

RESOLUTION NO. 23-146

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA DIRECTING THE CITY CLERK TO CORRECT CLERICAL ERRORS BY CORRECTING A FEE IN RESOLUTION 23-079 ADOPTED ON JUNE 13, 2023, WHICH BECAME EFFECTIVE ON JULY 1, 2023, OR AS PROVIDED THEREIN, AND AMEND THE CITY OF SANTA BARBARA SCHEDULE OF PENALTIES, FEES, AND SERVICE CHARGES

WHEREAS, the City Council adopted Resolution No. 23-079 Amending the City of Santa Barbara Schedule of Penalties, Fees, and Service Charges on June 13, 2023 as part of the Operating and Capital Budget for Fiscal Year 2024;

WHEREAS, the final adopted resolution contained a clerical error that Council directs the City Clerk to correct by inserting the correct fee for Vessels Measuring 43 Feet in Length into Waterfront Harbor Slip, mooring, and User Fees attached hereto as Attachment A; and

WHEREAS, the fee adjustment as corrected is consistent with the direction received from Council during budget deliberations.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT the Council hereby directs the City Clerk to correct the fee attached hereto as Attachment A into Resolution No. 23-079, adopted on June 13, 2023, effective July 1, 2023, or as provided herein.

RESOLUTION NO. 23-078

A RESOLUTION OF THE COUNCIL OF THE CITY OF SANTA BARBARA AMENDING THE CITY OF SANTA BARBARA SCHEDULE OF PENALTIES, FEES, AND SERVICES CHARGES

WHEREAS, the City provides, maintains, and operates a variety of programs and services to the public;

WHEREAS, certain sections of the state and municipal code authorize the imposition and collection of fees to defray the costs of providing certain programs and services; and,

WHEREAS, certain fee schedules as attached cite the specific state or municipal authority under which fees and charges are collected.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF SANTA BARBARA THAT:

Section 1. The Council hereby determines and finds that:

a. Funds are needed to defray the cost of providing programs and services furnished by the City.

b. The funds needed to defray such operating expenses can and should be obtained by setting fees and charges for these programs and services.

c. The setting of fees and charges for these programs and services is exempt from compliance with the requirements of the California Environmental Quality Act (CEQA) under Public Resources Code Section 21080(b)(8)(1)-(4) and Title 14 of the California Administrative Code, Section 15273(a)(1)-(4).

Section 2. The penalties, fees, and service charges for the Fiscal Year 2024 are adopted as set forth in the City of Santa Barbara Schedule of Penalties, Fees, and Service Charges, attached hereto.

Section 3. The penalties, fees, and service charges contained in the attached schedule shall be effective July 1, 2023, unless otherwise indicated.

Section 4. The City of Santa Barbara schedule of penalties, fees, rates and service charges as adopted or amended by Resolution Nos. 22-061, 21-058, 21-050, 20-089, 20-047, 19-039, 19-040, 19-061, 19-080, 19-081, are hereby amended as set forth in this resolution.

Section 5. All other fee resolutions in effect and not amended herein, shall remain in full force.

WATERFRONT HARBOR SLIP, MOORING, AND USER FEES

Fees for the privilege of mooring, anchoring, or tying up vessels in any part of the Harbor or for using City Harbor facilities or services identified herein shall be as follows:

A. MOORING AND SLIP FEES

The following rate and fee schedule shall apply to vessels having assigned a Permit for moorings or slips in the harbor.

1. Fishermen's Floats North and South

Per foot of vessel length per month: \$6.38. This rate shall also apply to up to 18 slips in Marina 1-A, designated by the Waterfront Director for qualifying commercial fishermen.

2. Skiff Row

Provided that the area is intended primarily for the docking of skiffs that serve as tenders to mother vessels moored or anchored in the Harbor District and secondarily on a space available basis to skiffs as determined by the Harbormaster, including service skiffs used by Business Activity Permit holders and skiffs used for harbor and vessel maintenance. All skiffs will be measured and photographed prior to permit issuance. Skiff Row Permits are assigned on a first-come, first-served basis.

Annual Fee. An annual non-refundable fee of \$250 shall be charged for a permit for Skiff Row or prorated at a rate of \$25 per month or any part, thereof. Annual Skiff Row Permit Fee is due October 1.

- a. Maximum of 80 permits issued at any one time.
- b. No more than one permit per individual.
- c. Maximum overall length of 15' per skiff, including mounted engine, unless authorized by the Waterfront Director or his/her designee.
- d. Maximum beam of 6' unless authorized by the Waterfront Director or his/her designee.
- e. Permits shall not be issued to vessels on Skiff Row that serve as transport to mother ships unless the mother ship measures a minimum of 20' overall, without bowsprit, bumpkin, pulpit, boom, swim step or other such appurtenance.
- f. A Mooring Permittee in the Santa Barbara Mooring Area shall receive a 50% discount for a Skiff Row Permit.

