

From: [Theresa Brandner](#)
To: [Jalipa Brent \(BOS\)](#); mbuell@aol.com
Cc: [Commission, Recpark \(REC\)](#)
Subject: Agenda Item #6 – 220687 Board of Supervisors Special Meeting, June 16, 2022 - Marina Harbor Fees
Date: Thursday, June 16, 2022 5:22:26 AM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

RE: Regular Agenda Item #6 – 220687 [Park Code - Marina West Harbor Fees] amending the Park Code to impose a surcharge in addition to the license fees for berthing at the Marina West Harbor.

Dear Board of Supervisors:

I am writing to you as a concerned, current SF Marina Harbor tenant since 2004 and in follow-up to the March 17, 2022 Commission Meeting, which I attended virtually and observed several inaccurate reports regarding the historic berth increases and the problematic notification process to boaters. Note that the berth holders received NO notification of the March 17 Commission meeting and only received notification of this meeting a few days ago.

I have had berths in both the East Harbor and West Harbor. I am astonished to hear that there is a proposed 21% increase in the berthing rates (on top of the already planned 3% increase for a total increase of 24%) under the justification that the funds will be used to pay for additional dredging. This is in direct conflict with our berthing contract that state a maximum increase of 3% per year. A history of the West Harbor berth rate increases is included below and represents a cumulative increase of over 110% since 2009.

2009	2010	2011	2012	2013	2014	2015	2016	2017	2018	2019	2020	2021
23%	20%	4%	4%	37%	3%	3%	3%	3%	3%	3%	3%	3%

Additionally, after the West Harbor was completed, the berth holders were ALREADY subject to a SIGNIFICANT increase in berthing rates in 2013 with the justification that the funds would be used to service the loan and fund the Harbor Reserve Fund and would be supplemented by the City General Fund. This brings the management of these funds into question. It should be noted that the funds are already available in the Harbor Reserve Fund (required by Cal boating as a condition of the loan and designated for this purpose) as well as the Department of Boating and Waterways escrow fund that is intended for use in dredging.

The primary underlying issues appear to be a budgeting / expense allocation issue and a BCDC permit compliance issue. The SF Marina Harbor budget expenses include many expenses that are NOT related to the operation of the SF Marina Harbor are being allocated to the SF Marina Harbor Fund and are depleting the funds that are required to be applied to maintain the Harbor and not filling vacancies in a timely manner due to administrative delays or depth issues for a significant number of available/vacant slips. In addition, we boaters pay a possessory interest tax on our slips, and I am concerned that these tax dollars are not being directed toward the SF Marina Harbor. This is in conflict with the statues and restrictions for the Marina Harbor Fund and needs to be corrected.

Further, many of the obligations for maintaining the SF Marina Harbor that are mandated in the BCDC permit have not been fulfilled, resulting in increased dredging costs. **Most significantly**, a 50ft sand pit is required to be maintained to protect the harbor from silting. This sand pit has not been maintained for several years, which is one of several factors that have resulted in detrimental silting in the harbor, in particular at the entrance to the

harbor, creating a hazardous situation. The presence of a properly maintained sand pit, as required by the BCDC permit, would alleviate the formation of sand at the Harbor entrance and silting throughout the Harbor.

Given that funds are available and have been held in reserve for harbor dredging and maintenance for the harbor, these funds should be used for the dredging rather than applying a significant increase in berthing fees to address the short term dredging issue. In addition, ensuring compliance with the BCDC permit by maintaining the 50ft sand pit would alleviate issues of continued silting and the need for future substantial dredging.

Sincere regards,

Theresa Brandner

SF Marina Harbor Berth Holder

From: [wgc198](#)
To: [Jalipa, Brent \(BOS\)](#)
Cc: mbuell@aol.com
Subject: West Harbor 21% Berth Rate Increase/bac 061622 agenda
Date: Wednesday, June 15, 2022 11:00:02 PM

