

**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) 849-0174

Board Date:
9/15/09

Deadline for Board Action:

AGENDA SHORT TITLE:

FY 09-10 Spud Point Marina Fee Readjustments

REQUESTED BOARD ACTION:

Adopt Resolution approving reduction of the FY 09-10 fee rates for live-aboard, parking, shower, and fish offloading fees, and minor administrative adjustments to the rate documents for fees at Spud Point Marina, to become effective retroactively to June 1, 2009.

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):

4/21/09 – Board adopted SPM fee increases that became effective 6/1/09.

Alternatives - Results of Non-Approval:

1. Do not approve fee reductions/miscellaneous corrections: Fees would continue to be implemented at rates adopted on 4/21/09. Inadvertent clerical errors in adopted documents would not be corrected.
2. Adopt resolution approving alternate fee rates and direct staff to implement pursuant to applicable regulatory requirements.

BACKGROUND:

Discussion

Recent Actions

On April 21, 2009, the Board of Supervisors held its annual consolidated fee hearing for adjustment of County fees. Fee increases for Spud Point Marina (Marina) were included in the adjustments proposed by the Regional Parks Department for FY 09-10. During the hearing, the Board received public testimony in opposition to some of the proposed Marina fees. The Board determined that the fee changes were necessary in order to address ongoing Marina operating costs, and adopted the adjustments as recommended. Board members also expressed interest in strengthening the ongoing relationship with the Marina community.

Since that time, Regional Parks staff has worked with the 5th District Supervisor and with Marina stakeholders to resolve issues of concern related to Spud Point Marina. A public meeting was held May 26, 2009, to discuss the financial state of the Marina and stakeholder concerns, and to promote community awareness and involvement in the development of a plan to secure the future of the Marina. Changes to some of the adopted Marina fees were also discussed.

Proposed Fee Changes

As an outcome of the April fee hearing and the May stakeholders meeting, Regional Parks now proposes to reduce or restructure four Marina fee rates, including live-aboard, parking, shower, and fish offloading. These fees are being modified to better align them with rates charged by other market area facilities, and to minimize further economic impacts to Marina customers already adversely affected by current fishing season conditions. In particular, the department proposes to:

- Restructure the live-aboard fee from a 4-person base occupancy charge of \$480 per month as adopted April 21, 2009, to now reflect a 2-person base of \$325 per month with an additional charge of \$75 per person for vessel occupancies greater than 2 persons.
- Eliminate the \$1.00 hourly parking fee and reduce the daily rate from \$7.50 to \$6.00. Two annual parking passes will be provided at no charge for all permanent Marina berth holders, and an additional two passes issued to commercial berth holders during fishing season.

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

On File With Clerk:

CLERK OF THE BOARD USE ONLY

Board Action (If other than "Requested")

Vote:

BACKGROUND: (cont)

- Reduce shower fees from \$1.50 to \$0.50 for 5 minute increments.
- Reduce fish offloading rates to levels 50% below the adopted FY 08-09 rates for permanent berth holders and 25% below the FY 08-09 rates for transient vessels.

Lastly, clarifying language changes are proposed to the titles, units of measure, and other descriptive information for some fees listed in the summary documents that were presented at the April 21, 2009 consolidated fee hearings. All of the proposed changes are contained in the attached Readjusted Fee and Revenue Summary Chart (Exhibit A) and Fee Rate Sheets (Exhibit B).

Regional Parks continues to work closely with the Bodega fishing and boating community, and is monitoring Marina activity and the impacts of all Spud Point Marina fees, in light of current difficult economic conditions. The department will return to the Board for further direction as necessary. The proposed fee adjustments will assist our fishing industry customers, and are anticipated to reduce revenues by approximately \$20,000 for FY 09-10. However, this represents less than 1% of the Marina's total annual revenue, so the Department is not requesting a budgetary adjustment associated with these fee modifications.