3. Mooring Permit Fees

Annual Fee. An annual non-refundable fee of \$350 shall be charged for a permit in the Santa Barbara Mooring Area. Annual Mooring Permit Fee is due October 1.

4. Marina Slips and End Ties

Where end ties are divided into more than one account, the charges shall be for the length of that portion of the end tie occupied by each account so that the total end tie feet billed equals the total length of the end tie at the closest slip size rate. Where end ties are a single account, the charges shall be set at the appropriate tiered rate per foot of vessel length or end tie, whichever is greater, per month. For marina slips, charges shall be set at the appropriate tiered rate per foot of the vessel length or slip length, whichever is greater, per month. For marina slip sizes that are not a standard size listed below, the charges shall be set at the tiered slip size rate at the slip size larger than the non-standard size.

| | | | |
|------|----------|---------|----------|
| 20' | slips at | \$10.97 | per foot |
| 25' | slips at | \$11.48 | per foot |
| 28' | slips at | \$11.77 | per foot |
| 30' | slips at | \$12.03 | per foot |
| 35' | slips at | \$12.56 | per foot |
| 40' | slips at | \$13.09 | per foot |
| 43' | slips at | \$13.40 | per foot |
| 45' | slips at | \$13.60 | per foot |
| 50' | slips at | \$14.12 | per foot |
| 60' | slips at | \$15.34 | per foot |
| 70' | slips at | \$16.64 | per foot |
| 80' | slips at | \$18.05 | per foot |
| 90' | slips at | \$19.58 | per foot |
| 100' | slips at | \$21.24 | per foot |

5. Marina Side Ties

- a. For side ties without services, the charge shall be \$9.55 per foot of vessel length per month.
- b. For side ties with services, the charge shall be set at the appropriate tiered slip length rate per foot of vessel length or slip length, whichever is greater, per month.

6. The length of a vessel shall be the length overall.

7. Vessels occupying slips shall be at least 80% of the length of the slip but shall not project into the adjacent fairway to create a navigational hazard as determined by the Harbormaster.

8. An individual must be at least 18 years of age to be eligible for a slip permit.

9. Upon death of a slip permittee who has no sole surviving spouse, registered domestic

partner or other slip partner(s), the slip permit shall be terminated. Family members, heirs or executors of the estate of the deceased shall be allowed up to 120 days to continue payment of slip permit fees at the rate in effect at the time of the permittee's death before the City reassigns the slip permit to an applicant on the Department's slip waiting list.

B. SLIP PERMIT WAITING LISTS FEES

1. **Master Waiting List Renewal Fee.** An annual non-refundable renewal fee of \$40 shall be paid by each applicant on the Master Waiting List prior to the first day of November each year. Payment of said fee is required to remain on the Master Waiting List. Failure to timely pay the annual Master Waiting List Renewal Fee shall cause removal of the applicant's name from the Master Waiting List.
2. **Lottery List Fees**
 - a. **Lottery List Placement Fee.** Each applicant selected for placement on the Lottery List shall pay a non-refundable Lottery List Placement Fee of \$50. Failure to pay the fee shall cause the applicant's name to not be placed on the Lottery List.
 - b. **Lottery List Renewal Fee.** An annual non-refundable Lottery List Renewal Fee of \$40 shall be paid by all applicants on the Lottery List prior to the first day of November each year. Failure to timely pay the annual Lottery List Renewal Fee shall cause removal of the applicant's name from the List.

C. VISITING OR TRANSIENT VESSEL FEES

Visiting berths are intended to accommodate transient vessels. There shall be a charge for visiting vessels provided in this resolution. Except as specially designated in Section 6 below, or expressly allowed by the Waterfront Director, visitor berths are assigned on a first-come, first-served basis upon the vessel's arrival at the harbor.

1. The base rate for visiting vessels less than 65' length overall, other than those actively and solely engaged in commercial fishing, shall be \$1.75 per linear overall foot per day plus the Electricity Rate for the first 14 cumulative nights in the Harbor.
2. The base rate for visiting vessels 65' or longer, other than those actively and solely engaged in commercial fishing, shall be \$2.50 per linear overall foot per night plus the Electricity Rate for the first 14 cumulative nights in the Harbor.
3. Vessels described in C.1 and C.2 that remain in the Harbor for a period of more than 14 cumulative nights shall be required to pay two times the base rate plus the Electricity Rate. The Harbormaster may, however, waive such increase in the rate for a period in excess of the 14 cumulative night period in the event of prolonged storms, natural disaster, or on satisfactory proof of a need for additional time to effect emergency repairs. A new 14 night cumulative period at the base rate calculated in accordance with C.1 or C.2, shall start to run if the vessel returns to the Harbor after being absent from the Harbor for 5 or more consecutive nights.

