

RESOLUTION NO. 05-062

A RESOLUTION OF THE COUNCIL OF THE CITY OF
SANTA BARBARA ESTABLISHING CERTAIN CITY FEES AT
THE AIRPORT AND WATERFRONT AND RESCINDING
RESOLUTION NOS. 04-049 and 05-019

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;

WHEREAS, certain department fee schedules cite the specific state or municipal authority under which fees and charges are collected; and,

WHEREAS, due to certain identified or potential conflicts of interest, separate consideration of the Airport and Waterfront fee resolutions is required.

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 fees and charges for the Fiscal Year 2006 for the Airport and Waterfront departments are adopted as set forth and attached hereto as Attachments I, II and III.

Section 3. Resolution Nos. 04-049 and 05-019 are hereby rescinded.

Section 4. All other fee resolutions in effect and not rescinded herein, shall remain in full force.

Adopted June 21, 2005

AIRPORT PARKING FEES

The Airport is an Enterprise Fund, generating revenue from user fees and property rentals for the operation and maintenance of the Airport. Revenues from the public parking facilities at the Airport contribute to the revenue base of the Airport to defray operating expenses.

The rates for public parking facilities at the Santa Barbara Municipal Airport shall be as follows:

SHORT-TERM LOT	
0-15 Minutes	\$ 1.00
16 minutes – 1 hour	2.00
Each Additional Hour	1.00
Maximum – 24 Hours	16.00

LONG-TERM LOT		LONG-TERM LOT #2	
0-1 Hour	\$ 2.00	0-1 Hour	\$ 2.00
Each Additional	1.00	Each Additional	1.00
Maximum 24 Hours	8.00	Maximum 24 Hours	8.00
Weekly Rate (7 days)	48.00	Weekly Rate	48.00

Signs shall be posted reflecting these rates.

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 moorings or slips in the harbor.

1. **Fishermen's Floats North and South**
Per foot of vessel length per month: \$ 3.80. This rate shall also apply up to 18 slips in Marina 1-A, designated by the Waterfront Director for qualifying commercial fishermen.

2. **Skiff Row One**
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.
 - a. Maximum of 40 permits issued at any one time.
 - b. No more than one permit per individual.
 - c. Maximum overall length of 13' per skiff
 - d. As of October 1, 2005, permits shall not be issued to vessels on Skiff Row One that serve as transport to mother ships unless the mother ship measures a minimum of 20' overall, without bowsprit, bumpkin, pulpit, boom, swimstep or other such appurtenance.
 - e. \$ 100.00 per skiff per 6 months.
 - f. Skiff row permits sold semiannually, beginning on April 1 and October 1 of each year. Permit fee reduced to \$ 50.00 on July 1 and January 1 of each year.

3. **Marina Slips, End Ties, Side Ties with Services**
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.
Per foot of vessel length or slip length, whichever is greater, per month:
 - 20' slips @ \$ 6.51
 - 25' slips @ \$ 6.84
 - 28' slips @ \$ 7.01
 - 30' slips @ \$ 7.16
 - 35' slips @ \$ 7.47
 - 40' slips @ \$ 7.78
 - 43' slips @ \$ 7.97
 - 45' slips @ \$ 8.10

50' slips and over @ \$ 8.40

4. Marina Side Ties without Services
Per foot of vessel length per month: \$ 5.69
5. The length of a vessel shall be the length overall.
6. No person shall anchor, moor or tie up a vessel in the Harbor unless a month-to-month permit agreement has been executed and the permittee pays the first month's rent plus security deposit.
7. Vessels occupying slips shall be at least eighty percent (80%) of the length of the slip but shall not project into the adjacent fairway so as 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 fees at the rate in effect at the time of the permittee's death before the City reassigns the permit to an applicant on the Department's slip waiting list.

B. SLIP WAITING LISTS FEES

1. Master Waiting List Renewal Fee. An annual non-refundable renewal fee of forty dollars (\$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 fifty dollars (\$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 forty dollars (\$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.

