

**PARKS AND WATERFRONT COMMISSION
Regular Meeting**

Wednesday, January 10, 2024, 7:00 P.M., Frances Albrier Community Ctr, Auditorium

Minutes – Draft

The Commissions may discuss any items listed on the agenda, but may take action only on items identified as Action.

1. **Call to Order** (Chair). 7pm.
2. **Roll Call** (Secretary). Present: Abshez; Cox; Diehm; Lee; Kawczynska; Ranuzzi; Wozniak; Absent: Hurtado.
3. **Land Acknowledgement:** The City of Berkeley recognizes that the community we live in was built on the territory of xučyun (Huchiun (Hooch-yoon)), the ancestral and unceded land of the Chochenyo (Cho-chen-yo)-speaking Ohlone (Oh-low-nee) people, the ancestors and descendants of the sovereign Verona Band of Alameda County. This land was and continues to be of great importance to all of the Ohlone Tribes and descendants of the Verona Band. As we begin our meeting tonight, we acknowledge and honor the original inhabitants of Berkeley, the documented 5,000-year history of a vibrant community at the West Berkeley Shellmound, and the Ohlone people who continue to reside in the East Bay. We recognize that Berkeley's residents have and continue to benefit from the use and occupation of this unceded stolen land since the City of Berkeley's incorporation in 1878. As stewards of the laws regulating the City of Berkeley, it is not only vital that we recognize the history of this land, but also recognize that the Ohlone people are present members of Berkeley and other East Bay communities today. The City of Berkeley will continue to build relationships with the Lisjan Tribe and to create meaningful actions that uphold the intention of this land acknowledgement.
4. **Action: Approval of Agenda** (Chair) (M/S/C: Kawczynska/Ranuzzi/U): Ayes: Abshez; Cox; Diehm; Lee; Kawczynska; Ranuzzi; Wozniak; Noes: None; Absent: Hurtado.
5. **Action: Approval of Minutes** for November 8, 2023 (Chair).* (M/S/C: Diehm/Wozniak/U): Ayes: Abshez; Cox; Diehm; Lee; Kawczynska; Ranuzzi; Wozniak; Noes: None; Absent: Hurtado.
6. **Public Comment.** a) Steve Tracy, better trash containers; b) Gina Rieger, Trash container problem; c) Paul Kamen, Ferry Plan; d) Virginia Browning, Marina Plan Item 16; e) Jim McGrath, Parking RFP; f) Kelly Hammargren, Draft minutes and issues regarding renaming the Pier.
7. **Chair's Report.** A ribbon-cutting was held on Dec 1 at the Waterfront for variety of projects (Kawczynska); See page 18 in agenda re: Nature Grass Restoration Project at Cesar Chavez Park (Kawczynska); See page 17 in agenda re: link to DropBox recording of 11-09-2023 commission meeting (Kawczynska); \$300k was allocated from Council for design of Dreamland park at Aquatic Park (Kawczynska); See page 38 in agenda re: NY Times article from Cal ecologist on urban wildlife and redlining.
8. **Director's Report** (Ferris): PRW Divisions: Recreation; Parks; Waterfront; Capital; Budget. Update was provided.
9. **Discussion/Action: Approval of the 2024 PRW Commission meeting calendar** (chair).* (M/S/C: Kawczynska/Cox/U): Ayes: Abshez; Cox; Diehm; Lee; Kawczynska; Ranuzzi; Wozniak; Noes: None; Absent: Hurtado.
10. **Discussion: Inclusionary Playgrounds** (Cox). Presentation was provided.