4. The base rate for visiting commercial fishing vessels actively and solely engaged in commercial fishing shall be \$1.00 per linear overall foot per night plus the Electricity Rate. No nights out will be required to remain at the base rate when proof in advance of slip assignment in the form of two California Department of Fish and Wildlife commercial fish landing receipts within the previous two weeks are shown. If such proof is not provided, the vessel will not be considered to actively fishing and will be subject to fees described in C.1, C.2, and C.3.

5. The maximum allowable stay for visiting boats other than actively fishing commercial vessels is 28 cumulative nights. A vessel must vacate the Harbor for 5 or more consecutive nights before again being eligible for visitor boat status. Any person violating this provision, without express permission of the Waterfront Director or his or her designee, shall pay a penalty of:
 - a. \$100 per night for nights exceeding the maximum allowable stay for a vessel whose overall length is 35 feet or less.
 - b. \$150 per night for nights exceeding the maximum allowable stay for a vessel whose overall length is greater than 35 feet and up to 50 feet.
 - c. \$200 per night for nights exceeding the maximum allowable stay for a vessel whose overall length is greater than 50 feet and up to 65 feet.
 - d. \$250 per night for nights exceeding the maximum allowable stay for a vessel whose overall length exceeds 65 feet.

6. Reservations.
 - a. Reservations will be accepted for vessels exceeding 65' in length whose beam does not exceed 30' and whose draft does not exceed 10'. Reservations are subject to approval and may be denied.
 - i. Rates and length of stay are limited as stated in Section C above for individual visiting vessels.
 - ii. Reservations will be taken on a first-come, first-served basis and may be requested no more than 60 days in advance by directly contacting the Waterfront Department.
 - iii. A reservation fee equivalent to one night's visitor fee for the vessel will be charged at time of reservation.
 - iv. Slip reservations must be confirmed and paid in full at least one week prior to reservation date.

- v. Cancellation after full fees have been paid will result in credit for a future visit equal to the number of nights cancelled, provided cancellation occurs more than 48 hours prior to scheduled reservation. All rules outlined in 6.a.i through 6.a.vii, inclusive, shall apply to the future visit, if it requires a reservation.
 - vi. Cancellations made within 48 hours of a scheduled reservation will result in credit for a future visit equal to the number of nights cancelled less the reservation fee equivalent to one night's visitor fee. All rules outlined in 6.a.i through 6.a.vii, inclusive, shall apply to the future visit, if it requires a reservation.
 - vii. No credit or refund will be given for a no-show.
- b. Group reservations for Yacht Club-sponsored cruises and races.
- i. A group reservation may be made for no fewer than six vessels, a minimum of 30 days in advance but no more than six months in advance.
 - ii. Berthing fees will be based on standard visitor-boat rates and must be paid in full by the group's chairperson at least two weeks prior to reservation date.
 - iii. Individual or late entries will not be accepted for reservation, but will be considered on a first-come, first-served basis like all other visitor boats.
 - iv. Cancellation after full fees have been paid will result in credit for a future visit commensurate with number of nights cancelled, provided cancellation occurs more than 48 hours prior to scheduled reservation.
 - v. No credit will be afforded for cancellations made within 48 hours of scheduled reservation.
7. For the purpose of this subsection, a night shall be deemed to be a 24 hour period commencing at twelve noon. All fees are due and payable in advance. No portion of the transient dock fees is refundable. Payment of visiting fees entitles a visiting vessel to utilize a slip or mooring for the paid-up period.

D. CHARGES FOR DELINQUENT PAYMENT

1. A charge in the amount of \$50 per month shall be added to monthly slip fees that are delinquent.
2. A charge in the amount of \$15 per day shall be added to visitor slip fees for every day such fees are delinquent.
3. A charge equal to double the bill incurred plus \$10 shall be assessed to any visitor who leaves a slip or mooring, or added to dockage and/or wharfage fees if any person leaves a slip or mooring, unless forced to do so by weather or fire, without first paying the fees due

(unless such vessel is upon the credit dockage list) except by permission of the Waterfront Director or his/her designee.