Regulatory Compliance

Section 20-53 of the Sonoma County Code permits the Board of Supervisors to establish by resolution, rates for services and fees "as may be necessary for the orderly operation of the Marina." The proposed fee reductions remain in alignment with prevailing rates for other facilities within the Spud Point Marina market area, and are consistent with the requirements of the July 2007 Settlement Agreement executed with the California Department of Boating and Waterways. The Spud Point Marina Advisory Committee was provided a 30-day notice of the proposed changes pursuant to Section 71.7.5(a) of the Harbors and Navigation Code, and a public notice of the fee hearing was published in accordance with Section 6062a of the California Government Code.

The Marina fees adopted by the Board in April technically became effective as of June 1, 2009. However, Regional Parks has withheld billings and imposition of the new fee rates until the proposed readjustments are put into place. Following Board approval of the attached resolution, staff will invoice customers for services beginning June 1, 2009, based upon the readjusted fee schedule for Spud Point Marina.

County Counsel has recommended that the Sonoma County Code provisions associated with the Marina be updated to provide better alignment with the adopted fee structure and Marina reorganization. Staff anticipates bringing these code updates forward for Board approval within the next few months.

Recommendation

Adopt Resolution approving reduction of the FY 09-10 fee rates for live-aboard, parking, shower, and fish offloading fees, and minor administrative adjustments to the rate documents for fees at Spud Point Marina, to become effective retroactively to June 1, 2009.

REGIONAL PARKS DEPARTMENT	FY 09-10 BUDGET UNITS OF SERVICE	FY 08-09 RATE	FY 09-10 PROPOSED RATE	DOLLAR CHANGE	RATE PERCENT CHANGE	FY 09-10 REVENUE INCREASE DUE TO RATE CHANGE
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Spud Point Marina Fee Impacts FY 09-10

Index: 290106

PROPOSED FEE REDUCTIONS

Existing fees reduced below FY 08-09 rates:

FISH OFFLOADING PRICES:

Permanent Berth Holders/Commercial Fish Buyers:

Fish Price Per Lb.

Salmon	32,427	\$0.10	\$0.05	(\$0.05)	-50.0%	(\$1,621)
Crab	85,120	\$0.10	\$0.05	(\$0.05)	-50.0%	(\$4,256)
Albacore/Swordfish	1,946	\$0.10	\$0.05	(\$0.05)	-50.0%	(\$97)
Sea Urchine	4,864	\$0.10	\$0.05	(\$0.05)	-50.0%	(\$243)
Shark	1,946	\$0.10	\$0.05	(\$0.05)	-50.0%	(\$97)
Rock Cod	4,864	\$0.10	\$0.05	(\$0.05)	-50.0%	(\$243)
Drag Boat Catch	4,864	\$0.10	\$0.05	(\$0.05)	-50.0%	(\$243)
Prawns	4,864	\$0.10	\$0.05	(\$0.05)	-50.0%	(\$243)
All Other Species 5% of mkt.value						
Total Revenue						(\$7,045)

Transient Vessels:

Fish Price Per Lb.

Salmon	4,054	\$0.20	\$0.15	(\$0.05)	-25.0%	(\$203)
Crab	10,640	\$0.20	\$0.15	(\$0.05)	-25.0%	(\$532)
Albacore/Swordfish	244	\$0.20	\$0.15	(\$0.05)	-25.0%	(\$12)
Sea Urchine	487	\$0.20	\$0.15	(\$0.05)	-25.0%	(\$24)
Shark	244	\$0.20	\$0.15	(\$0.05)	-25.0%	(\$12)
Rock Cod	487	\$0.20	\$0.15	(\$0.05)	-25.0%	(\$24)
Drag Boat Catch	487	\$0.20	\$0.15	(\$0.05)	-25.0%	(\$24)
Prawns	608	\$0.20	\$0.15	(\$0.05)	-25.0%	(\$30)
All Other Species 5% of mkt.value						
Total Revenue						(\$863)

Justification: Proposed rates reflect a downward adjustment from the fees adopted 4/21/09, which were unchanged from FY 08-09 rates. Input from public meetings and further analysis of other facility fees has resulted in reduction from \$0.10 to \$0.05 per lb. for permanent berthholders, and from \$0.20 to \$0.15 per lb. for transient vessels.

