

2023 Port of Brownsville Final Tariff November 16, 2022 - Exhibit A

1. The Port's Tariffs are its schedule of rates, charges and fees adopted pursuant to Title 53 of the RCW, including RCW 53.08.320. These tariffs are determined by the Commission to be reasonably necessary to effectuate the powers of the Port in relation to recovery of costs related to the provision, management and regulation of moorage services, boat ramp access, parking, storage, key deposit, utilities and other related services.
2. The Port of Brownsville Commission may review, change and adopt as often as necessary the Port tariff but at a minimum the Commission shall review the tariff annually at the start of the budget process. One method used to calculate changes is the Labor and Industries Consumer Price Index (CPI) for the Seattle - Tacoma - Bellevue, WA area (formerly Seattle, Tacoma, Bremerton). Labor and Industries calculates and finalizes the current years Consumer Price Index (CPI) by June of the following year. i.e. (2022) CPI is finalized in June (2023). The fees listed will be reviewed during the budget process and if necessary, in January of each year the fees may be adjusted in accordance with the latest finalized Consumer Price Index (CPI) for the Seattle - Tacoma - Bellevue, WA area (formerly Seattle, Tacoma, Bremerton), i.e., 2023 moorage fees may be adjusted using the finalized CPI for 2022.
3. The rental of moorage slips FOR CUSTOMERS THAT RESIDE IN THE PORT OF BROWNSVILLE PORT DISTRICT is \$5.86717 per foot of boat or slip for 20-foot and 24-foot slips; \$6.08417 per foot of boat or slip for 30-foot slips; \$6.30117 per foot of boat or slip for 34-foot slips; \$6.51817 per foot of boat or slip for 38-foot slips; \$6.73517 per foot of boat or slip for 40-foot slips; \$6.95217 per foot of boat or slip for all 45+ foot slips; whichever is larger, per month. The state leasehold excise tax, currently 12.84%, will be applied to this moorage as well as monthly utility and security fees as delineated in this document. *See note A. *Winter moorage to be charged at same rate.
4. The rental of moorage slips FOR CUSTOMERS THAT RESIDE OUTSIDE THE PORT OF BROWNSVILLE PORT DISTRICT is \$6.09209 per foot of boat or slip for 20-foot and 24-foot slips; \$6.31741 per foot of boat or slip for 30-foot slips; \$6.54273 per foot of boat or slip for 34-foot slips; \$6.76805 per foot of boat or slip for 38-foot slips; \$6.99337 per foot of boat or slip for 40-foot slips; \$7.21869 per foot of boat or slip for all 45+ foot slips; whichever is larger, per month. The state leasehold excise tax, currently 12.84%, will be applied to this moorage as well as monthly utility and security fees as delineated in this document. *See note A. *Winter moorage to be charged at same rate.
5. Boathouse moorage FOR MOORAGE CUSTOMERS THAT RESIDE WITHIN THE PORT OF BROWNSVILLE PORT DISTRICT is \$0.53037 per square foot per month. The state leasehold excise tax, currently 12.84%, will be applied to this moorage as well as monthly utility and security fees as delineated in this document.
6. Boathouse moorage FOR MOORAGE CUSTOMERS THAT RESIDE OUTSIDE THE PORT OF BROWNSVILLE PORT DISTRICT is \$0.54399 per square foot per month. The state leasehold excise

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tax, currently 12.84%, will be applied to this moorage as well as monthly utility and security fees as delineated in this document. *See note A.