E. TIE-UP FEES ON STEARNS WHARF

1. Tie-up at the passenger-loading ramp on Stearns Wharf for the primary purpose of embarking or debarking commercial passengers shall be at the rate of \$10 for each passenger, except for authorized wharf license holders. Non-commercial embarking or debarking of passengers shall be allowed on a space-available basis. Under no circumstances shall vessel tie-ups under this section be allowed to conflict with established wharf license holders conducting business from the passenger loading ramp.
2. Written requests for any Wharf use including the tie-up of vessels shall be made to the Waterfront Director ten working days prior to the proposed use. The Waterfront Director must approve all requests for Wharf use in advance. All fees must be paid 24 hours in advance of any Wharf use.
3. The location for the mooring of vessels shall be at the sole discretion of the Waterfront Director. The Waterfront Director may require relocation or departure of a moored vessel when wind or water conditions exist or are anticipated which would endanger the Wharf, the vessel or personnel.
4. Tie-up of vessels is allowed only for the time required to transfer the passengers.
5. Dinghies are not allowed to tie-up at the passenger-loading ramp.
6. Permission to tie-up is revocable at any time.
7. Fees may be waived by the Waterfront Director when the waiver is in the best interests of the City.

F. PROCESSING AND IMPOUND FEES

1. An administrative processing fee of \$100 shall be charged for the processing of a new boat to a Slip Permit, or the addition of a spouse or legally registered domestic partner to a Slip Permit.
2. An Impound Fee of \$250 shall be assessed against any boat that ties up, docks, anchors, moors or berths within the Harbor District without permission of the Harbormaster. This fee shall be in addition to any applicable storage fee or other reasonable cost incurred in impounding a vessel. All fees charged will be payable prior to release of the impounded vessel. In addition to the Impound Fee, storage fees shall accrue as follows:
 - a. All costs necessary to place a vessel into storage including, but not limited to, haul-out fees;
 - b. A daily fee for storage either in-water or in a City-owned storage area in an amount equal to the daily visitor slip fees established in Section C of this Resolution;

- c. A daily lay-day fee for storage in a privately-owned drydock or boatyard facility, equal to the fee normally charged by that facility for such service.
 - d. A daily fee for storage of unpermitted boats on City Beaches in an amount equal to the daily visitor slip fees established in Section C of this Resolution.
3. An annual administrative fee of \$50 shall be charged at the time of issuance of a Service Business Activity Permit. An annual fee of \$300, payable at the time of issuance or renewal shall be charged for a Boat Charter Business Activity Permit. A charge in the amount of \$35 shall be added to the cost of a Business Activity Permit that is not renewed within 30 days of its due date.

G. SLIP PERMIT TRANSFER FEE

1. The slip permit transfer fee, except for slip permits subject to the wait list transfer fee as set forth in Section H, shall be:
- a. \$150 per linear foot of a vessel or slip, whichever is greater in length, for 20' slips;
 - b. \$250 per linear foot of a vessel or slip, whichever is greater in length, for 25' slips;
 - c. \$300 per linear foot of a vessel or slip, whichever is greater in length, for 28' and 30' slips;
 - d. \$350 per linear foot of a vessel or slip, whichever is greater in length, for slips in specially designated commercial fishing slips in Marina 1 A finger and specially designated commercial fishing slips 1O014, 1R028 and 4B042;
 - e. \$350 per linear foot of a vessel in Fishermen's Floats North and South;
 - f. \$475 per linear foot of a vessel or slip, whichever is greater in length, for 35' slips;
 - g. \$525 per linear foot of a vessel or slip, whichever is greater in length, for 40', 43', and 45' slips;
 - h. \$625 per linear foot of a vessel or slip, whichever is greater in length, for 50' and 51' slips; and,
 - i. \$675 per linear foot of a vessel or slip, whichever is greater in length, for slips 60' and longer, except for specially designated commercial fishing slips as set forth in Section G.1.d and G.1.e above.
2. Upon payment of a single transfer fee, no more than two persons may be included on or added to a slip permit as part of the transfer of a slip permit to a new vessel owner or the addition of a person or persons to an existing slip permit. Names of persons must be identified before a transfer application can be approved.

3. The date by which the fee is determined shall be the date stamped on the fully completed transfer information packet when submitted to the Waterfront Operations Administration staff.
4. Transfer fees shall be charged:
 - a. Upon the sale of the permitted vessel and the transfer of the slip permit to the new vessel owner, or;
 - b. Upon the addition of a partner or partners to a slip permit.