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It is proposed that the West Harbor berth rate be increased by 21% on top of the yearly CPI increase for a whopping 24% total yearly rate hike to pay for "increased dredging costs." I am a new berth holder who paid entry level market rate. The proposed increase will place me at 21% over market rate. How is this a reasonable surcharge!? I am not a wealthy boat owner who can easily absorb such an increase. If berths in East Harbor are being left vacant, or intentionally vacated, to prepare for PG&E's contamination clean up there, shouldn't PG&E be responsible for the loss of income to the Marina? Why was this not included in the settlement between the City and PG&E? Or, if it was included in the settlement, why is that revenue not available for dredging now? Is it worth the risk of a berth holder exodus, let alone the ill will? The affordability of dredging is a loss of revenue issue, not an "increase in dredging costs" issue. The burden of revenue loss should be placed where it belongs...with PG&E, not berth holders...Bill Clarke

Sent from my Verizon, Samsung Galaxy smartphone

From: [Bruce Stone](#)
To: [Jalipa, Brent \(BOS\); mbuell@aol.com](#)
Cc: [Commission, Recpark \(REC\)](#)
Subject: BoS Special Meeting, June 16, 2022 - Agenda Item 6 - Berthing Fee Surcharge
Date: Wednesday, June 15, 2022 9:02:23 PM

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Bruce J. Stone
West Harbor Berth #225
bruce@brucestone.com
917-822-4060

Re: Hearing on June 16, 2022

June 15, 2022

Agenda Item 6 (220687) 21% surcharge on berthing fees in West Harbor

Dear Board of Supervisors:

I am writing regarding the proposed 21% surcharge on berth fees in West Harbor, supposedly to support dredging, and urge you to look much deeper than the superficial presentation you have received from Rec and Park.

SF Marina Harbor is running a huge deficit due to vacancies in both harbors – in West because of the slow assignment of berths to people on the waiting list and in East because the harbor has become too shallow, and the slips have broken apart due to age exacerbated by intense tidal surge. As a result, the harbormaster has not raised berthing fees in East Harbor nor assigned anyone a berth there for many years, waiting for it to be rebuilt, and many berth holders moved out due to the deplorable conditions. This low occupancy has created the deficit.

PGE's foot-dragging in coming to the table for an agreement with Rec and Park has set the project back many years and directly contributed to the budget shortfall. RPD chose to not invest in maintaining those docks and dredging the harbor, knowing that eventually there would be a settlement and the harbor would be replaced. RPD has received damages from PGE and should allocate a portion to cover West Harbor dredging.

We oppose item 220687, a proposal to make West Harbor berth holders pay the costs of this shortfall, and request it come from the Harbor's emergency reserves until the PGE funds become available.

Please also consider that aside from our license fees for use of the berth, we are also charged Possessory Interest tax and property taxes which logically could be redirected to the harbor instead of the General Fund.

Sincerely,

Bruce J. Stone, Vice President
SF Marina Harbor Association
Berth #225
bruce@brucestone.com
917-822-4060

From: [Risley Sams](#)
To: [Jalipa, Brent \(BOS\)](#); mbuell@aol.com
Subject: Comment: Special Meeting, Agenda Item 6 June 16, 2022
Date: Wednesday, June 15, 2022 7:16:59 PM

This message is from outside the City email system. Do not open links or attachments from untrusted sources.

Re: Agenda Item 6: (220687) impose a surcharge in addition to the license fees for berthing at the Marina West Harbor, to help fund the cost of dredging activities at the West Harbor
Dear Board of Supervisors,

I strongly oppose the proposed 21% special surcharge to be foisted on West Harbor berth holders by Rec and Park. I ask that it not to be approved by the Board of Supervisors. Rec and Park is requesting this onerous increase because they mismanaged the Marina, failed to dredge the sand pit outside to prevent the silting in of the Marina as required by the BCDC Permit and lost revenue by letting the East Harbor fall apart as PG&E dragged out their settlement with the city. As a direct consequence, Rec and Park wants **you** to help them put a bandaid on a revenue shortfall of their own making by raising our berthing fees by an additional 21% over the 3% CPI adjustment we just were levied.

I understand that there is an emergency fund that was created for just such harbor maintenance issues as well as Boating and Waterways loan that may be used to dredge the dangerously over-silted West Harbor entrance. I suggest that they tap these funds and leave the berth holders out of it.

As a berth holder, we not only pay rent, but we pay Property taxes and Possessory Interest tax as well and that should cover our part. Please do not vote to allow this "Special Surcharge" to pass as it doesn't solve anything and only rewards mismanagement.

Respectfully submitted,

Risley Sams
Berth Holder