7. Any vessels such as Catamarans or Trimarans, because of their excess width, that require end ties or exceptionally wide slips will be charged at the current boathouse moorage rate per square foot per month or by the linear length of the slip or boat, whichever is greater. The state leasehold excise tax, currently 12.84%, will be applied to this moorage.
8. Utilities (Electricity, Garbage, Water and Sewer) are provided at the Port of Brownsville and are an integral part of the moorage agreement entered into between the port and its customers, aka customers. The Port and customers determined that these services used by the customers constitute seventy-five percent (75%) of the total consumption plus an additional twenty percent (20%) surcharge to cover maintenance and upkeep, with the remaining twenty-five percent (25%) being used by the Port. Per State requirements the Port adds these charges as a separate line item to the customers' invoices thus avoiding the requirement to charge leasehold excise tax for these services. The method to calculate seventy-five percent (75%) of the average annual amount paid by the Port for utilities will be divided by the total amount of linear footage taken up by the boats then divided by twelve thereby determining a per foot charge per month per linear foot for each utility. These charges are then added to the monthly statements as a line-item charge for each utility separate from the lease payment.
9. Where applicable, the state leasehold excise tax, currently 12.84% will be applied.
10. There will be an additional monthly charge for garbage, water and sewer which will be determined on a linear or square foot basis as appropriate based on the tariff fee for these utilities and will be added to the monthly statements as a line-item charge for each utility.
11. The metered rate for the yacht club will be the current electrical rate being charged the port. There will be an additional monthly charge for garbage, water, sewer and security based on square footage of the rented space (1321 sq. ft.) and in accordance with the current lease.
12. The metered rate for the Deli will be the current electrical rate being charged the port. There will be an additional monthly charge for garbage, water, sewer and security based on the square footage of the rented space (1100 sq. ft.) and in accordance with the current lease.
13. Utility (electricity, garbage, water and sewer) fees for permanent customers are as follows:
 - a. Electricity will be charged at \$0.66872 per foot of boat or slip, whichever is larger, per month. Boathouses will be charged at \$0.03745 per square foot per month.
 - b. Sewer will be charged at \$0.12920 per foot of boat or slip, whichever is larger, per month. Boathouses will be charged at \$0.00507 per square foot per month.

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- c. Water will be charged at \$0.05880 per foot of boat or slip, whichever is larger, per month. Boathouses will be charged at \$0.01586 per square foot per month.
- d. Garbage will be charged at \$0.14804 per foot of boat or slip, whichever is larger, per month. Boathouses will be charged at \$0.01102 per square foot per month.

14. The metered rate for the Yacht Club and Deli is \$0.13420 per Kilowatt Hour.

If the rate for any utility (electricity, garbage, water and sewer) or utility tax increases, then the cost of the rate increase will be passed on to the Port customers. Expected revenue from the rate increase will not exceed the estimated additional costs to the Port for these services. The Port will provide all customers notification of a rate increase prior to increasing the rates.

15. Rental for guest moorage is \$2.00 per linear foot per day.

16. Weekly rental for guest moorage is \$10.50 per lineal foot per day (calculated by multiplying the daily rate by 75% and multiplying by 7 (days) and rounded up.

17. The charge for utilities (electricity, garbage, water and sewer) for guest moorage is \$4.75 per day or \$24.50 per week.

18. Boat ramp fees are \$7.00 per launch. An annual pass is available for \$70.00. Disabled military veterans will be afforded a percentage discount for \$36.00 for an annual pass.

19. Commercial use ramp permit fee:

19a. Commercial use ramp permit fee - boats is \$60.00 per one-month period.

19b. Commercial use ramp permit fee - trucks - (To be determined at a future date).

20. The camping fee for people arriving at the Port of Brownsville by human or wind-powered beachable watercraft (kayaks, etc.) is \$4.50 per person per day.

21. The parking fee for motor homes, camper trailers or similar is \$45.00 per day. The maximum stay is 5 days. Use of Port parking shall not be considered an RV park or storage or similar.

22. The rate for upland storage is \$80.00 per month. The state leasehold excise tax, currently 12.84%, will be applied to upland storage.

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23. Denizen and tenant marina parking lot fees:

- a. Vehicles, motor homes and boat trailers up to twenty-five (25') feet in length will be charged \$80.00 per month plus current state leasehold excise tax on applicable vehicle.
- b. Vehicles, motor homes and boat trailers twenty-five (25') feet to forty (40') feet will be charged \$160.00 per month plus current state leasehold excise tax on applicable vehicle.

Note: See Marina Rules and Regulations Section III, D-6

24. Each moorage agreement will include one Key Fob. Additional Key Fobs are available for purchase at \$20.00 each plus sales tax. Each moorage agreement will include an annual Key Fob annual reoccurring fee of \$20.00 plus any associated taxes.

Each mail box incurs an annual mail box rental of \$35.00 plus any associated taxes. Each mail box rental will include one mail box key.