H. SLIP PERMIT WAITING LISTS TRANSFER FEE

1. Any person who obtains a slip permit from the Master Waiting List, Sub-Master Waiting List or a Lottery List shall be required to pay a Slip Permit Waiting Lists Transfer Fee in order to transfer that slip permit within five years of the date of the slip permit assignment.
2. The Slip Permit Waiting Lists Slip Permit Transfer Fee shall be charged upon the transfer of the slip permit to a new vessel owner or the addition of a partner or partners to a slip permit. Upon payment of a single Slip Permit Waiting List Transfer Fee, no more than two persons may be included on or added to a slip permit as part of the transfer of a slip permit to a new vessel owner or the addition of a person or persons to an existing slip permit. Names of persons must be identified before a transfer application can be approved.
3. The amount of the Slip Permit Waiting Lists Slip Permit Transfer Fee shall be determined as a function of the slip size and length of time the slip permit has been held according to a sliding scale; charged per foot, per year, at a rate set by the slip length categories below:

| Year | 20' |
|------|-------|
| 1 | \$300 |
| 2 | \$250 |
| 3 | \$225 |
| 4 | \$200 |
| 5 | \$175 |

| Year | 25' |
|------|-------|
| 1 | \$500 |
| 2 | \$450 |
| 3 | \$400 |
| 4 | \$350 |
| 5 | \$300 |

| Year | 28' | 30' |
|------|-------|-------|
| 1 | \$550 | \$550 |

| | | |
|---|-------|-------|
| 2 | \$500 | \$500 |
| 3 | \$450 | \$450 |
| 4 | \$400 | \$400 |
| 5 | \$350 | \$350 |

| Year | 35' |
|------|-------|
| 1 | \$600 |
| 2 | \$575 |
| 3 | \$550 |
| 4 | \$525 |
| 5 | \$500 |

| Year | 40' | 43' | 45' |
|------|-------|-------|-------|
| 1 | \$650 | \$650 | \$650 |
| 2 | \$625 | \$625 | \$625 |
| 3 | \$600 | \$600 | \$600 |
| 4 | \$575 | \$575 | \$575 |
| 5 | \$550 | \$550 | \$550 |

| Year | 50' | 51' |
|------|-------|-------|
| 1 | \$875 | \$875 |
| 2 | \$825 | \$825 |
| 3 | \$775 | \$775 |
| 4 | \$725 | \$725 |
| 5 | \$675 | \$675 |

| Year | 60' & up |
|------|----------|
| 1 | \$1,050 |
| 2 | \$975 |
| 3 | \$900 |
| 4 | \$825 |
| 5 | \$750 |

The fee amount will be adjusted annually according to the schedule on the anniversary of the assignment of the slip permit.

4. The Slip Permit Waiting Lists Transfer Fee for a slip permittee holding a slip permit for a slip other than an end tie or side tie shall be determined by multiplying the appropriate fee amount, as designated by the slip length and year according to the schedule above, by the length of the vessel or slip length, whichever is greater.

5. The Slip Permit Waiting Lists Transfer Fee for a slip permittee holding a permit for an end tie or side tie shall be calculated using the fee amount assigned to the slip length appropriate for the vessel(s) owned by the permittee. Vessels greater than 60 feet in length berthed on end ties or side ties shall be subject to the fee amount designated for 60-foot slips. The Slip Waiting Lists Transfer Fee for permittees whose vessels are berthed on end ties or side ties shall be determined by multiplying the appropriate fee amount by the length of the vessel(s) or end tie length, whichever is greater.
6. The Slip Permit Waiting Lists Transfer Fee shall be paid at the time of the transfer of the slip permit according to Sections 17.20.005 (C) and 17.20.005 (D) in addition to any other fees or deposits owed by the permittee.
7. After five years, the slip permit transfer fee shall be determined as set forth in Section G herein.

I. PERMIT EXCHANGES

1. An administrative processing fee of \$100 per permit shall be charged for processing an exchange of permits between slips that differ by five feet or less in length.
2. The slip permit transfer fee specified in Section G of this Resolution shall be charged upon the exchange of permits between slips that differ in length by more than five feet. The slip permit transfer fee, based on the transfer fee of the larger slip, will be charged for each linear foot of difference between the slip lengths.
3. A permittee subject to the waiting list transfer fee who exchanges their permit will remain subject to the waiting list transfer fee following the exchange of permits. The permittee will remain subject to the waiting list transfer fee as applied to the slip permit originally assigned.

J. GATE KEYS

1. The charge for gate keys sold to authorized slip permittees shall be:
 - a. At the time of a slip permit transfer, one card-style key shall be issued for the slip permit account free of charge.
 - b. Up to a total of five keys will be issued to each slip permit account at a charge of \$10 each for card-style keys or \$15 each for fob-style keys.
 - c. The 6th key and any additional keys will be charged at \$100 each for card-style keys or fob-style keys.
 - d. Such charges shall not be refundable.
2. The charge for gate keys sold to visiting vessels shall be:
 - a. Up to a total of five keys will be issued to each visiting vessel at a charge of \$10 each for card-style keys or \$15 each for fob-style keys.

