

## RESOLUTION NO. 2019-3

### A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NEWPORT BEACH, CALIFORNIA, ADOPTING AND REVISING CERTAIN HARBOR DEPARTMENT FEES AND RENTS WITHIN THE SCHEDULE OF RENTS, FINES, AND FEES

**WHEREAS**, on July 1, 2017, the City of Newport Beach ("City") took over responsibility for managing harbor operations from the Orange County Sheriff's Department;

**WHEREAS**, Newport Beach Municipal Code ("NBMC") Section 3.36.010 provides that services and programs that primarily benefit a person requesting the service are traditionally funded in whole or in part from fees charged to the person who initiates the service;

**WHEREAS**, NBMC Subsection 3.36.010(C) further provides that to ensure fees charged for services are an accurate reflection of costs, the City should conduct a fee study at least once every five (5) years;

**WHEREAS**, NBMC Section 3.36.030(C) provides that the City Council may modify the fee resolution upon a determination that there has been an increase or decrease in one or more cost factors relevant to the calculation of the actual cost of providing the service;

**WHEREAS**, the City retained MGT of America, Inc. ("MGT") to prepare cost allocation plan and cost-of-services studies for City services ("Agreement");

**WHEREAS**, pursuant to the Agreement, MGT has conducted cost-of-services studies on a rotating basis by City department;

**WHEREAS**, pursuant to the Agreement, MGT prepared a cost-of-services study for the Harbor Department;

**WHEREAS**, pass through costs for actual services or tangible goods do not include staff time;

**WHEREAS**, statutory fees are mandated or capped by another authority, such as the State of California;

**WHEREAS**, the Beacon Bay Bill, California Constitution Article 16, Section 6, Newport Beach Municipal Code, Section 17.60.060(D), Section 17.60.020(E), and City Council Policy F-7(D) (Income Property) require that the rent received by the City from third parties using the Tidelands be based in part upon an appraisal, and reflective of the fair market value related to such uses;

**WHEREAS**, in order to determine the fair market value of rents related to the City's harbor, staff engaged Netzer & Associates, Real Estate Appraisal and Consulting ("Netzer & Associates"); and

**WHEREAS**, Netzer & Associates provided an Appraisal Report, Fair Market Rent – Guest/Transient Moorings Newport Harbor, California, on November 27, 2017 and an Addendum dated March 26, 2018 which added Guest Slips at Marina Park, the monthly Dinghy Storage Space rent at Marina Park, and the Guest Mooring Rate on private (Non-city owned) tackle.

**NOW, THEREFORE**, the City Council of the City of Newport Beach resolves as follows:

- **Section 1:** The City Council finds that the rent provisions contained in Exhibit 1 attached hereto, which is incorporated herein by this reference, provide for the changing of fair market value rent and that the rental rate (and adjustments) in the attachment constitute fair market value rent located upon tidelands, which findings are made by the City Council in its exclusive discretion but are based, in part, on the information in the appraisals of its City-selected appraisers and, in addition, on other testimony and documents in the record for this matter. The City Council further finds and determines that the rent located upon tidelands, operating under a permit, shall be set in accordance with the attachment hereto. The rent established in this resolution shall only be applicable to permittees for City managed tidelands.

**Section 2:** The City Council adopts and revises the Schedule of Rents, Fines, and Fees ("SRFF"), in part, as depicted in Exhibit 1. Except where prohibited by law, all fees provided shall be rounded down to the nearest dollar. Except as expressly revised by Exhibit 1, all other provisions of the SRFF shall continue in full force and effect.

**Section 3:** Direct pass through, or actual, fees may be updated, without further action by the City Council, by the Finance Director as necessary to ensure recovery of cost.

**Section 4:** The recitals provided in this resolution are true and correct and are incorporated into the operative portion of this resolution.