- 11. Discussion: Waterfront projects ribbon-cutting and APWA Women in Construction video** (Ferris).* Videos were presented.
- 12. Discussion: New City Parks** (Ferris). Update was provided.
- 13. Discussion/Action: Issues of Trash Pickup in Parks** (Kawczynska). A discussion was held. Item to be placed on agenda for February commission meeting.
- 14. Discussion/Action: Updates to Waiver of Berth Fees Reso No. 66,544-N.S.** (Ferris).* A discussion was held. Item to be placed on agenda for February commission meeting. Public Comment: a) Sam Reifsnnyder, Bay Area Kayak Polo Club.
- 15. Discussion: Upcoming Waterfront Parking Study** (Kawczynska).* A discussion was held.
- 16. Discussion: Update on Waterfront Specific Plan** (Ferris). Update was provided.
- 17. Information: Recent Council Reports.***
- 18. Future Agenda Items:** Election of Officers; Public Art in Aquatic Park (Lavvorn); Priorities for parks capital projects FY2023-24; PRW Commission Workplan 2024; Parks Development Fee; Citywide Accessibility Plan; Berth Fee Waivers for community service organizations; Locations for Dog Parks.
- 19. Communications.***a) Communication with a link to the 11/8/2024 PRW Comm mtg recording (Kawczynska); b) Native Grass Restoration Project on 12-09-23, Cesar Chavez Park, (Kawczynska); c) Gordon Stout Ltr, 01-02-2024; d) Martin Nicolaus ltr, 11-27-2023; e) NY Times, Redlining and urban biodiversity, 01-03-2024 (Kawczynska); f) PRW Commission Report to Council Requesting Community Survey of Parks Tax Increase (Kawczynska/ Wozniak), 12-12-2023.
- 20. Next PRW Commission meeting:** Wednesday, February 14, 2024 (in-person).
- 21. Adjournment:** 9:30pm.

* document is attached to agenda packet and on the commission website.

** document will be provided at the meeting.

- Commissioners in attendance: 7 of 8 appointed.
- Public in attendance: 10
- Public speakers: 5

***Note:** For any handouts distributed at the meeting, please see below.

Handout: 01-10-2024
PRW Commission

James McGrath
2301 Russell Street
Berkeley, CA 94705
January 10, 2024

Scott Ferris
City of Berkeley
2180 Milvia
Berkeley, CA 94704

Subject: December 4, 2022, Request for Proposals for parking studies at Berkeley marina

Dear Mr. Ferris:

These comments will be hand delivered at the Parks, Recreation and Waterfront Commission. The posting of this document as part of the Commission agenda was too late to allow written comments to be made in time to be distributed to the Commission and interested parties.

GENERAL

The scope of work included in the Commission packet for January 10, 2024, is too general and vague to provide guidance to consultants to prepare an adequate parking study to support an EIR for either the Marina Specific Plan or a new ferry terminal. While it notes the importance of parking as an issue, it does not include the necessary standards. While I will provide further detailed comments, I will note that I have made many of these comments before.

STANDARDS

The land proposed for a 250-space parking lot for a new ferry terminal serving up to 4000 passengers was part of the Bay, filled with a permit from the Bay Conservation and Development Commission (BCDC) expressly for recreational purposes. Furthermore, BCDC's adopted Bay Plan provides a standard for considering a ferry terminal. I won't repeat that language here; many previous letters have cited it. But it provides two standards for use of that bay-fill property in Berkeley. First, since the land was filled for recreational policies, the city and WETA must demonstrate that it is no longer needed for recreational purposes. If a compelling case can be made that the land created by bay fill is no longer needed for recreation—in the original application parking for recreational users and visitor-serving commercial facilities---a case can be made for removal of that fill and restoration of the filled bay. Second, the city and WETA must demonstrate that parking for ferry patrons would not usurp the needs of current and recreational visitors. That standard should be the basis for the study, as well as for any eventual Environmental Impact Reports, and should be clearly articulated in the RFP.

BASELINE REQUIREMENTS

To prepare an adequate EIR, the City of Berkeley and WETA, through their consultants, must first prepare an adequate baseline of existing use. The RFP does not include the details necessary to accomplish this. There is no clear direction to the consultants about what new work is needed, the RFP includes phrases like "update existing conditions" and "collect additional data as necessary" rather than describing the tasks that must be completed. An adequate baseline **must** include information about the existing recreational uses, the current parking practices at the marina, and in particular the patterns of use and mode split that developed after the city approved two small ferry operations. Because the standard for the eventual EIR is protection of established and needed future recreational use, the background analysis must be done during the peak recreational season—summer. Nothing in the RFP stipulates the timing of data collection, or the specific purposes in the standards that require “updating existing conditions.” Stakeholders have provided the city website and staff with multiple letters and photos showing nearly full use of the south basin parking lots during weekdays during the summer. This information needs to be provided to the consultants, and the contract needs to include directions to either verify this information or provide a more comprehensive baseline. There are many different Automatic Vehicle Counting Systems, from the old-fashioned rubber tubes to modern infrared devices. They should be deployed on University Avenue and collect data, coming and going, to establish the existing background of use. As noted above, this must be done during the recreational season—not during the winter. Because recreational use of the parking lots in the South Basin might be usurped by the different development proposals under consideration, it is essential to establish what the baseline use at those lots is. Of course, this is not useful merely for preparing a baseline, it can also provide insight into recreational use by establishing what the average dwell time is for the average vehicle entering the marina. Certainly recreational spaces turn over more frequently during the day than commuter parking.