- b. The 6th key and any additional keys will be charged at \$100 each for card-style keys or fob -style keys.
 - c. Such charges shall not be refundable.
 3. Replacement of non-operational Gate Keys:
 - a. In the event a gate key becomes non-operational within one year of issuance it shall be replaced free of charge provided there has been no apparent damage or misuse of the key. A replacement gate key will only be issued to the key holder of record for the non-operational key and who also remains eligible to possess gate keys at the time of key replacement.
 - b. After one year from issuance or when there has been apparent damage or misuse of the key no free replacement key shall be issued.
 - c. In the event that the issuance date or key holder of record cannot be determined due to the condition of the key no free replacement key shall be issued.
 4. In order to provide for the proper and orderly use of key cards, the Harbormaster may restrict the number of cards issued to any one individual or boat.

K. CATAMARAN PERMITS FOR LEADBETTER BEACH

A permit fee of \$300 per vessel shall be charged for the privilege of placing vessels as defined herein within the designated area on Leadbetter Beach. Permits shall be sold on a seasonal basis. The season shall be from the first Friday of April through October 31st, annually. No vessel may be placed on Leadbetter Beach at other times or places. A maximum of 65 permits shall be issued to catamarans, each being no longer than 26 feet nor wider than 13 feet. No permit is valid unless proper application is made to the Harbormaster and the permitted vessel displays a valid permit sticker in addition to current California registration numbers. A maximum of one permit shall be issued to any individual and no commercial activities shall be conducted. Permits are non-transferable and non-refundable.

L. OUTRIGGER, SAILBOAT, ROWING DORY, AND SURF SKI PERMITS FOR WEST BEACH

A permit fee of \$350 per vessel shall be charged to place an outrigger, sailing outrigger, sailboat, rowing dory, or surf ski, within the area designated by the Harbormaster on West Beach. Outriggers and rowing dories shall be no longer than 45 feet nor wider than 7 feet. Sailing outriggers shall be no longer than 45 feet nor wider than 18 feet. Sailboats shall be no longer than 16 feet overall nor wider than 6 feet. Permits shall be sold on an annual basis beginning on the second Friday of March. No vessel may be stored on West Beach at any other location and no vessels other than those permitted by the Harbormaster may be placed on West Beach.

A maximum of 51 permits shall be issued each year, divided as follows:

- A combined maximum of 20 permits for sailboats and rowing dories.

- A maximum of 2 permits for sailing outriggers, convertible to outrigger permits if unassigned by March 31st of any permit year.
- A maximum of 20 permits for outrigger clubs utilizing OC6 and OC4 outriggers and established prior to January 1, 2015.
- A maximum of 8 permits for individual outriggers and surf skis. No more than one permit per individual.
- A maximum of one tomol permit.

A right of first refusal for annual permits shall be granted to outrigger clubs utilizing OC6 and OC4 outriggers and established prior to January 1, 2015. The number of permits issued to individual clubs shall not exceed the maximum number issued in any year prior to this date. The right of first refusal may only be exercised by notifying the Harbormaster in writing no later than 72 hours prior to the start date of annual permit sales and shall only be granted through March 31st of any permitting year. If unassigned by March 31st, the remaining permits are convertible to outrigger permits available on a first-come, first served basis.

No permit is valid unless proper application is made to the Harbormaster and the permitted vessel displays a valid permit sticker in addition to current California registration numbers if required. No commercial activities shall be conducted. Permits are non-transferable and non-refundable.

A fee of \$1,800 each shall be charged for storage racks for outrigger club activities, each accommodating a maximum of eight, single-person, human powered vessels and placed within the area designated by the Harbormaster on West Beach. A total of six renewable annual permits shall be available for this purpose. Each rack and each vessel stored on a rack must display valid, corresponding permit stickers. No additional permit fee shall be charged for corresponding permits issued to vessels stored on permitted storage racks. Rack permits are non-transferable and non-refundable. Subletting space on storage racks will void a club's eligibility for a rack permit for two years.

The Santa Barbara Youth Foundation shall be allowed to place two racks for the storage of 16 laser-style sailboats assigned by the Foundation within the area designated by the Harbormaster on West Beach. A fee of \$1,800 shall be charged for each rack. Each rack and each vessel stored on a rack must display valid, corresponding permit stickers. No additional permit fee shall be charged for corresponding permits issued to vessels stored on permitted storage racks. Rack permits are non-transferable and non-refundable.

In accordance with City Council action September 21, 2021, one West Beach Permit shall be allocated annually to the Chumash for use of one tomol canoe without charge.

M. UNPERMITTED STORAGE OF VESSEL OR ITEMS ON BEACH

A \$20 per day storage fee shall be charged for any unpermitted vessel or item removed from any City Beach by Waterfront Department staff.

N. WHARFAGE AND DOCKAGE

1. Wharfage rates to service, repair or supply a vessel tied to the City Pier shall be computed and assessed on vessel length at \$.50 per linear overall foot per hour.

