

RESOLUTION NO. 2017- 29

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, RELATING TO CITY OF VERO BEACH MUNICIPAL MARINA RATES AND FEES; REPEALING RESOLUTION 2015-32 AND ADOPTING UPDATED RATES AND FEES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council previously adopted Resolution 2015-32 establishing the various rates and fees for the use of City of Vero Beach Municipal Marina facilities and services; and

WHEREAS, the City Manager and City Marina Director have requested adjustment of such rates and fees in order to sufficiently cover the costs of proper maintenance and operation of the Municipal Marina and provide for capital improvements; and

WHEREAS, the City Council finds and determines that the updated rates and fees provided for herein are reasonable and serve a municipal and public purpose,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:

Section 1 – Adoption of “Whereas” clauses.

The foregoing “Whereas” clauses are hereby adopted and incorporated herein as forming the legislative findings, purpose, and intent of this Resolution.

Section 2 – Repeal of Resolution 2015-32.

Resolution 2015-32 establishing the rates and fees for use of Vero Beach Municipal Marina facilities and services is hereby repealed.

Section 3 — Adoption of Updated Schedule of Rates and Fees.

The City Council hereby adopts the updated “Schedule of Vero Beach Municipal Marina Rates and Fees” attached hereto and incorporated herein as Exhibit “A.”

Section 4 – Effective Date.

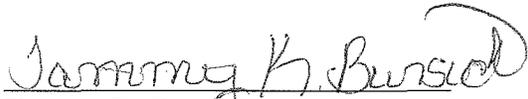
This Resolution shall become effective upon final adoption by the City Council.

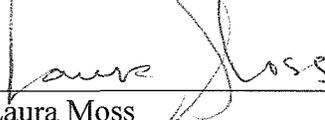
This Resolution was read for the first time on the 5th day of September 2017, and was advertised on the 9th day of September 2017, as being scheduled for a public hearing to be held on the 19th day of September 2017, at the conclusion of which hearing it was moved for adoption by Councilmember Sykes, seconded by Councilmember Winger and adopted by the following vote:

Mayor Laura Moss	<u>yes</u>
Vice Mayor Harry Howle, III	<u>absent</u>
Councilmember Richard G. Winger	<u>yes</u>
Councilmember Lange Sykes	<u>yes</u>
Councilmember Anthony T. Young	<u>yes</u>

ATTEST:

CITY OF VERO BEACH, FLORIDA

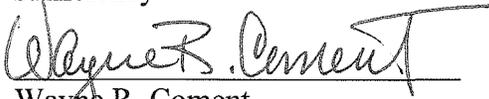

Tammy K. Bursick
City Clerk

By: 
Laura Moss
Mayor

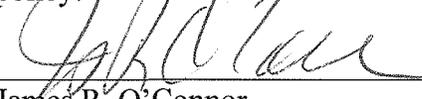
[SEAL]

ADMINISTRATIVE REVIEW
(For Internal Use Only—Sec. 2-77 COVB Code)

Approved as to form and legal
sufficiency:


Wayne R. Coment
City Attorney

Approved as conforming to municipal
policy:


James R. O'Connor
City Manager

Approved as to technical requirements:


Cynthia D. Lawson
Finance Director

Approved as to technical requirements:

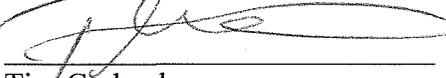

Tim Grabenbauer
Marina Director

Exhibit "A"

Schedule of Vero Beach Municipal Marina Rates and Fees

The following rates and fees shall apply and be charged (plus applicable taxes) to cover the costs of proper maintenance and operation of the Municipal Marina and capital improvements. Rates and fees are not subject to proration.

SECTION I – WET SLIP; DRY STORAGE; AND MOORING RATES

- A. **Transient Slips:** Daily: \$1.90 per ft. per day
 Weekly: \$10.90 per ft. per week (7 day minimum)
 Seasonal: \$14.35 per ft. per month (4 month minimum)
 \$100.00 per month liveaboard fee shall apply
 Monthly: \$15.85 per ft. per month (1 month minimum)
 \$100.00 per month liveaboard fee shall apply

Harbormaster approval is required for Seasonal and Monthly reservations; deposit required. No proration.

A charge of \$4.50 per day shall apply for vehicles parked overnight in Marina parking spaces before the arrival of a transient vessel or remaining the day(s) after the departure of a transient vessel. Advance approval and payment must be arranged with the Harbormaster prior to leaving any vehicle.