FY 09-10 FEE INCREASES (over FY 08-09 rates)

Policy Changes (includes new fees & increases greater than COLA):

General Parking - Daily Rate

per day	10	\$0.00	\$6.00	\$6.00	100.0%	\$21,900
Total Revenue						\$21,900

Justification: This new fee was introduced for implementation in FY 09-10. Proposed rate reflects a downward adjustment from the fee adopted 4/21/09. Input from public meetings and further analysis of other facility fees has resulted in elimination of the \$1.00 hourly parking rate adopted 4/21/09, along with reduction of the daily rate from \$7.50 to \$6.00, to be consistent with daily charges imposed at other county park facilities. The fee allows two (2) annual parking passes for each permanent berth holder, and two (2) additional fishing-season passes for commercial berth holders.

Pay Showers

per 5 minutes	1,500	\$0.00	\$0.50	\$0.50	100.0%	\$750
Total Revenue						\$750

Justification: This new fee was introduced for implementation in FY 09-10. Proposed rate reflects a downward adjustment from the fee adopted 4/21/09. Input from public meetings and further analysis of other facility fees has resulted in reduction of the rate from \$1.25 for a 5 minute shower to \$0.50 per 5 minutes, consistent with other County park facilities.

Boat Dealer Fee

annual permit	5	\$0.00	\$250.00	\$250.00	100.0%	\$1,250
Total Revenue						\$1,250

Justification: This new fee was introduced for implementation in FY 09-10, and 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.

Trailer Storage

per month	156	\$0.00	\$85.00	\$85.00	100.0%	\$159,120
Total Revenue						\$159,120

Justification: This new fee was introduced for implementation in FY 09-10, and is charged for storage of trailers at the marina. The department is currently monitoring the impact of this fee on berth holders.

Readjusted September 15, 2009
FY 09-10 FEE AND REVENUE SUMMARY CHART

Exhibit A

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

Commercial Activity Permit

per event	1	\$0.00	\$250.00	\$250.00	100.0%		\$3,000
Total Revenue							\$3,000

Justification: This new fee was introduced for implementation in FY 09-10, and is charged for private uses of the marina for activities such as professional filming and commercial events. The department continues to monitor the impacts of these activities and this fee for future re-evaluation.

Authorized live-aboard

Per month - maximum 2 persons;	15	\$300.00	\$325.00	\$25.00	8.3%		\$5,700								
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">\$75 per month each additional person</td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> <td style="width: 10%;"></td> </tr> </table>							\$75 per month each additional person								\$5,700
\$75 per month each additional person															
Total Revenue							\$5,700								

Justification: Fee reflects restructuring from a 4-person base occupancy charge of \$480 per month adopted 4/21/09, to a 2-person base of \$325 per month, following input from public meetings and further analysis of other facility fees. The new rate represents an 8.3% increase over the FY 08-09 base rate. An additional \$75 charge per person per month is imposed for total vessel occupancies greater than 2 persons. Live aboards are also required to pay the established berthing rate for their boat and they help to monitor the marina at night.

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%	\$1,392
70	\$18.67	6	\$6.55	\$8.00	\$1.45	22.1%	\$6,821
60	\$16.00	6	\$6.55	\$8.00	\$1.45	22.1%	\$6,431
56	\$14.93	5	\$6.55	\$8.00	\$1.45	22.1%	\$4,911
52	\$13.87	9	\$6.55	\$8.00	\$1.45	22.1%	\$8,107
48	\$12.80	12	\$6.55	\$8.00	\$1.45	22.1%	\$9,822
44	\$11.73	25	\$6.55	\$8.00	\$1.45	22.1%	\$18,864
40	\$10.67	18	\$6.55	\$8.00	\$1.45	22.1%	\$12,472
36	\$9.60	24	\$6.55	\$8.00	\$1.45	22.1%	\$14,733
32	\$8.53	20	\$6.55	\$8.00	\$1.45	22.1%	\$10,913
30	\$8.00	14	\$6.55	\$8.00	\$1.45	22.1%	\$7,308
Total Revenue							\$101,775