2. Dockage rates shall be computed and assessed on a per tie-up basis at \$.50 per foot per day.
3. A fee of \$6 per hour will be charged for the use of the City-Owned hoist commonly known as Hoist Two.
4. A fee of \$7.50 per hour will be charged for the use of the hoists commonly known as Hoist One and Three.
5. A fee of \$12 per hour will be charged for the use of the hoist commonly known as the Stiff-Leg Hoist, or Hoist Four.

O. NON-EMERGENCY FEE

1. A fee may be charged for Harbor Patrol services, except for bona fide emergencies, at a rate based on the current Waterfront contract hourly service rates for manpower and equipment.

P. USE OF WATERFRONT FOR COMMERCIAL ACTIVITY

1. In addition to any permit fees charged by the City, there shall be a separate charge for commercial activity in the Waterfront as described in the Parks and Recreation Rates and Fee Schedule.
2. The Waterfront Director shall determine the support workforce necessary to support, assist or control a commercial activity, and shall require advance payment. The amount charged for support workforce shall be based on the current hourly rates for the specific Waterfront employees supporting the event and as detailed in the Classification and Salary Ranges schedule maintained by the City's Human Resources Department.
3. Movie, TV, or still photography by students for class assignment may be permitted without charge if not in conflict with other Wharf or Harbor activities. The Waterfront Director may require certification from the school to the effect that the photographic activity is a class assignment and not a commercial activity.

Q. USE OF WHARF AND HARBOR FOR PRIVATE NON-COMMERCIAL ACTIVITIES

Use of leased facilities (e.g., a restaurant) shall be in accordance with the existing terms of the lease.

R. USE OF HARBOR AND WHARF FOR PROMOTION OF BOATING AND RECREATION

Use of the Harbor and Wharf on a non-profit basis for the promotion of the Wharf, boating and recreational purposes may be permitted without fee with the written approval of the Waterfront Director.

S. USE OF HARBOR OR WHARF FOR EMBARKING OR DEBARKING OF CRUISE SHIP PASSENGERS

Use of the Harbor or Wharf for embarking or debarking of cruise ship passengers shall be \$15 per passenger. The fee shall be calculated based on the total number of passengers on the visiting ship, whether or not the passengers actually leave the ship. Should the cruise ship have fewer than 500 passengers aboard at the time of arrival to Santa Barbara, a minimum fee of \$7,500 will be charged.

Should a cruise ship cancel a reservation within 30 days of the scheduled call date, the following Late Cancellation Fee will be applicable:

- 31 days or greater prior to call: No Fee.
- 15-30 days prior to call: \$2,500 Fee.
- 14 days or less prior to call: \$6,500 Fee.

T. USE OF HARBOR OR WHARF FOR SERVICING NAVY AND COAST GUARD VESSELS

Contractors using the Harbor or Wharf for servicing Navy or Coast Guard vessels for purposes including but not limited to embarking and debarking personnel and visitors, supplying fresh water, removing sewage and disposing trash or oily water, shall be subject to a fee of 10% of their Navy contract or husbandry agent contract as applicable. Fees shall only be applied to vessels entering the Harbor or using Stearns Wharf during the performance of their contract. Contractors providing service to the USS Ronald Reagan and USS Santa Barbara are exempt from the fee.

U. EXPENSES FOR EMPLOYEES

All costs, expenses and salaries of Department employees specifically incurred because of special activity permitted shall be borne by the permittee in addition to any permit fee.

The hourly rate is based upon the cost of the services furnished and shall be determined by the Waterfront Director and in accordance with Classification and Salary Ranges schedule maintained by the City's Human Resources Department.

V. RESCUE OR SPECIAL INCIDENT REPORT

The Waterfront Department will provide Harbor Patrol Rescue or Special Incident Reports, leases, permits or other in-house documents for a copy fee of \$.20 per page. Other Department published reports shall be provided at cost.

W. LIVE-ABOARD PERMITS

1. A charge of \$143 per month shall be paid by each live-aboard permittee.
2. A fee of \$40 shall be charged annually for inclusion and maintenance on the live-aboard permit waiting list.

3. Temporary cancellation of a live-aboard permit may be granted for a slip permittee who, desiring to take an extended cruise for a period of at least 90 days, places their slip permit on temporary cancellation status as well. During the period of temporary cancellation, the permittee will pay a reduced live-aboard fee equivalent to 50% of the normal live-aboard fee. In the event the permittee's vessel returns before the 90 days, the full monthly live-aboard fee will be charged for the period that the permittee's vessel was absent from the Harbor.

