

LEGISLATIVE DIGEST

[Park Code - Annual Increase of West Harbor Berthing License Fees]

Ordinance amending the Park Code to require the Controller to increase the berthing license fees for the West Harbor of the San Francisco Marina Small Craft Harbor each year by 3% or the annual increase in the Consumer Price Index, whichever is higher, until September 1, 2043; and making environmental findings.

Existing Law

Section 12.11 of the Park Code provides that the berthing fees for the San Francisco Marina Small Craft Harbor shall be adjusted annually in accordance with Section 12.20 of the Park Code, which authorizes annual fee adjustments to reflect changes in the relevant Consumer Price Index (CPI), as determined by the Controller.

Amendments to Current Law

The proposed ordinance would amend Section 12.11 of the Park Code to require that the berthing license fees for the West Harbor of the San Francisco Marina Small Craft Harbor be increased annually by 3% or the annual increase in the Consumer Price Index (CPI), whichever is higher. This provision would terminate by operation of law on September 1, 2043, which is the end of the repayment period on the City's loan from the State of California for the renovation of the West Harbor.

Background Information

In 2008, the Board of Supervisors by Resolution No. 491-08 accepted a \$17 million loan from the California Department of Boating and Waterways to renovate the West Harbor of the San Francisco Marina Small Craft Harbor. Among other things, the loan agreement with the State requires the City to increase the berthing fees for the West Harbor annually by at least 3% during the loan repayment period. The Park Code currently allows for berthing fees to be increased based on the Consumer Price Index (CPI) only, which in some years may be less than 3%. The proposed ordinance would therefore authorize the Controller to increase the West Harbor berthing fees annually by 3% or the annual increase in the CPI, whichever is higher, in order to comply with the requirement of the State loan agreement through the end of the loan term, which is September 1, 2043.