Justification: Prior to January 1, 2009, when AB990 was passed, recreational vessels paid the same as commercial vessels. In the past, fee increases for recreational vessels have not caused a net decrease in revenues. The recreational berthing fee for SPM is currently in the upper half of Marinas surveyed in the market area.

Transient/Guest Berth - Recreational (based on \$0.60 per foot per day)

Boat Length in feet	Day						
50	\$30.00	500	\$24.57	\$30.00	\$5.43	22.1%	\$2,715
60	\$36.00	400	\$26.73	\$36.00	\$9.27	34.7%	\$3,708
70	\$42.00	200	\$29.49	\$42.00	\$12.51	42.4%	\$2,502
80	\$48.00	200	\$31.69	\$48.00	\$16.31	51.5%	\$3,262
90	\$54.00	200	\$34.17	\$54.00	\$19.83	58.0%	\$3,966
Total Revenue							\$16,153

Justification: Prior to January 1, 2009, when AB990 was passed, recreational vessels paid the same as commercial vessels. The table reflects a rate change for recreational transient vessels from \$0.49 per foot, per day in FY 08-09 to \$0.60 for FY 09-10. Comparison survey shows SPM at upper half of surveyed Marinas within the Spud Point Marina market area. The department will monitor and evaluate the impact of the fee increase.

Administrative Processing Fee

per request	60	\$30.00	\$33.00	\$3.00	10.0%		\$180
Total Revenue							\$180

Justification: This fee reflects the cost of customer requests for administrative services. Staff rates increased in FY 09-10.

Returned check fee

per incidence	6	\$30.00	\$100.00	\$70.00	233.3%		\$420
Total Revenue							\$420

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.

Impoundment/Lien Process

per incidence	12	\$25.00	\$175.00	\$150.00	600.0%		\$1,800
Total Revenue							\$1,800

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.

Key deposit

per key	54	\$20.00	\$50.00	\$30.00	150.0%		\$1,620
Total Revenue							\$1,620

Justification: To discourage key theft and to provide for key replacement.

Readjusted September 15, 2009
FY 09-10 FEE AND REVENUE SUMMARY CHART

Exhibit A

REGIONAL PARKS DEPARTMENT	FY 09-10 BUDGET UNITS OF SERVICE	FY 08-09 RATE	FY 09-10 PROPOSED RATE	DOLLAR CHANGE	RATE PERCENT CHANGE	FY 09-10 REVENUE INCREASE DUE TO RATE CHANGE
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FEES NOT CHANGING FROM FY 08-09 RATES

OIL

PRODUCT	UNIT						
Super Blue degreaser	Pail	31	\$48.52	\$48.52	\$0.00	0.0%	\$0
Grease Regular	Tube	32	\$3.49	\$3.49	\$0.00	0.0%	\$0
Corrosion Block Grease	Tube	36	\$12.04	\$12.04	\$0.00	0.0%	\$0
Starting Fluid - Pyroil	Can	38	\$2.65	\$2.65	\$0.00	0.0%	\$0
Penetrant - Pyroil	Can	30	\$3.13	\$3.13	\$0.00	0.0%	\$0
Degreaser – can only	Can	24	\$4.51	\$4.51	\$0.00	0.0%	\$0
A.T.F.	Quart	36	\$3.47	\$3.47	\$0.00	0.0%	\$0
Corrosion Block/Spray	Can	24	\$17.96	\$17.96	\$0.00	0.0%	\$0
Soltron	Bottle	24	\$19.88	\$19.88	\$0.00	0.0%	\$0
Silicone Spray Can	Can	20	\$2.50	\$2.50	\$0.00	0.0%	\$0
Absorbent Pads	Sheet	87	\$0.56	\$0.56	\$0.00	0.0%	\$0
Total Revenue							\$0

