



PARKS, RECREATION, AND WATERFRONT COMMISSION

Regular Meeting

Wednesday, January 11, 2023, 7:00 P.M.

Parks and Waterfront Commission

PUBLIC ADVISORY: THIS MEETING WILL BE CONDUCTED EXCLUSIVELY THROUGH ZOOM VIDEOCONFERENCE AND TELECONFERENCE

- To access the meeting remotely: Join from a PC, Mac, iPad, iPhone, or Android device, join the meeting at the following public **URL**: <https://us06web.zoom.us/j/89698730836>
- If you do not wish for your name to appear on the screen, then use the drop-down menu and click on "rename" to rename yourself to be anonymous. To request to speak, use the "raise hand" icon by rolling over the bottom of the screen.
- By phone, to join: Dial US: +1-669-900-6833,,89698730836#
- By phone, Press *9 to raise your hand to make a comment.
- By phone, Press *6 to unmute your phone to speak, once recognized by the chair.
- **Note:** Your phone number will appear on the videoconference screen.

Agenda

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).
2. **Roll Call** (Secretary).
3. **Action: Approval of Agenda** (Chair).
4. **Action: Approval of Minutes** for December 14, 2022 (Chair).*
5. **Public Comment.**
6. **Chair's Report.**
7. **Director's Report** (Ferris): Divisions: Recreation; Parks; Waterfront; Capital; Budget.
8. **Discussion: PRW Commission Annual Workplan 2023, role of the commission, and February 2023 election of officers for chair and vice-chair** (Wozniak).
9. **Discussion/Action: Civic Center Turtle Island Monument / Fountain Project** (Ferris).*
10. **Discussion/Action: Update on Measure T1 shortfall for current projects** (Ferris). *
11. **Discussion: Update on proposed Summer Camp 2023 Fee Increases** (see Council agenda, January 17, 2023) (Ferris).
12. **Information: Recent Council Reports.** *
13. **Future Agenda Items:** Workplan 2023; Parks Development Fee; Citywide Accessibility Plan; BMASP Update, Animal Care.
14. **Communications.** a) Berkeleyside article on sidewalks, Dec 26, 2022; b) T. Jersey Ltr re: Berkeley Pier, Jan 3, 2023; c) J. McGrath Ltr re: Berkeley Marina, April 2008; d) J. Caner (CCCC) Ltr re: Turtle Island Monument, December 14, 2022. *
15. **Next PRW Commission meeting:** Wednesday, February 8, 2023.
16. **Adjournment.**

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

** document will be provided at the meeting.

ADA Disclaimer: This meeting is being held in a wheelchair accessible location. To request disability-related accommodations to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

SB343 Disclaimer: Any writings or documents provided to a majority of the Commission regarding any item on this agenda will be made available for public inspection at Parks Recreation & Waterfront Department Office at 2180 Milvia Street, Berkeley, CA.

Communications Disclaimer: Communications to Berkeley boards, commissions or committees are public record and will become part of the City’s electronic records, which are accessible through the City’s website. **Please note: e-mail addresses, names, addresses, and other contact information are not required, but if included in any communication to a City board, commission or committee, will become part of the public record.** All communications to the Commission should be received at least 10 days before the meeting date. If you do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the commission or committee for further information.

Commission Information: The agenda packets for the Parks and Recreation Commission and the Waterfront Commission are available for review at www.cityofberkeley.info/commissions; the Berkeley Main Library and the Parks Recreation & Waterfront Department Office at 2180 Milvia Street –3rd Floor, during their normal business hours. If you have questions, call Commission Secretary, Roger Miller at 981-6704 at 2180 Milvia Street, Berkeley, CA 94704 or by email at rmiller@cityofberkeley.info.

MISSION STATEMENT – PARKS AND WATERFRONT: Reviews and advises the City Council on issues related to all City/public parks, open space, greenery, pools, programs, recreation centers, the Waterfront, and resident camps: their physical conditions, policies, projects, programs, planning efforts, activities, and funding; early childhood education programs; and animal care issues in parks.