X. BIKE LOCKER STORAGE

1. A fee of \$125 shall be charged annually for the use of a City-supplied bike storage locker, payable by January 1st of each year or prorated at a rate of \$15 per month or any part, thereof.
2. An individual must be a current live-aboard slip permittee to be eligible for a bike locker.
3. A fee of \$40 shall be charged annually for inclusion and maintenance on the bike locker waiting list.

Y. ELECTRICAL SUBMETERING FEES

1. Fees for the use of electricity at each slip shall be as follows:
 - a. The local electrical service provider sets the rate for electrical use on a seasonal basis.
 - b. Slip Permittees will be charged for electrical usage by their Vessel(s) on a monthly basis determined by the number of kilowatt hours (KWh) used by each vessel moored at a slip in the Santa Barbara Harbor, as measured by a separate electrical submeter located at each slip or at another location which specifically separately meters the electrical usage by the vessel moored at the slip and is certified by the Department of Weights and Measures.
 - c. The rate ("Electricity Rate") for the monthly electricity usage charge shall be equal to the total number of KWh used at each marina divided by the total monthly charge for that marina for the preceding month.
 - d. The monthly charge shall be determined for each slip and billed to the Slip Permittee (or to the visiting vessel) by multiplying the Electricity Rate, as determined in c above, by the number of KWh used at the slip.

Z. CHARGES FOR DELIVERY OF FRESH WATER AND ICE TO VESSELS

1. Rates for fresh water delivered to vessels at floats, wharves or piers in the Santa Barbara Harbor shall be as follows:
 - a. \$15.50 per thousand gallons, including wharfage.

b. \$15.50 is the minimum charge.

2. The fee for ice shall be \$0.10 per pound, 200 pounds minimum.

AA. RETURNED CHECK FEE

A returned check fee equal to fees charged by the City Finance Department shall be charged to the maker of any check that is not honored by the bank due to non-sufficient funds or other reasons.

BB. MEETING ROOM FEES

Fees for the use of the Marine Center Classroom, Waterfront Community Meeting Room, or Waterfront Conference Room shall be:

1. \$50 per hour/\$200 per day maximum for commercial and/or private non-ocean related users.
2. \$25 per hour/\$100 per day maximum for commercial and/or private, ocean related activities.
3. \$25 per hour/\$100 per day maximum for non-profit and educational institutions where food and/or drinks are consumed.
4. \$15 per hour/\$50 per day maximum for non-profit and educational institutions where food and/or drinks are not consumed.
5. Use of Waterfront meeting rooms by other City Departments will be charged at the rates noted above in #3 and #4 unless expressly waived by the Waterfront Director.
6. There will be no charge for non-profit ocean related organizations with the Waterfront Director's approval.
7. A refundable security deposit of \$100 is required from all room users unless expressly waived by the Waterfront Director. Any cleaning costs in excess of the security deposit will be charged to the user. The cleaning fee will be charged at \$45 per hour. Any room damage will be charged to the user.

RESOLUTION NO. 23-078

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on June 13, 2023, by the following roll call vote:

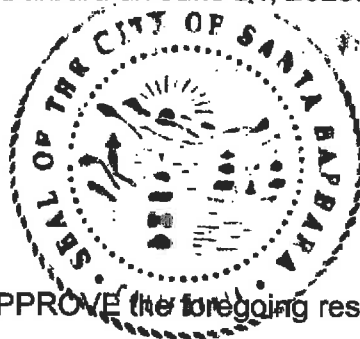
AYES: Councilmembers Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Randy Rowse

NOES: None

ABSENT: None

ABSTENTIONS: None

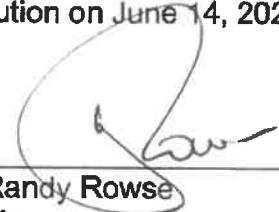
IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on June 14, 2023.





Sarah Gorman, MMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on June 14, 2023.



Randy Rowse
Mayor

RESOLUTION NO. 23-146

STATE OF CALIFORNIA)
)
COUNTY OF SANTA BARBARA) ss.
)
CITY OF SANTA BARBARA)

I HEREBY CERTIFY that the foregoing resolution was adopted by the Council of the City of Santa Barbara at a meeting held on December 5, 2023, by the following roll call vote:

AYES: Councilmembers Eric Friedman, Alejandra Gutierrez, Oscar Gutierrez, Meagan Harmon, Mike Jordan, Kristen W. Sneddon, Mayor Randy Rowse.

NOES: None

ABSENT: None

ABSTENTIONS: None

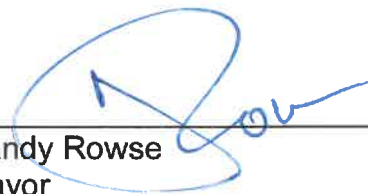
IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on December 6, 2023.





Sarah Gorman, MMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on December 6, 2023.



Randy Rowse
Mayor