25. All fees are due by the first calendar day of the month preceding the service received. A 5% per month late fee will be assessed (effective January 1, 2023) on all outstanding invoices for balances due past the 10th calendar day of the month. Due date change of the 10th is effective April 1, 2023 to allow for time to notify customers.

26. Security Services are provided at the Port of Brownsville and the area used by the customers constitutes seventy-five percent of the total area to be monitored by security whereas the buildings and grounds constitute twenty-five percent. Therefore, the Port has determined that the charges for security will be prorated with the customers paying 75%, plus an additional twenty percent surcharge for administration, and the Port paying 25% consumption. Seventy-five percent, plus the 20% surcharge of the average annual amount paid by the Port for security will be divided by the total amount of linear footage taken up by the boats then divided by twelve. Thereby determining a per foot charge per month per linear foot. The customers' pro rata 75% plus the 20% overhead will be added to their monthly statements as a line-item charge for security separate from the lease payment. The average annual amount paid for security will be divided by the number of users then divided by twelve. The customers' pro rata share will be added to their monthly statement as a line-item charge for security, separate from the lease payment.

- a. Security will be charged at \$0.62030 per foot of boat or slip; whichever is larger, per month. Boathouses will be charged at \$0.04003 per square foot per month.
- b. If the rate for security services increases, the cost of the rate increase will be passed on to the Port customers in an across-the-board increase. Expected revenue from the across-the-board rate increase will not exceed the estimated additional costs to the Port for these services. The Port will provide all customers notification prior to increasing the rates.

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27. No more than ten percent of the marina moorage slips can be utilized as Liveaboard slips. Therefore, the Liveaboard impact fee is determined by taking the actual total annual cost for utilities for the previous year (electricity, garbage, water and sewer) and security multiplied by 20% for maintenance and upkeep then divided by 32 (the current number of authorized Liveaboard slips) then divided by 12 to determine the monthly charge. Liveaboard moorage are not considered residential customers of the Port and are not subject to the Landlord Tenant Act.
- a. The Liveaboard impact fee is currently \$115.00 per month.
 - b. If the rate for any utility (electricity, garbage, water and sewer) or utility tax increases, the cost of the rate increase will be passed on to the Port liveaboard customers based on the above formula. The Port will provide all Liveaboard customers notification of a rate increase prior to increasing the rates.
28. If a customer fails to keep and perform any of the terms or conditions set forth in the Ports Rules and Regulations or the Privately Owned Boathouse Specifications and Standards, the Port will notify the customer in writing describing the infraction. After ten (10) days from the date of the letter if there is not a satisfactory response, the Port may impose a daily monetary fee of \$16.00. If the customer fails to correct the infraction and / or fails to pay the imposed fee, the Port may, at its option, declare the customers' right to occupancy ended and proceed with termination per section VI paragraph E of the Ports Rules and Regulations or if necessary, seize and sell the vessel or boathouse pursuant to RCW 53.08.320.
29. The waiting list is a onetime non-refundable fee of \$40.00 + tax.
30. Recreational Vehicle (RV) sanitary holding tank dump fee is \$0.00 to Port moorage customers and Port constituents all others are \$10.00 per use. An annual pass can be obtained in the Port Office for \$100.00.
31. Bilge pump-out fee is \$190.00 per hour with a one-hour minimum plus applicable state and federal taxes.
32. Holding tank pump-out service provided by Ms. LaPew will be charged at \$5.00 plus applicable state and federal taxes.
33. Towing service fee is \$55.00 per tow (within the marina only) plus applicable state and federal taxes.
34. Towing service fee is \$150.00 per hour with a one hour minimum per tow (outside the marina) plus applicable state and federal taxes.
35. Tenant Services provided by staff will be charged at \$80.00 per hour.