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

Boat Length in feet	Day						
80	\$17.47	-	\$6.55	\$6.55	\$0.00	0.0%	\$0
70	\$15.28	3	\$6.55	\$6.55	\$0.00	0.0%	\$0
60	\$13.10	5	\$6.55	\$6.55	\$0.00	0.0%	\$0
56	\$12.23	8	\$6.55	\$6.55	\$0.00	0.0%	\$0
52	\$11.35	5	\$6.55	\$6.55	\$0.00	0.0%	\$0
48	\$10.48	11	\$6.55	\$6.55	\$0.00	0.0%	\$0
44	\$9.61	20	\$6.55	\$6.55	\$0.00	0.0%	\$0
40	\$8.73	16	\$6.55	\$6.55	\$0.00	0.0%	\$0
36	\$7.86	15	\$6.55	\$6.55	\$0.00	0.0%	\$0
32	\$6.99	16	\$6.55	\$6.55	\$0.00	0.0%	\$0
30	\$6.55	11	\$6.55	\$6.55	\$0.00	0.0%	\$0
Total Revenue							\$0

Transient/Guest Berth - Commercial (based on an incremental rate of \$0.49 to \$0.38 per foot per day)

Boat Length in feet	Day						
50	\$24.57	500	\$24.57	\$24.57	\$0.00	0.0%	\$0
60	\$26.73	400	\$26.73	\$26.73	\$0.00	0.0%	\$0
70	\$29.49	200	\$29.49	\$29.49	\$0.00	0.0%	\$0
80	\$31.69	200	\$31.69	\$31.69	\$0.00	0.0%	\$0
90	\$34.17	200	\$34.17	\$34.17	\$0.00	0.0%	\$0
Total Revenue							\$0

Clothing (tax incl.)

PRODUCT							
SPM T-shirt	145	\$15.00	\$15.00	\$0.00	0.0%	\$0	
SPM Sweatshirt	79	\$35.00	\$35.00	\$0.00	0.0%	\$0	
SPM Hat (plain)	10	\$15.00	\$15.00	\$0.00	0.0%	\$0	
SPM Hat (single scramble)	10	\$20.00	\$20.00	\$0.00	0.0%	\$0	
SPM Hat (double scramble)	10	\$25.00	\$25.00	\$0.00	0.0%	\$0	
Total Revenue							\$0

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%	\$0	
2. Seafood: Minimum of \$15.00 charge and appropriate wharfage rate	120	\$15.00	\$15.00	\$0.00	0.0%	\$0	
Total Revenue							\$0

Commercial Fish Buyers Permit

	1	\$250.00	\$250.00	\$0.00	0.0%	\$0	
Total Revenue							\$0

Waiting List/Interest List Fee

annual charge	0	\$25.00	\$25.00	\$0.00	0.0%	\$0
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Credit Check Fee

per credit check	12	\$40.00	\$40.00	\$0.00	0.0%	\$0
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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>Annual Rate Savings (10%)</u>	<u>Monthly Cost 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	.05 per lb.w/lease	.15 per lb.
2. Crab	.05 per lb.w/lease	.15 per lb.
3. Albacore/Swordfish	.05 per lb.w/lease	.15 per lb.
4. Sea Urchins	.05 per lb.w/lease	.15 per lb.
5. Shark	.05 per lb.w/lease	.15 per lb.
6. Rock Cod (line caught)	.05 per lb.w/lease	.15 per lb.
7. Drag Boat Caught	.05 per lb.w/lease	.15 per lb.
8. Prawns	.05 per lb.w/lease	.15 per lb.
9. All Other Species	5% of current market value	5% of current market value

D. EMERGENCY PUMP OUT (Dewater sinking boat): Minimum charge per incidence = \$30.00 for first 1/2 hour; over 1/2 hour = \$30.00 per 30-minute increment of service time or portion thereof.