- B. **Long-term Slips:** Fixed docks: \$11.55 per ft. per month
 Floating docks: \$11.55 per ft. per month
- C. **Long-term Liveaboard Slips:** \$100.00 per vessel per month in addition to per ft.
 (maximum of 20 liveaboards) charge.

Any liveaboard vessel that is absent from its assigned berth for a full calendar month may have the liveaboard fee waived for that period. The named vessel must be absent from its assigned slip for the full calendar month for this waiver to apply.

- D. **Dry Storage:** Inside: \$325.00 per month
 Outside: \$250.00 per month
 PWC: \$110.00 per month
- E. **Moorings:** Long term: \$324.00 per month, plus \$48.70 per month
 liveaboard fee
 Transient: \$16.25 per day (includes use of showers)

1. Transient Moorings are available for a period of up to five (5) days.

2. Transient Moorings may be available for a period greater than five (5) days (hereinafter "Extended Stays") with Harbormaster approval pursuant to the following conditions. An Owner or Captain of a vessel desiring to remain on these moorings for an Extended Stay must:
 - (a) Register with the Harbormaster and receive the Harbormaster's permission to remain; and
 - (b) Pay an Extended Stay monthly mooring fee of \$357.00 in advance; and
 - (c) Pay a facilities monthly fee of \$48.70 in advance.

Payment of these Extended Stay and facilities fees shall entitle the crewmembers to the use of marina facilities for a period of up to thirty (30) days from the date of registration for an Extended Stay, renewable, subject to the Harbormaster's approval, on a month-to-month basis for no more than six (6) consecutive months. Extended Stay and facilities fees may not be prorated; partial months shall be at the daily Transient rates. Available marina facilities include use of the dinghy docks, garbage disposal, restroom and shower facilities, and parking for no more than two (2) vehicles per vessel.

3. Dinghies from unattended boats on long-term moorings shall be left at the motor-up dinghy dock.

- F. **Kayak and Dinghy Storage Rack:** \$20.00 per month per kayak or dinghy (on a space-available basis)
- G. **Facility Building Locker:** \$13.50 per month per locker

SECTION II – ELECTRIC RATES

- A. **Electric Utility Deposit:** \$25.00
- B. **Metered Slips:** \$10.00 per month electric readiness-to-serve charge, plus \$0.17845 per KWH consumption.*

Any vessel that is absent from its assigned slip for a full calendar month may have the electrical readiness-to-serve charge waived for that period. The named vessel must be absent from its assigned slip for the full calendar month for this waiver to be effective.

- C. **Non-metered Slips:** \$56.25 per month flat rate where electric used
- D. **Daily Transient Slips:** (includes weekly)

<u>Single 110 volt connection:</u>	\$5.00 per day
<u>Two 110 volt or one 220 volt connection:</u>	\$8.75 per day
<u>Two 220 volt connections:</u>	\$22.50 per day

E.	<u>Monthly Transient Slips:</u> (includes seasonal)	<u>Single 110 volt connection:</u>	\$56.25 per month flat rate
		<u>Two 110 volt or one 220 volt connection:</u>	\$125.00 per month flat rate

Larger vessels may be subject to metering and billing as determined by the Harbormaster.

*Electric consumption rate to be adjusted \$.01 per KWH for each \$0.01 in adjustment in the Fuel Cost Adjustment charge imposed by the serving utility system. Similarly, all adjustments to charges imposed by the utility company as it relates to the \$0.17845 per KWH level that existed in July, 2009, shall be passed on to permittees.

SECTION III – WATER CHARGE

All vessels coming to the facility for water shall pay a flat rate of \$5.00.

SECTION IV – WAITING LIST FILING FEE

A \$5.00 filing fee will be charged for any applicant requesting to have his name placed on the waiting list.

SECTION V – LATE PAYMENT PENALTY; RETURNED CHECKS

Except as otherwise provided, all fees and charges are due and payable on the first day of each calendar month. Fees and charges not paid by the 10th day of the month due shall be increased by a \$25.00 penalty charge. Checks returned unpaid shall be subject to returned check fees as provided by Florida law. Late payment due to a returned check also incurs the late payment penalty.

SECTION VI – HOLDING TANK PUMP-OUT FACILITY FEE

A \$5.00 fee shall be charged for each use of the holding tank pump-out facilities. There shall be no charge for this service with a \$50.00 or greater fuel purchase or for vessels permanently moored or docked at the Marina.

