



Waterfront Commission

CONSENT CALENDAR

December 12, 2006

To: Honorable Mayor and
Members of the City Council

From: Waterfront Commission

Submitted by: Cliff Marchetti, Secretary, Waterfront Commission

Subject: Extension of the Waterfront Commission

RECOMMENDATION

Adopt first reading of an Ordinance amending Berkeley Municipal Code Section 3.36.070 to extend the Waterfront Commission to December 31, 2011.

FISCAL IMPACTS OF RECOMMENDATION

The Waterfront Manager will continue to perform the role of staff secretary to the Commission, at approximately 20% of one FTE.

CURRENT SITUATION AND ITS EFFECTS

As per the requirements of Berkeley Municipal Code Chapter 3.36, the Waterfront Commission presents the following three-year accomplishments and future plans:

Waterfront Commission's accomplishments 2003-2006

- Marina Master Plan completed in 2003 with review and recommendations by the Commission;
- Established with staff a 20-year fund forecast for Waterfront expenditures and revenues. This included the 5-year fund projections, which are reviewed annually;
- Reviewed with staff the Dock Replacement Project (docks H & I, and A-E), which led to the awarding of a contract for H & I dock replacement;
- Reviewed and recommended Marina fee increases to cover operating and capital expenditures and loan payments to the State of California Department of Boating and Waterways.

Waterfront Commission Future Plan

- Monitor progress of the Dock Replacement Projects for docks H & I and A-E and provide recommendations as-needed;
- Continue the annual review of Berthing Fees and the 20-year fund forecast and recommend policies and timetables for periodic fee adjustments;
- Support staff with 5-year and 20-year analyses of costs and revenues for the Marina Fund, and recommend policy to the City Council;

- Continue to track the Water Transit Authority recommendations, policy, and actions with respect to the proposed ferry service;
- Monitor progress and recommend policies pertaining to the Bay Trail Extension to the Marina.

BACKGROUND

The current Waterfront Commission terminates on December 31, 2006 (BMC § 3.36.070, Ord. 6622-N.S). Section 3.36.070 of the Berkeley Municipal Code requires that before that date, the Council review the work of the Commission over the past three years and review its future work to be performed in order to determine whether it should continue to exist as a separate commission. On August 9, 2006, the Waterfront Commission recommended that the City Council extend the Waterfront Commission for another five years (M/S/C: Smith/Mackouse/unanimous).

RATIONALE FOR RECOMMENDATION

The Berkeley Waterfront is a dynamic and vital part of the City and generates over \$5 million per year in revenue. In the course of a year, numerous issues arise that require complex analysis and policy recommendations for the Berkeley City Council. The Waterfront Commission is the body best suited to provide this support to Council.

ALTERNATIVE ACTIONS CONSIDERED

None considered.

CITY MANAGER

The City Manager concurs on the content and recommendations of the Commission's Report.

CONTACT PERSON

Paul Kamen, Chair, Waterfront Commission, 540-7968
Cliff Marchetti, Secretary, Waterfront Commission, 981-6737

Attachments:

- 1: Ordinance

ORDINANCE NO. –N.S.

AMENDING BERKELEY MUNICIPAL CODE SECTION 3.36.070 TO EXTEND THE DATE FOR TERMINATION OF THE WATERFRONT COMMISSION TO DECEMBER 31, 2011

BE IT ORDAINED by the City Council of the City of Berkeley as follows:

Section 1: Findings

The Council finds as follows:

- a. The Waterfront Commission is currently engaged in a number of important projects and issues upon which it seeks to make recommendations to the City Council and it is anticipated that this will continue to be the case for at least the next five years; and
- b. It is in the best interests of the City to allow the Commission to continue its work until December 31, 2011; and
- c. Extending the date specified in this Ordinance for abolition of the Waterfront Commission benefits these interests.

Section 2: That Section 3.36.070 of the Berkeley Municipal Code is hereby amended to read as follows:

3.36.070 Termination of Commission.

Unless further extended by the City Council, the Waterfront Commission shall be abolished on December 31, ~~2006~~2011. Prior to such date, the Council shall determine whether there is a further need for the Waterfront Commission to exist by reviewing its work during the previous three-year period, reviewing future work to be performed, and reviewing the need for continuation of this commission as a separate commission.

Section 3: Posting.

Copies of this Ordinance shall be posted for two days prior to adoption in the display case located near the walkway in front of Old City Hall, 2134 Martin Luther King, Jr. Way. Within fifteen (15) days of adoption, copies of this Ordinance shall be filed at each branch of the Berkeley Public Library and the title shall be published in a newspaper of general circulation.