ATTACHMENT II

- c. Lottery List Assignment Fee. A Lottery List Assignment Fee shall be paid by the applicant at the time a slip assignment is accepted. The Lottery List Assignment Fee shall be in an amount equal to the Waterfront Department's Slip Transfer Fee per lineal foot of the assigned slip. If the Lottery List Assignment Fee is not paid at the time of assignment, the slip shall not be assigned to that applicant. The slip assignment shall then be offered to the applicant ranked next on the Lottery List.

C. VISITING OR TRANSIENT VESSEL FEES

Visiting berths, slips and moorings are intended to accommodate boats en route to and from their home port. There shall be a charge for visiting boats not having a regularly assigned slip, end tie, or designated mooring space subject to monthly charges as provided in this resolution.

1. The base visiting rates for such vessels utilizing visiting slips or moorings will be sixty cents (\$.60) per linear overall foot per day for the first fourteen (14) cumulative days in the Harbor.
2. Such vessels that remain in the Harbor for a period of more than fourteen (14) cumulative days will be required to pay two times the base visiting fee. A new fourteen (14) day cumulative period at the base transient rate shall start to run if the vessel returns after being absent from the harbor for more than five (5) consecutive days. In the case of commercial fishing vessels actively and solely engaged in commercial fishing, no days out will be required to remain at the base transient rate when proof in advance of slip registration in the form of two California Department of Fish and Game commercial fish tickets every two (2) weeks is shown. If proof is not provided, the commercial vessel will be considered not actively fishing and subject to the fees charged non-commercial fishing vessels.

The maximum allowable stay for visiting boats other than actively fishing commercial vessels is twenty-eight (28) cumulative days. Any person violating this provision, without express permission of the Waterfront Director or his designee, shall pay a penalty of:

- a. \$75 per day for days exceeding the maximum allowable stay, for a vessel whose overall length is 35 feet or less.
 - b. \$125 per day for days exceeding the maximum allowable stay, for a vessel whose overall length is greater than 35 feet but less than 50 feet.
 - c. \$175 per day for days exceeding the maximum allowable stay, for a vessel whose overall length exceeds 50 feet.
3. The Harbormaster may, however, waive such increase in the rate for a period in excess of the fourteen (14) cumulative day period in the event of

ATTACHMENT II

prolonged storms, natural disaster, or on satisfactory proof of a need for additional time to effect emergency repairs.

4. For the purpose of this subsection, a day shall be deemed to be a twenty-four (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 thirty-five dollars (\$35.00) per month shall be added to monthly slip fees that are delinquent.
2. A charge in the amount of five dollars (\$5.00) 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 ten dollars (\$10.00) shall be 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.
4. A charge equal to double the bill incurred plus ten dollars (\$10.00) shall be assessed any visitor who leaves a slip or mooring, unless forced to do so because of weather or fire, without first paying visitor fees due, except by permission of the Waterfront Director.

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 \$ 5.00 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 in writing to the Waterfront Director ten (10) working days prior to the proposed use. The Waterfront Director must approve all requests for Wharf uses 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

ATTACHMENT II

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 FEES

1. An administrative processing fee of twenty-five dollars (\$25.00) shall be charged for the processing of slip trades, a new boat in a slip, or the addition of a spouse to a slip permit.
2. An administrative processing fee of thirty-five dollars (\$35.00) shall be assessed against visiting boats which tie-up without permission of the Harbormaster.
3. An administrative fee of twenty-five dollars (\$25.00) shall be initially and annually charged for inclusion and maintenance on the liveaboard permit waiting list.
4. An annual administrative fee of fifteen dollars (\$15.00) shall be charged at the time of issuance of a Service Business Activity Permit. A fee of five dollars (\$5.00) will be charged for a required identification card. Additional cards or replacements will be issued for a fee of five dollars (\$5.00) each. An annual fee of one hundred dollars (\$100.00), payable at the time of issuance or renewal shall be charged for a Boat Charter Business Activity Permit. A charge in the amount of twenty-five dollars (\$25.00) shall be added to the cost of a Business Activity Permit that is not renewed within thirty (30) days of its due date.