**Section 5:** If any section, subsection, sentence, clause or phrase of this resolution is for any reason held to be invalid or unconstitutional, such decision shall not affect the validity or constitutionality of the remaining portions of this resolution. The City Council hereby declares that it would have passed this resolution and each section, subsection, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid or unconstitutional.

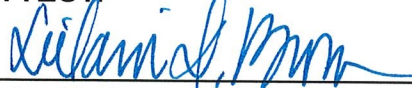
**Section 6:** The City Council finds the adoption of this resolution and revisions to the SRFF are not subject to the California Environmental Quality Act ("CEQA") pursuant to Sections 15060(c)(2) (the activity will not result in a direct or reasonably foreseeable indirect physical change in the environment) and 15060(c)(3) (the activity is not a project as defined in Section 15378) of the CEQA Guidelines, California Code of Regulations, Title 14, Chapter 3, because it has no potential for resulting in physical change to the environment, directly or indirectly.

**Section 7:** This resolution and all proposed fees and rents shall take effect thirty (30) days following adoption of this resolution, and the City Clerk shall certify the vote adopting the resolution.

**ADOPTED** this 22nd day of January, 2019.

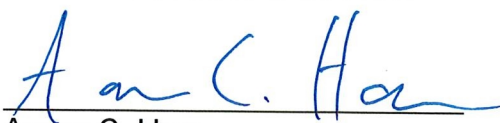
  
\_\_\_\_\_  
Diane B. Dixon  
Mayor

**ATTEST:**

  
\_\_\_\_\_  
Leilani I. Brown  
City Clerk



**APPROVED AS TO FORM:**  
CITY ATTORNEY'S OFFICE

  
\_\_\_\_\_  
Aaron C. Harp  
City Attorney

Attachment: Exhibit 1— Revision to the Schedule of Rents, Fines, and Fees – Harbor Fees and Select Rents

Exhibit 1 - Revision to the Schedule of Rents, Fines, and Fees - Harbor Fees and Select Rents