Studies prepared to date and linked on the city website show that 95% of the people arriving at the marina for recreational purposes do so by car. Studies of mode split done by WETA and provided on the city website establish that more than 60% of ferry riders also arrive by car. The RFP asks the consultants to answer these critical questions about parking for ferry users: “Develop specific, implementable TDM strategies with local and/or regional precedence for effective use.[and] After incorporation of all feasible TDM strategies, what is the resulting Travel Mode for weekday and weekend riders projected for Year 1?” For several years, the city has allowed small ferry operators to use Berkeley marina for commuting, and riders park in the marina. This established use, and the mode split that it represents, is an essential part of developing an adequate baseline. Yet the RFP makes no reference to using this data.

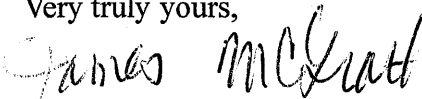
Similarly, Berkeley Marina has a secure bike parking facility near the bait shop. I’m frequently in the marina on my bike, and I rarely see this facility used. But there is no need to rely on my anecdotal observations—the facility can only be used through an app, which means data on actual use has been collected.

Because the mode split that can reasonably be expected is the most critical aspect of evaluating the impact of a ferry terminal, an adequate baseline, which includes careful analysis of existing uses and mode split, must be completed. The draft RFP fails to do this.

DESIGN YEAR BASIS FOR ANALYSIS

The draft RFP identifies the projected year one ridership to be 1830 passengers. This represents more than 900 departing passengers, or more than 540 parking spaces at existing mode split—more than twice the available parking. The RFP goes on to set the year 2040 as the end date for study purposes. However, WETA has adopted a projection for up to 4000 passengers for the year 2050. The planning horizon for any parking analysis should match the planning horizon that WETA is using.

Very truly yours,


James McGrath

max ebb

to the guillotine

“The trouble with democracy is that there are never enough weekday evenings.”

I’m not sure who first said that, but it rings true. My local Harbor Commission, Planning Commission, Transportation Commission, and City Council all expect citizens to exercise their right to participate in City government at evening sessions that fill up the calendar and usually run late.

Despite this state of affairs, there was a surprisingly good turnout at the last Harbor Commission meeting. After I filled out a speaker’s card and turned around to find a seat, I was surprised to see Lee Helm in the front row.

“Like, what brings you here?” she asked as I took the empty seat next to her. It seems that even when a meeting room is crowded, people tend to avoid that front row. But I like it, and so does Lee.

“Rate hikes in the marina,” I said. “Someone needs to tell these people that if they’re going to raise our fees, the least they can do is fix the broken docks. But Lee, you don’t even have a boat, why are you here?”

“This is way more important than a few more pesos on your monthly marina bill,” she answered. “It like, threatens the waterfront as we know it. We have a whole coalition mobilized to oppose this train wreck.”

“What train wreck?” I asked. “And why don’t I know about it?”

“The ferry terminal,” she sighed. “Don’t you read the comments in the local online paper?”

Before Lee had a chance to explain what was so terrible about a new ferry terminal, the meeting came to order and small talk was cut off. After some formalities, the first speaker, Armanda Legg, was called to the lectern.

“The Ferry Authority says this is about equity,” the young man began his commentary. “They say that it will open up the downtown job market to people in the non-wealthy neighborhoods near the harbor. That’s pure fantasy. By the Ferry Authority’s own data, 90% of their passengers earn above median income, and 40% are above two hundred K.”