G. SLIP TRANSFER FEE

1. Effective July 1, 2005, the slip transfer fee, except for slips subject to the wait list transfer fee as set forth in Section H, shall be one hundred fifty dollars (\$ 150.00) per linear foot of a vessel or slip, whichever is greater in length. Effective July 1, 2006, the slip transfer fee, except for slips subject to the wait list transfer fee as set forth in Section H, shall be one hundred seventy five dollars (\$175.00) per linear foot of a vessel or slip, whichever is greater in length.

ATTACHMENT II

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 owner, or;
 - b. Upon the addition of a partner or partners to a slip permit.

SLIP WAITING LISTS TRANSFER FEE

1. Any person who obtains a slip permit from the Master Waiting List, Sub-Master Waiting List or the Lottery List shall be required to pay a Slip Waiting Lists Transfer Fee in order to transfer that slip within five (5) years of the date of the slip assignment.
2. The Slip Waiting Lists Slip 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 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. Effective July 1, 2005, the amount of the Slip Waiting Lists Slip Transfer Fee shall be determined as a function of the slip size and length of time the permit has been held according to the following schedule:

Sliding Scale Slip Waiting Lists Transfer Fee					
Slip Size: 20' 25' 28' 30'					
Year	Slip Size in Feet	20'	25'	28'	30'
	Per Ft				
1	\$ 325	\$ 6,500	\$ 8,125	\$ 9,100	\$ 9,750
2	\$ 275	\$ 5,500	\$ 6,875	\$ 7,700	\$ 8,250
3	\$ 250	\$ 5,000	\$ 6,250	\$ 7,000	\$ 7,500
4	\$ 225	\$ 4,500	\$ 5,625	\$ 6,300	\$ 6,750
5	\$ 175	\$ 3,500	\$ 4,375	\$ 4,900	\$ 5,520

ATTACHMENT II

Sliding Scale Slip Waiting Lists Transfer Fee									
Slip Size: 35' 40' 43' 45'						Slip Size: 50' 51' 60'			
Y E A R	Slip Size in Feet	35'	40'	43'	45'	Slip Size in Feet	50'	51'	60'
	Per Ft					Per Ft			
1	\$ 600	\$21,000	\$24,000	\$25,800	\$27,000	\$ 850	\$42,500	\$43,350	\$51,000
2	\$ 500	\$17,500	\$20,000	\$21,500	\$22,500	\$ 700	\$35,000	\$35,700	\$42,000
3	\$ 400	\$14,000	\$16,000	\$17,200	\$18,000	\$ 550	\$27,500	\$28,050	\$33,000
4	\$ 300	\$10,500	\$12,000	\$12,900	\$13,500	\$ 400	\$20,000	\$20,400	\$24,000
5	\$ 200	\$ 7,000	\$ 8,000	\$ 8,600	\$ 9,000	\$ 250	\$12,500	\$12,750	\$15,000

Effective July 1, 2006, the amount of the Slip Waiting Lists Slip Transfer Fee shall be determined as a function of the slip size and length of time the permit has been held according to the following schedule:

Sliding Scale Slip Waiting Lists Transfer Fee					
Slip Size: 20' 25' 28' 30'					
Year	Slip Size in Feet	20'	25'	28'	30'
	Per Ft				
1	\$350	\$7,000	\$8,750	\$9,800	\$10,500
2	\$300	\$6,000	\$7,500	\$8,400	\$9,000
3	\$275	\$5,500	\$6,875	\$7,700	\$8,250
4	\$250	\$5,000	\$6,250	\$7,000	\$7,500
5	\$200	\$4,000	\$5,000	\$5,600	\$6,000

Sliding Scale Slip Waiting Lists Transfer Fee									
Slip Size: 35' 40' 43' 45'						Slip Size: 50' 51' 60'			
Y E A R	Slip Size in Feet	35'	40'	43'	45'	Slip Size in Feet	50'	51'	60'
	Per Ft					Per Ft			
1	\$625	\$21,875	\$25,000	\$26,875	\$28,125	\$875	\$43,750	\$44,625	\$52,500
2	\$525	\$18,375	\$21,000	\$22,575	\$23,625	\$725	\$36,250	\$36,975	\$43,500
3	\$425	\$14,875	\$17,000	\$18,275	\$19,125	\$575	\$28,750	\$29,325	\$34,500
4	\$325	\$11,375	\$13,000	\$13,975	\$14,625	\$425	\$21,250	\$21,675	\$25,500
5	\$225	\$ 7,850	\$ 9,000	\$ 9,675	\$10,125	\$275	\$13,750	\$14,025	\$16,500

