

Off the Boat Sales Customer Service Fee

**Special Meeting/Public Workshop
June 10, 2021 6pm**

Board of Harbor Commissioners:

Commissioner Virginia Chang Kiraly, President


Commissioner Nancy Reyering, Vice President

Commissioner Tom Mattusch, Treasurer

Commissioner William Zemke, Secretary

Commissioner Ed Larenas





Off the Boat Sales

- **January 18, 2017:** Issue discussed by the Board but was tabled with no action.
 - <https://smharbor.specialdistrict.org/files/781406594/Item%2017a%20-%20SR%20RF%20PSF%20and%20Fish%20Sales%20sm.pdf>
 - https://www.smharbor.com/files/5dc7fb665/2017_01_18_RegularMeetingMinutes.pdf
- **February 17, 2021:** Issue brought before the Board again. The Board directed staff to host a public workshop to gather input.
 - https://www.smharbor.com/files/a462a7aa3/2021_02_17_Item_13_Off_The_Boat_Sales_Staff_Report.pdf
 - https://www.smharbor.com/files/68135a600/.2021_02_17_Agenda.pdf

What the Fee will be Used For

- Dock Maintenance
- Utility Maintenance/Upgrades
- Maintenance/Cleaning of public serving facilities
 - Parking lots
 - Restrooms
 - Trash collection
- Safety Improvements
 - Leveling of expansion joints
 - Concrete seams.
 - Signage.



San Mateo County Harbor District

The Harbor District is an Independent Multi-functional, Enterprise Special District , a political subdivision of the State of California.

As a Multi-Functional District, this District provides more than one service.

As a Enterprise District, the District delivers services that are run like a business enterprise, charging for that services provided.



Requirement



- **The Harbor District is required by State Code to charge to services.**
- **Harbors and Navigation Section 6079:**
“the board shall by ordinance fix the rate of wharfage charges and other charges which are appropriate for the use of any of the facilities owned and constructed or services furnished or provided by the district.”

Ordinance Code



Chapter 3.10 of the SMCHD Ordinance Code:

“the District shall establish rates and fees for the use of facilities of the District and for services performed by the District. This schedule of rates and fees will be adopted by resolution of the Board of Harbor Commissioners. It shall be the responsibility of the employees of the District or their agents to collect said fees and charges

Permit Required

Chapter 5.10.010 of the SMCHD Ordinance Code

It is unlawful for any person to sell or publicly solicit for sale any merchandise within the boundaries of the District unless a permit is first obtained from the District.

Vessels within the harbor or marinas of the District shall not be used for any commercial purposes unless a permit is first obtained from the District. In the case of a commercial fishing vessel the payment of berthing fees to the District and appropriate fishing permit fees to the State of California or the U.S. Government constitutes permission to conduct commercial fishing operations, excluding any wholesale buying or retail selling of fish on premises, which requires a commercial activity permit issued by the District.



Current Fees:

- Lessees (Fish Buyers) pay 2.5% of gross sales for off the dock sales to non-commercial buyers.
- Passenger Vessels: Pay \$2.41 per passenger. (1.6% based on \$150 tk)
- HMB Kayak Company: 3% gross sales
- Restaurants: 3% to 5% gross sales



Current Proposal:

Commercial Activity Permit

**Already Aware Significant Edits are Required to
simplify.**



Current Limited CAP Requires

All fish sold under this proposal shall be recorded on proper Department of Fish and Game receipts and shall be sold by duly licensed and permitted fisherpersons in accordance with all California Fish and Game regulations.

Can be used to based the customer service fee on.