SERVICE NAME	DESCRIPTION	A	B	C	D	E	F	G	H	I
		Current Charges	Proposed Charges			2018 adj				
		Total or Base Fee	Total or Base Fee			Total or Base Fee	Incremental - (if applicable)			
<b>HARBOR DEPARTMENT</b>										
1	Appeal Hearing	Filling Fee for Appeal of a Harbor Commission action to the City Council or a Harbor Resources Manager action to the Harbor Commission - charged hourly.	100% Loaded Hourly Rate	100% Loaded Hourly Rate	M.C.17.65.030	COS-Fee	Hourly	Yes		7/24/2018
2	Appeal of Lease/Permit under Section 17.60.080	Appeal of a Harbor Resources Manager action on a Lease/Permit to the Harbor Commission	\$ 100.00	\$ 100.00	M.C.17.60.080	COS-Fee	Hourly	Yes	\$100 Recovery per M.C. 3.36.030 Exhibit A	7/24/2018
3	Dinghy Rack Rental Application Fee	Application fee to process monthly rental agreement	\$0.00	\$ 17.00	M.C. 3.36.030	COS-Fee	\$17.40	Yes		2/21/2019
4	Impound Fee - Initial	Cost to impound a vessel on the first day.	\$150.00	\$68.00	M.C. 3.36.030	COS-Fee	\$68.07	Yes		2/21/2019
5	Impound Fee - Loose or Lost and Found Boats/Vessels	Cost to impound a vessel on the first day. Typically vessels under 20 feet.	\$ 50.00	\$ 46.00	M.C. 3.36.030	COS-Fee	\$46.71	Yes	Free first 5 days then charged per day	2/21/2019
6	Key Card Replacement	The cost to replace the key to the Marina Park facilities	\$0.00	\$ 23.00	M.C. 3.36.030	COS-Fee	\$23.12	Yes		2/21/2019
7	Large Boat Permit (80+ Lineal Feet)	Fee to review application and assist large boats in Harbor at anchorage or mooring	\$0.00	\$ 64.00	M.C. 3.36.030	COS-Fee	\$64.10	Yes		2/21/2019
8	Live Aboard Permit	per year	\$338.00	\$ 275.00	M.C. 3.36.030	COS-Fee	\$275.37	Yes		2/21/2019
9	Lost/Broken Line	Cost to replace a line provided to a renter that is either returned broken or not returned at all	\$0.00	\$ 102.00	M.C. 3.36.030	COS-Fee	\$102.09	Yes		2/21/2019
10	Marina Park Cancellation Fee	Fee charged if reservation is cancelled	\$10.00	\$ 11.00	M.C. 3.36.030	COS-Fee	\$11.60	Yes	Cancel 72 hours or more charged the Cancellation Fee, less than 72 hours forfeit deposit	2/21/2019
11	Marina Park Deposit	Fee to reserve a slip at Marina park - deposit charged against stay	\$50	\$ 50.00	Resolution	Deposit		Yes	Charged against stay, forfeited if canceled with less than 72 hours notice	2/21/2019
12	Marina Park - Flat Rate for Electricity	Actual cost	\$0.13/kWh	\$12 plus actual per kWh usage	M.C. 3.36.030	COS-Fee Pass Thru	\$12.03	\$0.13	Yes	2/21/2019
13	Marine Activities Permit - initial		\$731.00	\$ 341.00	M.C. 3.36.030	COS-Fee	\$341.31	Yes		2/21/2019
14	Marine Activities Permit - renewal	annual	\$216.00	\$ 275.00	M.C. 3.36.030	COS-Fee	\$275.37	Yes		2/21/2019
15	Mooring Extension Permit	Cost to evaluate the possibility of extending a mooring length	\$0.00	\$ 326.00	M.C. 3.36.030	COS-Fee	\$326.75	Yes		2/21/2019
16	Raft Up Permits - East Anchorage	Cost to process permit for raft-up events	\$0.00	\$ 62.00	M.C. 3.36.030	COS-Fee	\$62.27	Yes		2/21/2019
17	Temporary Sea Lion Deterrent	Cost of staff to put in place appropriate sea lion deterrent and remove when owner complies	\$0.00	\$ 136.00	M.C. 3.36.030	COS-Fee	\$136.15	Yes		2/21/2019
18	Towing Fee (Boats over 14')	Contract pass through	100% Contractor Cost	\$23 plus 100% Contractor Cost	M.C. 3.36.030	COS-Fee Pass Thru	\$23.20	Yes		2/21/2019
19	Towing Fee (Boats under 14')	City staff	\$0 if done by City Staff	\$ 68.00	M.C. 3.36.030	COS-Fee	\$68.07	Yes		2/21/2019
20	Wait List for Balboa Yacht Basin Slips and Garages		\$ 38.00	\$ 27.00	M.C. 3.36.030	COS-Fee	\$ 27.78	Yes		2/21/2019
21	Wait List for Balboa Yacht Basin/Marina Park Dinghy Racks		\$ 38.00	\$ 23.00	M.C. 3.36.030	COS-Fee	\$ 23.20	Yes		2/21/2019
22	Wait List for Live Aboard		\$ 38.00	\$ 5.00	M.C. 17.40.110 (b)	COS-Fee	\$ 5.80	Yes		2/21/2019
23	Dinghy Rack Rental - Marina Park/Balboa Yacht Basin	Rental rate for rack space at Marina Park and BYB	\$25/Month	\$35 per Month	Resolution	Rental	\$35/Month	Yes		2/21/2019
24	Dinghy Storage	Based on Onshore Guest Mooring	\$ -	\$0.625 per Lineal Foot (LF)/night	Resolution	Rental	\$0.625/LF	Yes		2/21/2019
25	Guest Moorings - Offshore (Year-Round)	Rental rate to spend the night on an offshore guest mooring	\$27/Night	\$1.25 per Lineal Foot (LF)/night	Resolution	Rental	\$1.25/LF	Yes	Replaces "City owned Guest Moorings - Offshore" on County schedule.	2/21/2019
26	Sub-Permittee Guest Moorings - Offshore (May-Oct)		\$27/Night	<del>\$1.25 per Lineal Foot (LF)</del>	Resolution	Rental	<del>\$1.25/LF</del>	Yes	Originally charged by County, now obsolete.	2/21/2019
27	Sub-Permittee Guest Moorings - Offshore (Nov-April)		\$16/Night	<del>\$1.25 per Lineal Foot (LF)</del>	Resolution	Rental	<del>\$1.25/LF</del>	Yes	Originally charged by County, now obsolete.	2/21/2019
28	Guest Moorings - Onshore (Year-Round)	Based on fair market rate analysis	\$11/Night	\$0.625 per Lineal Foot (LF)/night	Resolution	Rental	\$0.625/LF	Yes	Replaces "Sub-Permittee Guest Moorings - Onshore" on County schedule.	2/21/2019
29	Impound Fee - Nightly Storage Fee	Nightly fee to hold an impounded boat. The City cannot rent this space to a paying customer.	\$50/Night	Same charge as Guest Mooring Rental Rates	Resolution	Rental	see notes	Yes		2/21/2019