ATTACHMENT II

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

4. The Slip Waiting Lists Transfer Fee for a slip permittee holding a permit for a slip other than an endtie or sidetie 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 Waiting Lists Transfer Fee for a slip permittee holding a permit for an endtie or sidetie 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 endties or sideties 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 endties shall be determined by multiplying the appropriate fee amount by the length of the vessel(s) or endtie length, whichever is greater. The Slip Waiting Lists Transfer Fee for permittees whose vessel(s) are berthed on sideties shall be determined by multiplying the appropriate fee amount by the length of the vessel(s).
6. The Slip Waiting Lists Transfer Fee shall be paid at the time of the transfer of the slip permit according to Sections 17.20.005(D) and 17.20.005(E) in addition to any other fees, rents or deposits owed by the permittee.
7. Any person who fails to pay the Waiting List Transfer Fee in the amount and at the time imposed by this Resolution shall pay an additional penalty fee of 10 percent of the Slip Waiting Lists Transfer Fee applicable to the transfer each year or fraction thereof the payment is delinquent; furthermore, such slip permit may be terminated or subject to other penalty in the discretion of the Waterfront Director.
8. After five (5) years, the slip transfer fee shall be determined as set forth in Section G herein.

I. PERMIT EXCHANGES

1. An administrative processing fee of twenty-five dollars (\$25.00) 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 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 transfer fee will be charged for each linear foot of difference between the slip lengths.

ATTACHMENT II

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 originally assigned.

J. GATE KEYS

1. The charge for gate keys sold to authorized permittees shall be:
 - a. At the time of the gate system change, one (1) card style key shall be issued for each slip account free of charge.
 - b. At the time of a slip transfer, one (1) card style key shall be issued for the slip account free of charge.
 - c. Up to a total of nine keys (9) will be issued to each slip account at a charge of seven dollars (\$7.00) each for card style keys or twelve dollars (\$12.00) each for fob style keys.
 - d. The 10th key and any additional keys will be charged at twenty-five dollars (\$25.00) each for card style keys or thirty dollars for fob style keys.
 - e. Such charges shall not be refundable.
2. The charge for gate keys sold to visiting vessels shall be:
 - a. Up to a total of nine keys (9) will be issued to each visiting vessel at a charge of seven dollars (\$7.00) each for card style keys or twelve dollars (\$12.00) each for fob style keys.
 - b. The 10th key and any additional keys will be charged at twenty-five dollars (\$25.00) each for card style keys or thirty dollars (\$30.00) for fob style keys.
 - c. Such charges shall not be refundable.
3. 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 two hundred dollars (\$200.00) 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 March through October 31st, annually. No vessel may be placed on Leadbetter Beach at other times or places. A maximum of sixty-five (65) permits shall be issued to catamarans, each being no longer than twenty-six (26) feet nor wider than thirteen (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

ATTACHMENT II

shall be issued to any individual and no commercial activities shall be conducted. Permits are non-transferable.

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

A permit fee of two hundred fifty dollars (\$250.00) per vessel shall be charged to place an outrigger, sailboat or a rowing dory within the area designated by the Harbormaster on West Beach. Outriggers and rowing dories shall be no longer than forty-five (45) feet nor wider than seven (7) feet. Sailboats shall be no longer than sixteen (16) feet overall nor wider than six (6) feet. Permits shall be sold on an annual basis on the first 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 fifty (50) permits shall be issued each year, with a combined maximum of 25 permits sold to sailboats and rowing dories. 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.

A fee of \$400 each shall be charged for storage racks, each accommodating a maximum of six, single-person, human powered vessels and placed within the area designated by the Harbormaster on West Beach. A total of four 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.

