

Commission on Community Investment and Infrastructure

RESOLUTION NO. 3-2013
Adopted February 19, 2013

RESOLUTION APPROVING REVISED SCHEDULE OF BERTH LICENSE FEES AT THE SOUTH BEACH HARBOR AND AMENDING ITS RULES AND REGULATIONS TO ESTABLISH A FEE FOR LICENSEES' SECOND PARKING PERMIT; RINCON POINT SOUTH BEACH REDEVELOPMENT PROJECT AREA

WHEREAS, The Redevelopment Agency of the City and County of San Francisco ("Redevelopment Agency") had a long-term ground lease with the Port of San Francisco ("Port") for the South Beach Harbor area, operated the South Beach Harbor ("Harbor") from November 1986 until its dissolution on February 1, 2012 and initially adopted, by Resolution No. 202-85 (July 2, 1985), a fee schedule for berth licenses; and

WHEREAS, Redevelopment Agency Resolution No. 202-85 authorized the Executive Director of the Redevelopment Agency or his/her designee to modify the Rules and Regulations for the Harbor; and

WHEREAS, The Redevelopment Agency increased, by Resolution No. 185-2000 (Oct. 10, 2000), the fees for berth licenses at the Harbor and authorized the Executive Director to make annual adjustments in berth license fees so long as increases did not exceed the local Consumer Price Index ("CPI");

WHEREAS, Upon dissolution of the Redevelopment Agency, the Successor Agency to the Redevelopment Agency assumed the assets and liabilities of the Redevelopment Agency, including the Harbor, the leases with the Port, and the debt obligations incurred to construct the Harbor; and

WHEREAS, In light of the Redevelopment Agency's dissolution and in anticipation of its eventual oversight of the Harbor, the Port assumed functional management of the Harbor, proposed increases in berth license fees after several meetings with stakeholders, and proposed fees for the second parking permit assigned to berth licenses; and

WHEREAS, Loan and bond documents that provided funding for construction of the Harbor require a periodic review of fees to protect the interests of the lenders and bondholders; and,

WHEREAS, Based on a review of berth fees charged by comparable marinas in the Bay Area as well as the general increase in costs of operations at the Harbor, an increase in berth license fees at the Harbor is necessary and appropriate; and,

WHEREAS, A schedule of increases in berth license fees is attached to this Resolution as Attachment A, is explained in the Commission memorandum accompanying this Resolution, and provides that fee increases become effective on April 1, 2013 and on January 1 of subsequent years; and,

WHEREAS, The Rules and Regulations of the South Beach Harbor provide that a berth licensee may receive up to two parking permits without charge but the Port and Successor Agency staff recommend that a fee be charged for the second parking permit assigned to a berth license; now therefore, be it

RESOLVED, by the Successor Agency Commission (Community Investment and Infrastructure Commission), that the revised schedule of South Beach Harbor berth license fees, as shown in Attachment A to this resolution, is approved and shall become effective April 1, 2013; and be it further

RESOLVED, that the Executive Director of the Office of Community Investment and Infrastructure is authorized to adjust berth license fees on January 1 of subsequent years based upon increases in the Consumer Price Index (CPI); and be it further

RESOLVED, that the Executive Director is authorized to amend the Parking Regulations in the Rules and Regulations of the Harbor to establish an annual fee of \$600 for a second parking permit that may be provided to a Harbor berth licensee; and be it further

RESOLVED, that the Successor Agency Commission hereby approves an annual wait list fee of \$75 per year; and be it further

RESOLVED, that the Executive Director shall continue to have the authority, as established in Redevelopment Agency Resolution No. 202-85, to make other modifications in the Rules and Regulations for the South Beach Harbor.

I hereby certify that the foregoing resolution was adopted by the Commission at its meeting of February 19, 2013.



Commission Secretary

ATTACHMENT A

South Beach Harbor Rates Increase

Based on 22% Berthing Rates Increase Spread Over Three Years Effective April 1, 2013

Schedule of Monthly Rates for Berth License Fees and Parking Fees for existing South Beach Harbor Licensees effective April 1, 2013, subject to future applicable CPI adjustments (licensees whose licenses begin on or after April 1, 2013 will be subject immediately to the January 1, 2015 fee):

<u>Slip Size</u>	<u>Total Berths</u>	<u>CURRENT</u>		<u>PROPOSED RATE INCREASE</u>					
		<u>\$/FT</u>	<u>Monthly Rate</u>	<u>\$/FT as of April 2013</u>	<u>\$/FT as of January 2014¹</u>	<u>\$/FT as of January 2015¹</u>	<u>Monthly Rates as of April 2013²</u>	<u>Monthly Rates as of January 2014¹</u>	<u>Monthly Rates as of January 2015^{1 3}</u>
26	20	\$ 8.58	\$ 223.00	\$ 9.08	\$ 9.74	\$ 10.46	\$ 235.99	\$ 253.13	\$ 272.06
30	200	\$ 8.70	\$ 261.00	\$ 9.21	\$ 9.88	\$ 10.61	\$ 276.21	\$ 296.26	\$ 318.42
34	198	\$ 9.35	\$ 318.00	\$ 9.90	\$ 10.62	\$ 11.41	\$ 336.53	\$ 360.96	\$ 387.96
38	92	\$ 10.37	\$ 394.00	\$ 10.97	\$ 11.77	\$ 12.65	\$ 416.96	\$ 447.23	\$ 480.68
42	89	\$ 10.79	\$ 453.00	\$ 11.41	\$ 12.24	\$ 13.16	\$ 479.39	\$ 514.20	\$ 552.66
46	42	\$ 11.93	\$ 549.00	\$ 12.63	\$ 13.55	\$ 14.56	\$ 580.99	\$ 623.17	\$ 669.78
50	35	\$ 12.24	\$ 612.00	\$ 12.95	\$ 13.89	\$ 14.93	\$ 647.66	\$ 694.68	\$ 746.64
60	8	\$ 13.20	\$ 792.00	\$ 13.97	\$ 14.98	\$ 16.10	\$ 838.15	\$ 898.99	\$ 966.24

¹ CPI is not reflected in 2014 and 2015 rates. Changes to this fee schedule may be adjusted annually to reflect adjustments in the Consumer Price Index, as determined by the Executive Director of the Office of Community Investment and Infrastructure (Successor to the San Francisco Redevelopment Agency), with prior notice as provided for in berth license agreements.

² This fee applies to existing berth licensees who have a license in good standing on March 31, 2013.

³ For new berth licensees who start their licenses on or after April 1, 2013, the January 1, 2015 berth license fee would be applied immediately.