SECTION VII – FEES & CHARGES EXCLUDE APPLICABLE TAXES

All fees and charges are exclusive of applicable taxes.

PROPOSED RATES FY 17-18

DAILY DOCKAGE: **\$1.75 to \$1.90 per ft.**

WEEKLY DOCKAGE: **\$10.00 to \$10.90 per ft.**

MONTHLY DOCKAGE: **\$14.50 to \$15.85 per ft.**

SEASONAL DOCKAGE: **\$13.15 to \$14.35 per ft.**

ANNUAL FLOATING: **\$11.00 to \$11.55 per ft.**

ANNUAL FIXED: **\$10.50 to \$11.55 per ft.**

DAILY MOORINGS: **\$15.00 to \$16.25**

KAYAK STORAGE: **\$16.35 to \$20.00**

LIVEBOARD FEE: **\$97.35 to \$100.00**

RESOLUTION NO. 2015- 32

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, REPEALING RESOLUTION 2009-26; ADOPTING UPDATED RATES AND FEES FOR THE VERO BEACH MUNICIPAL MARINA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that various rates, fees, deposits, and charges should not be in the Code of Ordinances and should be established by resolution to the extent permitted by law as provided in section 2-80 of the Code; and

WHEREAS, the City Council must periodically adjust such rates, fees, deposits and charges due to fluctuations in the cost of operating the Municipal Marina and moorings; and

WHEREAS, the City Council finds and determines that the updated rates and fees for the Vero Beach Municipal Marina adopted herein are reasonable and serve a municipal and public purpose,

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VERO BEACH, FLORIDA, THAT:

Section 1 – Adoption of “Whereas” clauses.

The foregoing “Whereas” clauses are hereby adopted and incorporated herein as forming the legislative findings, purpose, and intent of this Resolution.

Section 2 – Repeal of Previously Adopted Schedule of Rates and Fees.

Resolution 2009-26 establishing rates and fees for the Vero Beach Municipal Marina is hereby repealed.

Section 3 — Adoption of Updated Schedule of Rates and Fees.

The City Council of the City of Vero Beach, Florida, hereby adopts the "Schedule of Vero Beach Municipal Marina Rates and Fees" attached hereto as Exhibit "A" and incorporated herein.

Section 4 – Effective Date.

This Resolution shall become effective upon final adoption by the City Council.

This Resolution was read for the first time on the 18th day of August, 2015, and was advertised on the 20th day of August, 2015, as being scheduled for a public hearing to be held on the 1st day of September, 2015, at the conclusion of which hearing it was moved for adoption by Councilmember Kramer, seconded by Councilmember Graves and adopted by the following vote:

Mayor Richard G. Winger	<u>yes</u>
Vice Mayor Jay Kramer	<u>yes</u>
Councilmember Amelia Graves	<u>yes</u>
Councilmember Pilar E. Turner	<u>yes</u>
Councilmember Randolph B. Old	<u>yes</u>

ATTEST:

Tammy K. Vock
Tammy K. Vock
City Clerk

CITY OF VERO BEACH, FLORIDA

Richard G. Winger
Richard G. Winger
Mayor

Approved as to form and legal
sufficiency:



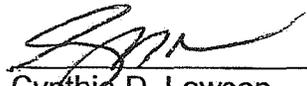
Wayne R. Coment
City Attorney

Approved as conforming to municipal
policy:



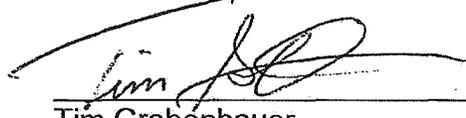
James R. O'Connor
City Manager

Approved as to budget sufficiency:



Cynthia D. Lawson
Finance Director

Approved as to technical
requirements:



Tim Grabenbauer
Marina Director

Exhibit "A"

Schedule of Vero Beach Municipal Marina Rates and Fees

Marina Rates

In order to cover the costs of the proper maintenance, operation, and capital improvements to the Municipal Marina, rates shall be charged according to the following schedule (plus applicable taxes):

SECTION I – WET SLIP, DRY STORAGE AND MOORING RATES

A. <u>Transient Slips:</u>	<u>Daily:</u>	\$1.75 per ft. per day
	<u>Weekly:</u>	\$10.00 per ft. per week (7 day minimum)
	<u>Seasonal:</u>	\$13.15 per ft. per month (4 month minimum)
	<u>Monthly:</u>	\$14.50 per ft. per month (1 month minimum) \$97.35 per month liveaboard fee shall apply

Harbormaster approval is required for Seasonal and Monthly reservations; deposit required. No proration.