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

M. 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 forty cents (\$.40) per lineal overall foot per hour.
2. Dockage rates shall be computed and assessed on a per tie-up basis at forty cents (\$.40) per foot per day.
3. A fee of six dollars (\$6.00) per hour will be charged for the use of the City-Owned fish hoists commonly call Fish Hoists One and Two.
4. A fee of seven dollars and fifty cents (\$7.50) per hour will be charged for the use of the fish hoist commonly known as Fish Hoist Three.

ATTACHMENT II

5. A fee of twelve dollars (\$12.00) per hour will be charged for the use of the fish hoist commonly know as the Stiff-Leg Hoist, or Fish Hoist Four.

N. NON-EMERGENCY FEE

1. A fee shall 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.
2. An impound fee of thirty-five dollars (\$35.00) shall be charged in addition to any applicable storage fee, or other reasonable cost incurred in impounding a boat or vehicle. All fees charged will be payable prior to release of the impounded vessel.

O. 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 follows:
 - Movie Feature Filming Up to \$1,000 per day
 - TV, Movie or Commercial Filming Up to \$1,000 per day
 - Commercial Photography (still) Up to \$ 500 per day
 - Commercial Displays or Demonstrations Up to \$300 per day plus 20% of gross sales
 - Aquatic Activity or Exhibit \$5.00 per day
2. The Waterfront Director shall determine the support manpower necessary to support, assist or control a commercial activity, and shall require advance payment. The amount charged for support manpower shall be based on the current Waterfront contract hourly service rates.
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.

P. 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.

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

ATTACHMENT II

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.

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

Use of the Harbor and Wharf for embarking or debarking of cruise ship occupants shall be five dollars (\$5.00) per person. The fee shall be calculated based on the total number of occupants on the visiting ship, including passengers and crew.

S. 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.

T. 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.

U. LIVEABOARD PERMITS

1. A charge of one hundred forty dollars (\$140.00) per month shall be paid by each liveaboard permittee.
2. A fee of twenty-five dollars (\$25.00) shall be charged annually for inclusion and maintenance on the liveaboard permit waiting list.
3. Temporary cancellation of a liveaboard permit may be granted for a slip permittee who, desiring to take an extended cruise for a period of at least ninety (90) days, places their slip permit on temporary cancellation status as well. During the period of temporary cancellation, the permittee will pay a reduced liveaboard fee equivalent to fifty percent (50%) of the normal liveaboard fee. In the event the permittee's vessel returns before the ninety (90) days, the full monthly liveaboard fee will be charged for the period that the permittee's vessel was absent from the Harbor.

V. 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.

ATTACHMENT II

2. A penalty of \$100 per offense, in addition to any other penalties incurred, shall be charged for a violation of Section 17.24.240 of Title 17 of the Municipal Code regarding the unlawful use of water and water outlets in the Santa Barbara Harbor.
3. The fee for ice shall be four cents (\$0.04) per pound, or three cents (\$0.03) per pound for orders of ten (10) tons or more.

W. DISCRETION OF WATERFRONT DIRECTOR

All activities and uses under this resolution are subject to the sole discretion of the Waterfront Director.

WATERFRONT PARKING FEES AND HOURS OF OPERATION

Santa Barbara Municipal Code Section 10.44.152 provides for the establishment of fees in municipally owned parking lots, and the Board of Harbor Commissioners of the City of Santa Barbara has recommended adoption of the fees charged for Waterfront Parking as set forth below.