“I could have told them that,” I whispered to Lee. “It’s not the same crowd that rides the bus.”

“Look at the per-ride subsidy level.” Armanda continued. “The operating subsidy alone is 33 dollars per ride. That’s per one-way ride. Every time some tech bro commutes to the City and back, it’s like they get a check for 66 bucks. And that’s just operating subsidy – crank in the capitalization of a 120 million dollar terminal, two fast diesel ferries at 30 million apiece, and about 15 million the City is expected to pay for shoreside improvements. Depending on the interest rate you choose, the total subsidy could top a Franklin each day. It’s nuts. It’s as far from equity as public policy could ever be. Especially when transit ridership all over the state is in trouble.”

“But we need to reduce congestion on the bridges,” one of the Commissioners interrupted, making a gesture with her hands that seemed to say “what else can we do?”

“Do what they did in New York,” replied the speaker. “They changed one lane of the Holland Tunnel to Busses and carpool only, and peak throughput increased by 20,000 commuters per hour on that one lane. Think how many ferries it would take to do that! Want equity? Spend the money where it’s needed and where it does some good, on buses and rail. Want poor folk to have a way to get out on the water? Fix the fishing pier. Don’t choke off access to the pier and the low-cost boating clubs with a parking crunch. That will ruin water access for everyone who’s not a ferry passenger. Thank you.”

“We built a six million dollar bike overpass,” remarked one of the Commissioners before the next speaker reached the microphone. “And there’s excellent bus service to the Marina.”

Lee was called up next.

This is, like, all about carbon,” Lee began. “A typical modern fast ferry, the ones run by our Ferry Authority, uses fuel at a rate of

about 2300 BTU per passenger-mile. For liquid petroleum fuels, carbon footprint is about proportional to fuel consumed, 2300 BTU per passenger mile,” Lee repeated, then introduced herself to the Commission as a naval architect who loves ships, loves ferries, and can do this kind of math.

“Pop quiz,” she challenged the Commissioners. “What do you think is the fossil fuel energy per mile for a transbay commuter bus? Anyone?”

The Commissioners were not used to having quizzes sprung on them during public comment sessions, but eventually one of them tried to answer.

“Probably less than half what the ferry burns,” he conjectured thoughtfully. “If the ferry is at 2300, I’ll say a thousand BTUs per passenger-mile for the bus.”

“Too high,” said Lee.

“Five hundred?” suggested another public servant. “That’s closer to a fifth what a ferry uses.”

“Still too high,” Lee said. “The number is just 130 BTU per passenger-mile. And like, the new ferries on order, with two already delivered, have twin 2557 horsepower diesels and carry 320 passengers at 36 knots. Works out to 2719 BTU per passenger-mile. That’s, like, 21 times the carbon footprint, per passenger, compared to the bus. Then there’s rail transit at 68. Per passenger-mile, the ferry emits 38 times as much CO₂ as a commuter train.”

The numbers seemed exaggerated, but I was pretty sure Lee could back them up.

“How long do you think we’ll be running these carbon-spewing beasts?” Lee continued. “A ferry has a useful life of like, 30-40 years. Can you think not-so-far into the future?” she asked the Commission. “Do you think in just 12 years when half of all cars sold in the state are supposed to be electric, or in 27 years when the state is supposed to be carbon-neutral, do you think those diesel boats will be anything but an embarrassment?”

“Now wait a minute,” said the interrupting Commissioner. “The new boats have ‘Tier 4’ emission controls, the highest standard. And the Ferry Authority has promised electric boats on this route, not diesels.”

“But all their projections for like, cost, performance, speed, and ridership are based on the diesel ferries. They refuse to do the math for electric, because they know it would require scaling things back a lot and in the short run cost more. Electric is not consistent with the big shiny new terminal and 300 passengers every half hour; It’s what I call the ‘Edifice Complex’ that’s driving this project. For sure, Tier 4 removes most of the particulates, but does nada about CO2. Our City is about to prove to the world that it can’t follow its own stated climate priorities.”

Lee was not done with them, but she was almost out of time.

“And now, like, the worst part of this: There’s this parking problem. They project 2,000 passengers a day, but only have 250 designated spaces for ferry passengers.”