1. A charge of \$4.50 per day shall be made for vehicles parked overnight in the Marina spaces before the arrival of a transient vessel or remaining the day after the departure of a transient vessel.

B. <u>Long-term Slips:</u>	<u>Fixed docks:</u>	\$10.50 per ft. per month
	<u>Floating docks:</u>	\$11.00 per ft. per month

- C. Long-term Liveaboard Slips:** \$97.35 per boat per month in addition to per ft. charge.
(Maximum of 20 liveaboards)

1. Any liveaboard vessel that is absent from its assigned berth for a full calendar month may have the liveaboard fee waived for that period.
2. The named vessel must be absent from its assigned slip for the full calendar month for this waiver to be effective.

D. Dry Storage: Inside: \$325.00 per month
 Outside: \$250.00 per month
 PWC: \$110.00 per month

E. Mooring Fee: \$324 per month (Long-term), plus \$48.70 per month liveaboard fee
 \$15.00 per day (Transient) (Includes showers)

1. Transient Moorings are available for a period of up to five (5) days.
2. Transient Moorings may be available for a period greater than five (5) days (hereinafter "Extended stays") under the following conditions: Owners or Captains of vessels desiring to remain on these moorings for Extended Stays must:
 - (a) Register with the Harbormaster and receive the Harbormaster's permission to remain; and
 - (b) Pay the equivalent of thirty (30) days of the applicable daily transient mooring fee in advance (e.g., \$11.90/day x 30 days = \$357.00; and TED
 - (c) Pay a \$48.70/month facilities fee, in advance. Payment of these fees shall entitle the crewmembers to the use of the dinghy dock and marina facilities for a period of up to one (1) month from the date of timely registration, renewable, subject to the Harbormaster's approval, on a month-to-month basis, up to six (6) months within a twelve (12) month period. Available marina facilities include use of the dinghy docks, garbage disposal, restroom and shower facilities, and parking for up to two (2) vehicles per vessel. No more than two (2) vehicles per moored vessel shall be permitted.
3. Dinghies from unattended boats on long-term moorings shall be left at the motor-up dinghy dock.
4. Kayaks and dinghies may be stored on a rack on a space-available basis for a fee of \$16.35 per month.

F. Facility Building Locker: \$13.50 per month.

SECTION II – ELECTRIC RATES

- A. Utility Deposit: All permittees shall pay a \$25.00 utility deposit in advance which shall be retained as a security deposit.
- B. Metered Slips: \$10.00 per month Readiness-to-Serve Charge plus \$0.17845 per KWH consumption.*
1. Any vessel that is absent from its assigned slip for a full calendar month may have the electrical readiness-to-serve charge waived for that period.
 2. The named vessel must be absent from its assigned slip for the full calendar month for this waiver to be effective.
- C. Non-metered Slips: \$56.25 per month flat rate where electricity is used.
- D. Transient Rates: Single 110 volt connection, \$5.00 per day;
Two 110 volt, or one 220 volt connection, \$8.75 per day;
Two 220 volt connection, \$22.50 per day
- E. Monthly Transient Rates: Single 110 volt connection \$56.25 per month;
Two 110 volt or one 220 volt connection, \$125.00 per month.

SECTION III – WATER CHARGE

All vessels coming to the facility for water shall pay a flat rate of \$5.00

SECTION IV – WAITING LIST FILING FEE

A \$5.00 filing fee will be charged for any applicant requesting to have his name placed on the waiting list.

SECTION V – LATE PAYMENT PENALTY

All payments are due and payable on the first of each month. All fees not paid by the 10th of each month shall be increased by a \$25.00 penalty charge per month.

SECTION VI – HOLDING TANK PUMP-OUT FACILITY FEE

A \$5.00 fee shall be charged for each use of the holding tank pump-out facilities. There shall be no charge for this service with a \$50.00 or greater fuel purchase or for vessels permanently moored or docked at the Marina.

SECTION VII – FEES & CHARGES EXCLUDE APPLICABLE TAXES

All of the above fees and charges exclude applicable taxes.

*Electric consumption rate to be adjusted \$.01 per KWH for each \$0.01 in adjustment in the Fuel Cost Adjustment charge imposed by the serving utility system. Similarly, all adjustments to charges imposed by the utility company as it relates to the \$0.17845 per KWH level that existed in July, 2009, shall be passed on to permittees.