Exhibit 1 - Revision to the Schedule of Rents, Fines, and Fees - Harbor Fees and Select Rents

SERVICE NAME	DESCRIPTION	A		C	D	E		G	H	I
		Current Charges	Proposed Charges			2018 adj				
		Total or Base Fee	Total or Base Fee			Total or Base Fee	Incremental - (if applicable)			
30	Large Vessel (80+ LF) Offshore Guest Mooring	Cost of renting a large vessel. There is additional time involved in finding the proper location.	Same as Offshore Guest Moorings	\$1.55 per Lineal Foot (LF)/night	Resolution	Rental	\$1.55/LF	Yes		2/21/2019
31	Large Vessel Guest Anchorage Rate - Non City Tackle - no boat	Cost of keeping the tackle in the water if a vessel is not tied up.	Same as Offshore Guest Moorings	\$0.47 per Lineal Foot (LF)/night	Resolution	Rental	\$0.47/LF	Yes		2/21/2019
32	Marina Park Boat Slips (40' Slip)	Based on fair market rate analysis	\$60/Night	\$80 per Night	Resolution	Rental	\$80/Night	Yes		2/21/2019
33	Marina Park Boat Slips (55' Slip)	Based on fair market rate analysis	\$82.50/Night	\$110 per Night	Resolution	Rental	\$110/night	Yes		2/21/2019
34	Marina Park Boat Slips (Overhang Charge)	Based on fair market rate analysis	\$1.50/Foot	\$2 per Foot/night	Resolution	Rental	\$2/Foot	Yes		2/21/2019
35	Moorings - Offshore	per linear foot, per year	\$ 36.14	\$ 36.14	Resolutions 2016-17	Rental	See Resolution	See Note	CPI adjustments occur separately	1/1/2018
36	Moorings - Onshore	per linear foot, per year	\$ 18.06	\$ 18.06	Resolution 2016-17	Rental	See Resolution	See Note	CPI adjustments occur separately	1/1/2018
37	Multi-hull Vessel - 2 hulls	Based on fair market rate analysis	Same as Offshore Guest Moorings	\$1.50 per Lineal Foot (LF)/night	Resolution	Rental	\$1.50/LF	Yes		2/21/2019
38	Multi-hull Vessel - 3 hulls	Based on fair market rate analysis	Same as Offshore Guest Moorings	\$1.75 per Lineal Foot (LF)/night	Resolution	Rental	\$1.75/LF	Yes		2/21/2019
<b>COMMUNITY DEVELOPMENT - REAL PROPERTY</b>										
<b>Balboa Yacht Basin Slip/Garage/Apartment Rentals</b>										
39	Apartments	Per month (Apartment #6)	\$ 2,416.90	\$ 2,508.26	Resolution 2010-134	Rental	\$ 2,508.26	See Note	CPI adjustments occur separately	7/1/2018
40	Apartments	Per month (Apartments #5 & #7)	\$ 2,685.45	\$ 2,786.96	Resolution 2010-134	Rental	\$ 2,786.96	See Note	CPI adjustments occur separately	7/1/2018
41	Garage Rentals	Per month	\$ 356.17	\$ 369.63	Resolution 2010-134	Rental	\$ 369.63	See Note	CPI adjustments occur separately	7/1/2018
42	Slip Rentals	20' Slip - per foot, per month	\$ 23.06	\$ 24.81	Resolution 2010-134	Rental	\$ 24.81	No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018
43	Slip Rentals	25' Slip - per foot, per month	\$ 23.49	\$ 26.26	Resolution 2010-134	Rental	\$ 26.26	No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018
44	Slip Rentals	31' Slip - per foot, per month	\$ 27.01	\$ 27.31	Resolution 2010-134	Rental	\$ 27.31	No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018
45	Slip Rentals	32' Slip - per foot, per month	\$ 27.40	\$ 27.80	Resolution 2010-134	Rental	\$ 27.80	No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018
46	Slip Rentals	34' Slip - per foot, per month	\$ 29.55	\$ 31.45	Resolution 2010-134	Rental	\$ 31.45	No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018
47	Slip Rentals	35' Slip - per foot, per month	\$ 30.43	\$ 31.45	Resolution 2010-134	Rental	\$ 31.45	No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018
48	Slip Rentals	37' Slip - per foot, per month	\$ 30.43	\$ 30.86	Resolution 2010-134	Rental	\$ 30.86	No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018