A. PARKING FEES AND HOURS OF OPERATION IN THE WATERFRONT AREA PARKING LOTS

1. Fees for parking in the Waterfront, area parking lots including Leadbetter Beach, Garden Street, and Palm Park shall be one dollar and fifty cents (\$1.50) per hour with a maximum charge per vehicle per twenty-four (24) hours of parking of nine dollars (\$9). Hours of operation - 8:00 a.m. to 10:00 p.m., weekends all year and weekdays May 1 through September 30. A guarded slot system shall operate weekdays in the Garden Street lot. Hours of operation - 10:00 a.m. to 10 p.m., Monday through Friday,
2. Fees for parking in the La Playa East and La Playa West Lots shall be one dollar and fifty cents (\$1.50) per hour with a maximum charge per vehicle per twenty-four (24) hours of parking of nine dollars (\$9). Hours of operation – 8:00 a.m. to 10:00 p.m., June 15 through Labor Day and Memorial Day weekend subject to conditions of the Joint Powers agreement between the City and Santa Barbara City College.
3. The fee for parking at the Cabrillo East Parking Lot for three hours of parking is two dollars (\$2) with a maximum charge per vehicle per twenty-four (24) hours of parking of seven dollars (\$7). A guarded slot system shall operate year round. Hours of operation - 10 a.m. to 10 p.m., Monday through Friday, 8:00 a.m. to 10 p.m. Saturday, Sunday, Holidays, and Special Events.
4. The fee for parking at the Cabrillo West Parking Lot for three hours of parking is two dollars (\$2) with a maximum charge per vehicle per twenty-four (24) hours of parking of seven dollars (\$7). A guarded slot system shall operate year round. Hours of operation - 10:00 a.m. to 10 p.m., Monday through Friday, 8:00 a.m. to 10:00 p.m. Saturday, Sunday, Holidays, and Special Events.
5. The fee for parking at the Harbor West Lot for three hours of parking is two dollars (\$2) with a maximum charge per vehicle per twenty-four (24) hours of parking of seven dollars (\$7). A guarded slot system shall operate year round. Hours of operation - 10:00 a.m. to 10 p.m., Monday through Friday, 8:00 a.m. to 10:00 p.m. Saturday, Sunday, Holidays, and Special Events.
6. The fee for parking at the Harbor Parking Lot shall be one dollar and fifty cents (\$1.50) per hour with a maximum charge per vehicle per twenty-four (24)

hours of parking of nine (\$9.00) dollars. Hours of operation are twenty-four (24) hours per day, all year.

7. The City Administrator or designee may make minor adjustments to fee collection, hours of enforcement, and operation for efficient administration and may waive enforcement and collection when inclement weather, emergencies, or special events so dictate.

8. Beginning January 1, 2006, and ending December 31, 2006, annual parking permits exempting permit holders from hourly parking fees shall be available to the general public at the following charges and subject to the following limitations:

a. Eighty dollars (\$80) per calendar year applicable to all lots defined in Sections 1 through 6.

b. Annual parking permits shall be reduced from eighty dollars (\$80) to seventy dollars (\$70) per calendar year beginning June 1st and is applicable to all lots defined in Sections 1 through 6.

c. Annual parking permits shall be reduced from seventy dollars (\$70) to fifty dollars (\$50) per calendar year beginning on September 1st and is applicable to all lots defined in Sections 1 through 6.

d. Annual parking permits shall be reduced from fifty dollars (\$50) to thirty five dollars (\$35) per calendar year beginning November 1st and is applicable to all lots defined in Sections 1 through 6.

e. Annual parking permits shall not be valid on vehicles over 20 feet in length.

9. Beginning January 1, 2007, and ending December 31, 2007, annual parking permits exempting permit holders from hourly parking fees shall be available to the general public at the following charges and subject to the following limitations:

a. Ninety five (\$95) per calendar year applicable to all lots defined in Sections 1 through 6.

b. Annual parking permits shall be reduced from ninety five dollars (\$95) to eighty five dollars (\$85) per calendar year beginning June 1st and is applicable to all lots defined in Sections 1 through 6.

c. Annual parking permits shall be reduced from eighty five dollars (\$85) to sixty five dollars (\$65) per calendar year beginning on

September 1st and is applicable to all lots defined in Sections 1 through 6.

d. Annual parking permits shall be reduced from sixty five dollars (\$65) to fifty dollars (\$50) per calendar year beginning November 1st and is applicable to all lots defined in Sections 1 through 6.

e. Annual parking permits shall not be valid on vehicles over 20 feet in length.

10. The City Administrator or designee may grant waivers to the 20-foot length limitation, based on ocean-related or ocean-dependent priority need, including but not limited to commercial fishing operations, vehicles registered to permitted liveaboards, or vehicles registered to companies providing oil spill response. Vehicles receiving a waiver of the 20-foot length limit will be permitted to display an annual parking permit. Vehicles measuring less than 22 feet in length that receive a waiver may park in normal stalls. Vehicles measuring between 22 and 24 feet in length that receive a waiver shall be required to park in parking stalls along Shoreline Drive.