She was cut short by the bell that indicated her comment time was up, and as with other speakers who seemed to take an adversarial position, a Commissioner had to get in the last word: “People will just have to take the bus,” he said.

Lee did not seem pleased when she returned to her seat. “I never got to the good stuff, about CEQA rules being bypassed and no viable alternatives considered, no feasibility study presented, no unified planning process. Or a plan for the parking thing, which is, like the real reason we’re here.”

Next up was an older man named Cesar Kalm, who said he fishes from the shoreline. He brought props: Fishing rods, a tackle box, and an ice chest full of ice and a fresh-caught halibut, which he held up to show the Commission. “I often fish right where they want to put the ferry terminal,” Cesar explained. “I need all this gear – it’s important to keep fish cold after it’s caught. I also need to park nearby. Tell me, where am I supposed to park when nine hundred ferry passengers are fighting for 250 spaces?”

A woman from the back of the public seating area cut in: “That’s an old number,” she shouted. “Now they say it’s going to be two thousand passengers per day, but the City, for reasons we can guess, uses less than five hundred passengers in their parking analysis...”

“Please, no interruptions,” scolded the Commission Chair.

The fisherman continued: “There’s talk of time limits on all the other parking areas, to keep the ferry passengers out. Doesn’t work for me, I fish all day. Doesn’t work for people who go out on the charter fish boats, doesn’t work for when I get an invite on a private fishing boat for the day. People need to park to use the park.”

“There’s always the bus,” one of the Commissioners repeated.

I was called up next, but by this time I had completely forgotten my complaint about berth fees. Instead I pointed out that the yacht club has all-day events that require all-day parking. And that while the club makes some money with commercial rentals, there are deep discounts for non-profits and charitable organizations that meet at the club on a regular basis. Even City departments get to use the club at rock-bottom prices for daytime events, and virtually everyone attending these events has to find a parking space.

“That big retirement party you had last week, during business hours? I suppose you could have chartered a bus to go from City Hall and all the other City offices to the marina... but that would have tripled your cost. ”

If Lee had to leave out parking, the next speaker more than made up for it. Roxanne Scholes was called up next.

“I hate cars too,” she began, “but this is the most popular park in the City, and it’s not a park in a neighborhood that people can easily walk to. There are parents with small children who come here for picnics, there are people with big dogs who come for the dog park, there are kayakers, windsurfers and kiteboarders with their equipment, there are guests and crew on private boats. They want to manage it with restricted parking areas, time limits and time-of-day-restrictions. Okay, maybe the boat owners will get parking passes, maybe guest passes too. Think of the black market in parking passes, or other ways to game these rules. If I had a fancy job in the City and needed to avoid the traffic jam on the bridge, I’d just put a small boat in the harbor and use my boat owner parking pass. Problem solved for about ten dollars a day. Maybe the whole thing is just a scheme to fill up those vacant small boat slips.”

“I have to repeat again,” said the Commissioner who likes to interrupt, after the “time’s up” bell rang. “there’s a bike overpass and pretty good bus service.”