Exhibit 1 - Revision to the Schedule of Rents, Fines, and Fees - Harbor Fees and Select Rents

SERVICE NAME	DESCRIPTION	A		B		C	D	E		F	G	H	I
		Current Charges	Proposed Charges	Total or Base Fee	Total or Base Fee			2018 adj	Incremental - (if applicable)				
		Total or Base Fee	Total or Base Fee	REFERENCE	TYPE	Total or Base Fee	Incremental - (if applicable)	CPI	Notes	Implementation Date			
49	Slip Rentals	40' Slip - per foot, per month	\$ 33.84	\$ 36.66	Resolution 2010-134	Rental	\$ 36.66		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
50	Slip Rentals	45' Slip - per foot, per month	\$ 36.94	\$ 39.68	Resolution 2010-134	Rental	\$ 39.68		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
51	Slip Rentals	50' Slip - per foot, per month	\$ 42.57	\$ 44.39	Resolution 2010-134	Rental	\$ 44.39		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
52	Slip Rentals	60' Slip - per foot, per month	\$ 49.42	\$ 48.83	Resolution 2010-134	Rental	\$ 48.83		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
53	Slip Rentals	75' Slip - per foot, per month	\$ 50.88	\$ 50.95	Resolution 2010-134	Rental	\$ 50.95		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
Piers													
54	Commercial	See Resolution	See Resolution	Res 2012-91, 2012-92, 2012-96, 2012-	Rental	See Resolution		No			7/25/2017		
<b>PUBLIC WORKS - HARBOR RESOURCES</b>													
<b>Balboa Yacht Basin Slip/Garage/Apartment Rentals—All except Dinghy Rentals Moved to Community Development - Real Property</b>													
55	Apartments	Per month (Apartment #6)	\$ 2,416.90	\$ 2,508.26	Resolution 2010-134	Rental	\$ 2,508.26		See-Note	CPI adjustments occur separately.	7/1/2018		
56	Apartments	Per month (Apartments #5 & #7)	\$ 2,685.45	\$ 2,786.96	Resolution 2010-134	Rental	\$ 2,786.96		See-Note	CPI adjustments occur separately.	7/1/2018		
57	Dinghy Rack Rentals Moved to Harbor Dept	Located over Tidelands; Per month, per space	\$ 25.00	\$ 25.00	Resolution 2015-6	Rental	\$ 25.00		See-Note	CPI adjustments occur separately.	1/27/2015		
58	Garage Rentals	Per month	\$ 356.17	\$ 369.63	Resolution 2010-134	Rental	\$ 369.63		See-Note	CPI adjustments occur separately.	7/1/2018		
59	Slip Rentals	20' Slip - per foot, per month	\$ 23.06	\$ 24.81	Resolution 2010-134	Rental	\$ 24.81		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
60	Slip Rentals	25' Slip - per foot, per month	\$ 23.49	\$ 26.26	Resolution 2010-134	Rental	\$ 26.26		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
61	Slip Rentals	21' Slip - per foot, per month	\$ 27.01	\$ 27.31	Resolution 2010-134	Rental	\$ 27.31		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
62	Slip Rentals	22' Slip - per foot, per month	\$ 27.40	\$ 27.80	Resolution 2010-134	Rental	\$ 27.80		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
63	Slip Rentals	24' Slip - per foot, per month	\$ 29.55	\$ 31.45	Resolution 2010-134	Rental	\$ 31.45		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		