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36. Services in support of an interlocal agreement will be charged at \$80.00 per man hour.
37. Rental of Upper Park, Pavilion, or Upper Commons, if renter resides within the Port of Brownsville Port District or has a boat moorage rental agreement with the Port, the rental is \$30.00. If they maintain a residence outside of the Port of Brownsville Port District, the rental fee will be \$100.00 plus applicable state and federal taxes. The Lighthouse Belvedere and the two picnic tables, one to the east and one to the west, have a rental fee of \$20.00 plus applicable state and federal taxes if the renter resides within the Port of Brownsville Port District or has a boat moorage rental agreement with the Port and \$40.00 if they reside outside of the Port of Brownsville Port District. Other than the Brownsville Lighthouse Belvedere, the waterfront picnic areas cannot be reserved.
38. Equipment rental: Badminton \$5.50; Frisbee golf \$11.00; Bocce Ball \$2.25; Frisbee Bottle Toss \$5.50; Horseshoes \$2.25. Rental cost for all the games is \$22.00 per day plus applicable state and federal taxes.
39. Portable Toilet rental for use in Upper Commons requires 14-day notice in advance and is Cost, including tax, plus 25% per day per unit plus applicable taxes.
40. Portable hand wash station for use in Upper Commons requires 14-day notice in advance and is Cost, including tax, plus 25% per day per unit plus applicable state and federal taxes.
41. Rental of large barbeque grill (60" commercial) is \$60.00 per day plus applicable state and federal taxes. This rental includes propane and cleaning by Port Staff.
42. Rental of Patio Heaters in the pavilion is \$30.00 per day plus applicable state and federal taxes. This rental includes propane.
43. The price for gasoline, diesel fuel, and propane will be \$0.45 per gallon higher than the receiving price plus applicable state and federal taxes. An additional 10% of the receiving price will be added to the sale price for gasoline, diesel, and propane.
44. The price for oil, lubricants, absorbents, fuel additives, etc. will be cost, plus 37.75%, plus applicable state and federal taxes.
45. Public Records Request Fee Schedule:
- | | |
|---|-----------------|
| a. Black and white photocopies | \$0.15 per page |
| b. Double sided black and white photocopies | \$0.15 per side |
| c. 8.5 X 11 | \$0.40 per side |
| d. Copies produced by outside source | Actual cost |
| e. Documents sent by fax | \$1.00 per page |
| f. Electronic device | Actual cost |

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g. Mailing and envelope Actual cost

46. The charge for outgoing faxes will be \$0.50 per page plus phone charges for international transmissions. Plus, applicable state and federal taxes.
47. The charge for copies will be \$0.25 per page plus applicable state and federal taxes.
48. The cost to send a certified letter to a tenant will be charged at the current USPS rate to the customers' account plus an additional administrative fee of \$75.00 + tax.
49. Subleasing or prorating a subleasing tenant will be charged an additional initial administrative fee of \$65.00 + tax.
50. Dock Boxes must be obtained through the Port Office to ensure form, fit and aesthetics throughout the marina. The customers are required to purchase the dock boxes outright. The lease to own or renting option has been retired. The cost to Purchase is the Port's actual costs to purchase plus tax plus 25%.
51. The Port wishes to instill a feeling of cordiality and therefore does not charge for occasional miscellaneous services. However, the Port reserves the right to charge as the Executive Director or their assigns see fit so long as the customer, if available, is duly notified prior to the charges.
52. Nonsufficient checks will be charged \$65.00 + tax.
53. A dedicated Technology fee of \$5.00 will be added to all monthly moorage invoices in the amount of \$5.00 per month and to transient moorage invoices in the amount of \$0.20 a day. The funds accrued through this charge are dedicated toward investing in the technological development of the Port and marina.
54. A dedicated Revenue Bond fee of \$25.55 will be added to all monthly moorage invoices in the amount of \$25.55 and to transient moorage invoices in the amount of \$0.85 a day. The funds accrued through this charge are dedicated for the payment of the Port of Brownsville's 2017 Revenue Bond.
55. A dedicated Camera System fee of \$7.14 will be added to all monthly moorage invoices in the amount of \$7.14 and to transient moorage invoices in the amount of \$0.25 a day. The funds accrued through this charge are dedicated towards the Port's camera system at the Port and the marina.

Notes:

- A. Port District residents pay property tax to the Port of Brownsville based on the assessed value of their property. These funds are used to perform Capital Improvement Projects at the Port to benefit the customers of the marina and the Port District Residents.

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Non-District residents who are customers of the marina benefit from these improvements without having the additional cost that Port district residents bare. Therefore, a small increase in the moorage rates for non-district customers is being added to offset this disparity.

- B. Collection procedures will be those authorized by the laws of the State of Washington and in particular but not limited to, RCW 53.08.320. The collection procedures are set out in Attachment (4) to this exhibit and are an integral portion of this tariff.