11. Parking permits exempting Harbor slip permit holders and Harbor business owners from parking fees shall be available to Harbor slip permit holders and Harbor business owners at sixty dollars (\$60) for the 2006 calendar year and seventy dollars (\$70) for calendar year 2007 with a limit of one permit per slip and business. All permits purchased thereafter shall be at the same rate as the general public as stated in Paragraph 8, above.

12. All vehicles parking in the above-defined lots are subject to all applicable State and Municipal ordinances and codes.

13. The charge for boat trailers using the boat-launching ramp shall be one dollar and fifty cents (\$1.50) per hour with a maximum charge per trailer per twenty-four (24) hours of parking of six dollars (\$6). Such charges shall be in addition to the towing vehicle.

14. A wash down fee of fifty cents (\$0.50) for 5 minutes will be charged at the launch ramp.

15. The charge for a boat trailer exiting a parking lot without a time-dated parking ticket shall be calculated at twice the vehicle charge, i.e., forty dollars (\$40).

16. Fees and charges in all Waterfront area parking lots shall be calculated on the basis of the number of regular sized parking stalls used or any fraction thereof.

17. An entry fee not to exceed nine dollars (\$9) may be charged under special circumstances for special events where it is anticipated that charging on entry will be more efficient than collecting the fee on exit. The Waterfront Director is authorized to make the determination.

18. Fees for vehicles displaying valid Disabled Parking Placards issued by the Department of Motor Vehicles shall be \$.50 per hour or any part of an hour with a \$4.00 maximum per space per exit per day (Disabled Placard or Plates Required) Such vehicles must display the Disabled Parking Placard when entering and leaving the parking lots and at all times when parked in the parking lots. Vehicles displaying handicapped placards or handicapped license plates shall be required to comply with posted parking rules, regulations and size limitations.

19. Fees for parking in the Harbor Parking Lot may be waived or reduced at the discretion of the Waterfront Director for the customers of lessees of the City located within the Harbor and easterly of the Harbor Parking lot control kiosk subject to the following conditions:

a. The lessee may reduce the customer's maximum twenty-four (24) hour parking fee of nine dollars (\$9.) per vehicle to three dollars (\$3) per vehicle by validating the customers parking ticket. This validated parking ticket and parking fee will be collected at the Harbor kiosk upon exit. This reduction in the maximum twenty-four (24) hour parking fee is not applicable to boat trailers.

b. The lessee only provides validations to bona fide customers who have purchased services (as per the lease definition of "gross sales" for the purposes of computing the rent due the City of Santa Barbara). All validations must be clearly stamped on the customers parking ticket issued on entry. Sales receipts are not accepted in lieu of properly valid parking tickets.

20. Fees for oversize vehicles (vehicles 20-33 feet in length as defined in Santa Barbara Municipal Code Section 17.36) using outer lots shall be double the normal parking fee charged for regular sized vehicles for that lot.

B. MAXIMUM 72-HOUR PARKING LIMIT FOR VEHICLES IN THE HARBOR PARKING LOT

1. 72-Hour Restriction Exceptions - In accordance with Santa Barbara Municipal Code Section 10.44.060

No person who owns, or has possession, custody or control of any vehicle shall park, stop or leave standing such vehicle in the same parking space in the Harbor parking lot for more than a period of seventy-two consecutive hours, except vehicles owned by Harbor slip holders who have also been issued a valid

Waterfront Slip holder's parking permit will be allowed unlimited parking in the Harbor parking lot, providing that such vehicles are currently registered and fully operational.

2. Long Term Parking - Payment of Fees

Any person wishing to park a vehicle in the Harbor parking lot over the seventy-two (72) hour limit may be allowed to do so, provided:

- a. The vehicle owner registers with the Waterfront Parking office prior to leaving the vehicle in the Harbor lot.
- b. The vehicle owner pays, in advance, the appropriate daily parking fee for each twenty-four (24) hour period the vehicle will remain in the Harbor parking lot, provided that any vehicle bearing a Waterfront parking permit will be allowed to park for the first seventy-two (72) hours at no charge.

