

**RESOLUTION NO. 3039, AS AMENDED**

A RESOLUTION of the Port Commission of the Port of Seattle, King County, Washington establishing moorage rates at Shilshole Bay Marina.

WHEREAS, the Port's basic purpose is the enhancement and orderly management of the flow of waterborne cargo and air passengers and goods; and

WHEREAS, these activities provide the region with substantial economic benefits; and

WHEREAS, the provision of recreational moorage facilities is not the Port's primary objective; and

WHEREAS, at any point in time, moorage at Shilshole Bay Marina is available for use by only a small segment of the King County population; and

WHEREAS, the public is best served by the Port's charging rates comparable to those charged by other marinas of similar quality and location; and

WHEREAS, the Port staff undertook a three-month review of rate principles and policies and submitted to the Commission a memorandum and attachments, dated September 19, 1988 regarding Options and Recommendations re Shilshole Bay Marina Rate Policy Review; and

WHEREAS, the staff was assisted during its review by an Advisory Group including marina tenants, waiting list members, a recreational boating industry representative, a recreational boating researcher, other marina operators, and others; and

WHEREAS, the Commission heard public testimony at a special hearing on October 11, 1988 and at its regular meeting on November 8, 1988;

NOW THEREFORE BE IT RESOLVED, by the Port Commission of the Port of Seattle as follows:

Section 1. The Executive Director is authorized to set 1989 and 1990 moorage rates at Shilshole Bay Marina in the following manner:

- a. The 1990 rate, effective January 1, 1990, shall be determined by applying the "Return on Current Value" formula (as defined by Resolution No. 2834, as amended, adopted in 1981), with the following changes in such formula:
  - (1) The return on current value shall be ten percent (10%);
  - (2) Historical depreciation shall not be included in the formula;
  - (3) The "Current Value" figure from December 31, 1987 shall be used.
  - (4) The figures for operating and maintenance expenses, other revenues and transient revenues shall be those included in the 1988 budget.

- b. The 1989 rate, effective January 1, 1989, shall be set at a level equal to the 1988 rate plus one-half (1/2) of the difference between the 1988 rate and the rate calculated, pursuant to 1.a., above, for 1990.

Section 2. The Executive Director is authorized to set rates for 1991 and each year thereafter, effective January 1 of subject year, by adjusting the rates from the previous year by a percentage equal to the annual average change in the U.S. Consumer Price Index for all items for all urban consumers (for the 12 months ending in the October prior to the year of subject rate adjustment), as reported by the U.S. Bureau of Labor Statistics.

Section 3. If, at the time of the annual rate determination, the number on the waiting list for moorage at Shilshole Bay Marina is less than 150 or if the waiting list for 30-foot, 40-foot, or 50-foot slips is less than five percent (5%) of the total number of slips of that size, the Executive Director is directed to consult with the Port Commission before putting into effect any rate adjustment for that year.

Section 4. Should Shilshole Bay Marina be expanded, the formula utilized pursuant to 1.a., above, shall be applied in order to set rates for the year following completion of the expansion. In applying the formula, the Executive Director shall:

- a. utilize the most recent figure for current value; and
- b. utilize the budgeted figures for operating and maintenance expenses, transient revenue and other revenues.

Section 5. Thereafter, the Executive Director shall utilize the Consumer Price Index mechanism in 2., above, to adjust rates annually, subject to the waiting list constraint identified in 3., above.

Section 6. The Executive Director shall, by July 1, 1989, make available to senior citizens, age 65 or older, a discount of ten percent (10%) on the rates calculated pursuant to Sections 1 - 5, above. Such discounts shall not be available to boat partnerships. To receive such a discount, a tenant (including married couples) shall have an annual income of less than \$20,000 or the King County per capita personal income, whichever is higher. To apply for the discount, a tenant shall provide proof of age and shall indicate on a signed statement that he or she meets the income test.

Section 7. The Executive Director is authorized to issue appropriate tariff amendment directives to carry out the intent of this Resolution.

Section 8. Resolution No. 2834, as amended, is hereby superseded by this Resolution No. 3039.

ADOPTED by the Port Commission of the Port of Seattle this 13<sup>th</sup> day of December, 1988, and duly authenticated in open session by the signatures of the Commissioners voting in favor thereof and the Seal of the Commission.

Patricia Davis  
John S. Blank  
Paige R. Miller

Port Commission