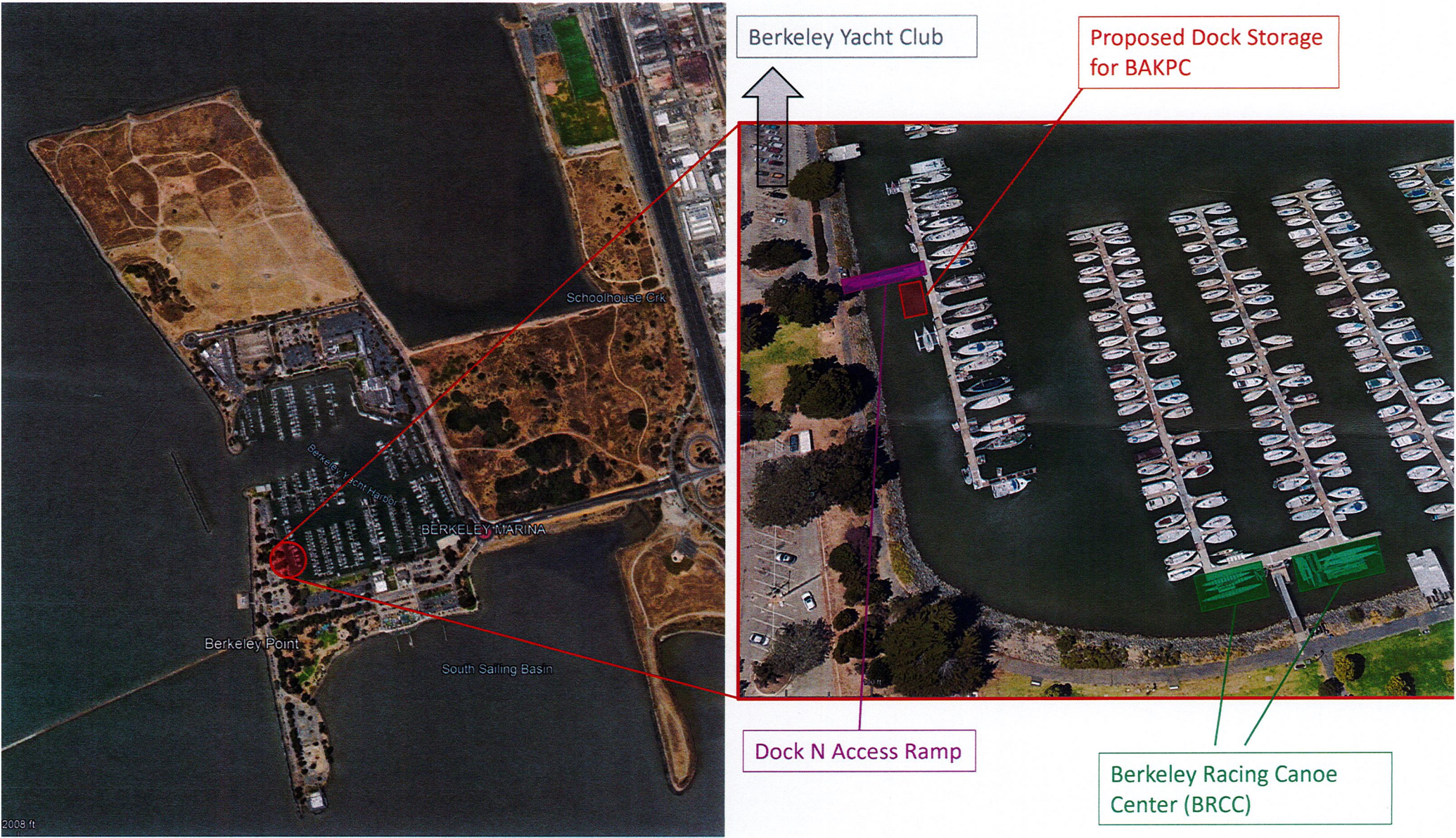
“You and Marie Antoinette,” said the speaker. “Remember Marie Antoinette? When told that the peasants had no bread, she said “let them eat cake.” Now those of us who can’t bring our fishing gear on a bike, or are a little too old to pedal back up the hill, or have a big dog to run in the off-leash dog park, or have medical issues, or who don’t happen live along the marina bus route and might have to take two busses when the schedule is infrequent and it would take an hour or more each way, now you’re telling us to just ‘take the bus’ or bike. It’s just as clueless and as detached from reality as old Marie A. telling the peasants to eat cake when they have no bread. Anyone remember what eventually happened to her?”

“The French revolutionaries sent her to the guillotine,” volunteered one of the Commissioners.

“Correct,” confirmed Roxanne. “Please everyone, tell the Councilmembers who appointed you that this thing needs to be scaled back. Back up and start a valid planning process, not hijacked by the Ferry Authority. Don’t let them put their heads on the block next to Marie Antoinette’s. It’s not a good look.”

max ebb

Handout - PRW Commission - 01-10-2024 - From: Sam Reifsmeyer, Bay Area Kayak Polo Club.



Berkeley Yacht Club

Proposed Dock Storage for BAKPC

Berkeley Point

South Sailing Basin

Schoolhouse Crk

Berkeley Yacht Harbor

BERKELEY MARINA

Dock N Access Ramp

Berkeley Racing Canoe Center (BRCC)