Exhibit 1 - Revision to the Schedule of Rents, Fines, and Fees - Harbor Fees and Select Rents

SERVICE NAME	DESCRIPTION	A		B		C	D	E		F	G	H	I
		Current Charges	Proposed Charges	Total or Base Fee	Total or Base Fee			2018 adj	Full Cost/Market Value				
		Total or Base Fee	Total or Base Fee										
64	Slip-Rentals	35' Slip - per foot, per month	\$ 30.43	\$ 31.45	Resolution-2010-134	Rental	\$ 31.45		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
65	Slip-Rentals	37' Slip - per foot, per month	\$ 30.43	\$ 30.86	Resolution-2010-134	Rental	\$ 30.86		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
66	Slip-Rentals	40' Slip - per foot, per month	\$ 33.84	\$ 36.66	Resolution-2010-134	Rental	\$ 36.66		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
67	Slip-Rentals	45' Slip - per foot, per month	\$ 36.94	\$ 39.68	Resolution-2010-134	Rental	\$ 39.68		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
68	Slip-Rentals	50' Slip - per foot, per month	\$ 42.57	\$ 44.39	Resolution-2010-134	Rental	\$ 44.39		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
69	Slip-Rentals	60' Slip - per foot, per month	\$ 49.42	\$ 48.83	Resolution-2010-134	Rental	\$ 48.83		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
70	Slip-Rentals	75' Slip - per foot, per month	\$ 50.88	\$ 50.95	Resolution-2010-134	Rental	\$ 50.95		No	Rate charged shall be the greater of the slip or the boat. If the boat is longer than the slip it is in, the charge shall be based on the slip price plus the extra lineal feet of the boat, at that same slip rate.	7/1/2018		
<b>Moorings- Moved to Harbor Department</b>													
71	Offshore	per-linear-foot	\$ 36.14	\$ 36.14	Resolutions-2016-17	Rental	See-Resolution		See-Note	CPI-adjustments occur separately.	1/1/2018		
72	Onshore	per-linear-foot	\$ 18.06	\$ 18.06	Resolution-2016-17	Rental	See-Resolution		See-Note	CPI-adjustments occur separately.	1/1/2018		
<b>Piers</b>													
73	Commercial Moved to Community Development - Real Property	See-Resolution	See-Resolution	Res-2012-91, 2012-92, 2012-96, 2012-	Rental	See-Resolution		No			7/25/2017		
74	Residential	See Resolution	See Resolution	Resolution 2015-10	Rental	See Resolution		No			2/10/2015		
<b>Plan Review</b>													
75	Appeal Hearing	Filing Fee for Appeals - charged hourly.	see notes	see notes	M.C.17.65.030	COS-Fee	Hourly	Yes	100% Loaded Hourly Rate (see appendix)		7/24/2018		
76	Appeal of Lease/Permit under Section 17.60.080		\$ 100.00	\$ 100.00	M.C.17.60.080	COS-Fee	Hourly	Yes	\$100 Recovery per M.C. 3.36.030 Exhibit A		7/24/2018		
77	Live-Aboard-Permits Delete, Studied under Harbor Dept	Annual-Permit-Fee	\$ 317.00	\$ 338.00	M.C. 17.40.040	COS-Fee	\$ 338.89	Yes			2/23/2019		
78	Marine-Activities-Permit - initial Delete, Studied under Harbor Dept		\$ 686.00	\$ 731.00	17.10.040	COS-Fee	\$ 731.82	Yes			2/23/2019		
79	Marine-Activities-Permit - renewal Delete, Studied under Harbor Dept		\$ 209.00	\$ 216.00	17.10.040	COS-Fee	\$ 216.92	Yes			2/23/2019		
80	Pier Permit Transfer	Commercial and non commercial piers	\$ 234.00	\$ 250.00	M.C.17.60.020(D)	COS-Fee	\$ 250.03	Yes			7/24/2018		
81	Plan Check Fee	New Construction w/ Agency Approval	\$ 523.00	\$ 557.00	M.C. 17.50.020(D)	COS-Fee	\$ 557.94	Yes			7/24/2018		
82	Plan Check Fee	Maintenance	\$ 123.00	\$ 131.00	M.C. 17.50.020(D)	COS-Fee	\$ 131.21	Yes			7/24/2018		
83	RGP Dredging Permit		\$ 1,707.00	\$ 1,821.00	M.C. 17.55.020(D)	COS-Fee	\$ 1,821.16	Yes			7/24/2018		