E. PAYMENT DUE DATE/LATE PAYMENTS:

1. For lease berth holders, 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 \$9.68 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. Current 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	\$76.05 per hour
General Services Dept Painter	\$73.01 per hour
Regional Parks Dept Marina Attendant	\$55.62 per hour
Regional Parks & Grounds Maint. Worker	\$54.36 per hour
Regional Parks Dept Senior Marina Attendant	\$58.72 per hour
Regional Parks Dept Marina Supervisor	\$70.12 per hour

N. WORK BOAT: Minimum charge of \$167.20 per incident, \$83.60 per additional 30 minute increment after the first hour (minimum of 2 Marina attendant staff is mandatory)**O. AUTHORIZED LIVE ABOARD FEE:** \$325.00 per month, maximum of 2 persons; \$75 per month for each additional person.**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 PROCESSING FEE:** \$33.00 per special account request**T. BOAT DEALER FEE:** \$250.00 annual permit**U. COMMERCIAL ACTIVITY PERMIT:** \$250.00 per event.**V. TRAILER STORAGE:** \$85.00 per month per space**W. GENERAL PARKING:** \$6.00 per day. Two (2) annual parking passes will be issued at no charge for each permanent berth holder, and two (2) additional fishing-season passes for commercial berth holders.**X. PAY SHOWERS:** \$0.50 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>Annual Rate Savings (10%)</u>	<u>Monthly Cost 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. EMERGENCY PUMP OUT (Dewater sinking boat): Minimum charge per incidence = \$30.00 for first 1/2 hour; over 1/2 hour = \$30.00 per 30-minute increment of service time or portion thereof.

E. PAYMENT DUE DATE/LATE PAYMENTS:

1. For lease berth holders, 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 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.

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R. CREDIT CHECK FEE: \$40.00 each credit check

S. ADMINISTRATIVE PROCESSING FEE: \$33.00 per special account request

T. TRAILER STORAGE: \$85.00 per month per space

U. GENERAL PARKING: \$6.00 per day. Two (2) annual parking passes will be issued at no charge for each permanent berth holder.

V. PAY SHOWERS: \$0.50 per 5 minutes

W. BOAT DEALER FEE: \$250.00 annual permit

Resolution No.: _____

County Administration Building
Santa Rosa, California

Dated: _____

RESOLUTION OF THE BOARD OF SUPERVISORS, COUNTY OF SONOMA,
STATE OF CALIFORNIA, APPROVING REDUCTION OF THE FY 09-10
FEE RATES FOR LIVE-ABOARD, PARKING, SHOWER, AND FISH
OFFLOADING FEES, AND MINOR ADMINISTRATIVE ADJUSTMENTS
TO THE RATE DOCUMENTS FOR SPUD POINT MARINA

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, on April 21, 2009 the Board of Supervisors adopted Resolution No. 09-0370 authorizing increases to Spud Point Marina Fees to become effective June 1, 2009; and

WHEREAS, upon consideration of testimony and comments received at the April 21, 2009 Board of Supervisors fee hearing, and at public meetings held by Regional Parks on May 26, 2009 and the Spud Point Marina Advisory Committee on July 31, 2009, the Director of Regional Parks has recommended that the Board of Supervisors of the County of Sonoma now reduce or restructure the Spud Point Marina fees for live-aboard, parking, showers, and fish offloading, and approve minor administrative adjustments, 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 been duly notified pursuant to Section 71.7.5(a) of the Harbors and Navigation Code and has reviewed the proposed rate adjustments; and

WHEREAS, the Board of Supervisors of the County of Sonoma finds that the proposed adjustments to Spud Point Marina fees serve the interests of the County and the public;

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."

Supervisors:

Brown:_____Kerns:_____Zane:_____Carrillo:_____Kelley:_____

Ayes:_____Noes:_____Abstain:_____Absent:_____

SO ORDERED.