIFIED FEES

WHEREAS, the County of Sonoma owns and operates Spud Point Marina; and

WHEREAS, it is in the interest of the County to operate Spud Point Marina to respond to commercial and recreational fishing and boating needs of the community; and

WHEREAS, pursuant to Section 20-53 of the Code of the County of Sonoma, the Board of Supervisors has established rates for services, rents, fees, and other charges ("fees") for the orderly operation of the Marina; and

WHEREAS, the Director of Regional Parks has recommended that the Board of Supervisors of the County of Sonoma adopt increases in fees for permanent and transient berthing, and other service charges as detailed in the attached Exhibit A titled "Fee and Revenue Summary Chart" and the procedures contained in Exhibit B titled "Schedule of Rates and Fees" ; and

WHEREAS, the Spud Point Marina Advisory Committee has reviewed the proposed rate increases for services, rents, fees and other charges; and

WHEREAS, the additional revenue generated by the fee increases will be used to offset staffing, operation and maintenance costs;

NOW THEREFORE, BE IT RESOLVED, that the Board of Supervisors of the County of Sonoma hereby adopts, effective June 1, 2009, the fees specified in Exhibit A titled "Fee and Revenue Summary Chart" and associated procedures in Exhibit B titled "Schedule of Rates and Fees."

BE IT FURTHER RESOLVED, that the Board of Supervisors of the County of Sonoma hereby continues the offset of A-87 costs to Spud Point Marina in the amount of \$94,614, reducing administration costs (A-87) charged to Spud Point Marina to \$42,784 for FY 09/10.

Supervisors:

Brown:_____Kerns:_____Zane:_____Carrillo:_____Kelley:_____

Ayes:_____Noes:_____Abstain:_____Absent:_____

SO ORDERED.