Exhibit 1 - Revision to the Schedule of Rents, Fines, and Fees - Harbor Fees and Select Rents

	SERVICE NAME	DESCRIPTION	A	B	C	D	E	F	G	H	I
			Current Charges	Proposed Charges			2018 adj				
			Total or Base Fee	Total or Base Fee	REFERENCE	TYPE	Total or Base Fee	Incremental - (if applicable)	CPI	Notes	Implementation Date
84	Wait List for Balboa Yacht Basin Delete, Studied under Harbor Dept	Slips and Garages	\$ 35.00	\$ 38.00	M.C. 3.36.030	COS-Fee	\$ 38.15		Yes		2/21/2019
85	Wait List for Live-aboard-Delete, Studied under Harbor Dept		\$ 35.00	\$ 38.00	M.C. 17.40.110 (b)	COS-Fee	\$ 38.15		Yes		2/21/2019
Fees and charges to be approved by Council											



STATE OF CALIFORNIA                    }  
COUNTY OF ORANGE                    }  
CITY OF NEWPORT BEACH                }            ss.

I, Leilani I. Brown, City Clerk of the City of Newport Beach, California, do hereby certify that the whole number of members of the City Council is seven; the foregoing resolution, being Resolution No. 2019-3 was duly introduced before and adopted by the City Council of said City at a regular meeting of said Council held on the 22<sup>nd</sup> day of January, 2019; and the same was so passed and adopted by the following vote, to wit:

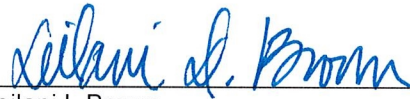
AYES: Council Member Brad Avery, Council Member Joy Brenner, Council Member Jeff Herdman, Mayor Pro Tem Will O'Neill, Mayor Diane Dixon

NAYS: None

RECUSED: Council Member Duffy Duffield

ABSENT: Council Member Kevin Muldoon

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed the official seal of said City this 23<sup>rd</sup> day of January, 2019.



Leilani I. Brown  
City Clerk  
Newport Beach, California