3. In the event a vehicle is parked, stopped or left standing in the Harbor parking lot in excess of a consecutive period of seventy-two (72) hours, without a valid slip holder parking permit, and has not been registered with the Waterfront Parking office in advance; the vehicle may be cited and any member of the Police Department authorized by the Chief of Police may remove the vehicle from the Harbor parking lot in the manner and subject to the requirements of the Vehicle Code.

4. The Waterfront Director shall post appropriate notices at the entrances to the Harbor parking lot advising the public of the requirements of this Resolution.

C. STEARNS WHARF PARKING FEES AND VALIDATION SYSTEM

1. Stearns Wharf Parking Fees

- a. The rate for parking a motor vehicle on Stearns Wharf shall be two dollars (\$2) per hour or fraction thereof with a maximum charge per vehicle of twenty dollars (\$20) per day.
- b. There will be a fifteen (15) minute grace period allowing visitors to drop off, pick up, or turn around out on Stearns Wharf.
- c. Fees for vehicles displaying valid Disabled Parking Placards issued by the Department of Motor Vehicles shall be one dollar (\$1) per hour or fraction thereof with a maximum charge per vehicle per twenty-four (24) hours of parking of ten dollars (\$10). Such vehicles must display the Disabled Parking Placard when entering and leaving the Wharf and at all times when parked on the Wharf.

2. Validations

a. Leaseholders on Stearns Wharf may validate Stearns Wharf parking tickets upon the sale of a minimum of five dollars (\$5) in goods or services. This validation shall entitle the parker to an initial 90 minutes of free parking after which the normal fees and rates are applicable as stated above in Section C 1. Paragraph (a). No charge shall be made to the leaseholder for this privilege.

b. Leaseholders taking advantage of the privilege of offering free validations to Stearns Wharf parkers must also provide identical validations to their customers holding parking tickets from the Palm Park and Garden Street lots upon a minimum purchase in the amount of five dollars (\$5) in goods or services.

c. Validations from leaseholders on Stearns Wharf shall entitle customers parking in the Palm Park and Garden Street Lots to an initial two (2) hours of free parking after which the normal fees and rates are applicable as stated Section A. paragraph (1.)

d. Validations may be provided to suppliers delivering merchandise or other materials to the leaseholder's place of business on Stearns Wharf. Such validation shall be valid for thirty minutes free parking only.

e. The Waterfront Director may terminate validation privileges to any leaseholder violating the provisions of this resolution.

D. ALL PARKING LOTS

1. The rate for exit without a parking ticket shall be twenty dollars (\$20) at Stearns Wharf and the Harbor parking lot. At all other Waterfront Parking lots the rate for exit without a parking ticket shall be twelve dollars (\$12).

2. All vehicles must park within the boundaries of marked parking stalls. Vehicles parked horizontally, diagonally, or across existing marked parking stalls shall be subject to citation.

3. Parking lots and parking stalls must not be obstructed with personal property.

RESOLUTION NO. 05-062

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 21, 2005, by the following roll call vote:

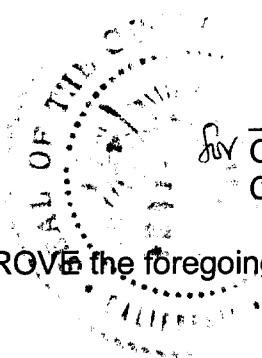
AYES: Councilmembers Brian B. Barnwell, Iya G. Falcone, Roger L. Horton, Helene Schneider, Das Williams; Mayor Marty Blum

NOES: None

ABSENT: None

ABSTENTIONS: Councilmember Dan B. Secord

IN WITNESS WHEREOF, I have hereto set my hand and affixed the official seal of the City of Santa Barbara on June 22, 2005.



Cynthia M. Rodriguez
by Cynthia M. Rodriguez, CMC
City Clerk Services Manager

I HEREBY APPROVE the foregoing resolution on June 22, 2005.

Marty Blum
Marty Blum
Mayor