COMMISSION MEMBERS

Mayor - Gordon Wozniak	District 3 - Brandon Floyd	District 6 - Anna Avellar
District 1 - Kerry Birnbach	District 4 - Erin Diehm	District 7 - Davina Srioudom
District 2 - Claudia Kawczynska	District 5 - Brennan Cox	District 8 - Allan Abshez

Current Subcommittees:

- subcomm on Marina Fund (12-14-2022).

2022 Commission Meeting Dates

Name of Commission: Parks, Recreation, and Waterfront Commission

Commission Secretary: Roger Miller

Location: Frances Albrier Community Center, 2800 Park St

Month	Meeting Day and Date (2 nd Wednesday per month)	Time	Notes
2023			
January	Wednesday, January 11	7:00 p.m.	Regular Mtg (Zoom)
February	Wednesday, February 8	7:00 p.m.	Regular Mtg (Zoom)
March	Wednesday, March 8	7:00 p.m.	Regular Mtg (in-person)
April	Wednesday, April 12	7:00 p.m.	Regular Mtg
May	Wednesday, May 10	7:00 p.m.	Regular Mtg
June	Wednesday, June 14	7:00 p.m.	Regular Mtg
July	Wednesday, July 12	7:00 p.m.	Regular Mtg
August	No meeting		
September	Wednesday, September 13	7:00 p.m.	Regular Mtg
October	Wednesday, October 11	7:00 p.m.	Regular Mtg
November	<i>Wednesday, November 8</i>	<i>7:00 p.m.</i>	<i>Regular Mtg</i>
December	<i>No Meeting</i>		
2024			
January	<i>Wednesday, January 10</i>	<i>7:00 p.m.</i>	<i>Regular Mtg</i>

PARKS AND WATERFRONT COMMISSION

Regular Meeting

Wednesday, December 14, 7:00 P.M., Zoom Meeting

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): 7:00pm.
2. **Roll Call** (Secretary). Present: Abshez; Avellar; Birnbach; Cox; Diehm; Floyd; Kawczynska; Srioudom; Wozniak; Absent: none.
3. **Action: Approval of Agenda** (Chair). (M/S/C: Avellar/Floyd/U) Ayes: Abshez; Avellar; Birnbach; Cox; Diehm; Floyd; Kawczynska; Srioudom; Wozniak; Noes: none; Absent: none.
4. **Action: Approval of Minutes** for November 9, 2022 (Chair).* (M/S/C: Avellar/Floyd/U) Ayes: Birnbach; Cox; Diehm; Floyd; Kawczynska; Srioudom; Wozniak; Noes: none; Abstain: Abshez; Avellar; Absent: none.
5. **Public Comment**. a) Kelly Hammargren, Turtle Island project; b) Adolpho C, Chat function.
6. **Chair’s Report** (Wozniak). Civic Center Plan (Diehm, Kawczynska).
7. **Director’s Report** (Ferris): Divisions: Recreation; Parks; Waterfront; Capital; Budget. Updated provided.
8. **Action: PRW Commission Meeting Schedule 2023 through October** (chair).* (M/S/C: Diehm/Floyd/U) Ayes: Abshez; Avellar; Birnbach; Cox; Diehm; Floyd; Kawczynska; Srioudom; Wozniak; Noes: none; Absent: none. Public Comment: Kelly Hammargren.
9. **Discussion: Projected Marina Fund Annual Structural Deficit in FY 2023-24** (Ferris). Update provided. Public Comment: Kelly Hammargren.
10. **Discussion: Potential Parks Tax Increase for parks and landscaping at the Waterfront** (Wozniak). Discussion held and took action to create “fiscal subcommittee for the Marina Fund” for one year with Commissioners Abshez, Floyd, Kawczynska, and Wozniak (M/S/C: Kawczynska/Abshez/U): Ayes: Birnbach; Cox; Diehm; Floyd; Kawczynska; Srioudom; Wozniak; Noes: none; Abstain: Abshez; Avellar; Absent: none.
11. **Discussion: Update on \$15 million state allocation for Waterfront projects** (Ferris). * Update was provided. Public Comment: Kelly Hammargren.
12. **Discussion: Update on Santa Fe Railroad Park Project** (Ferris). Update was provided.
13. **Information: Recent Council Reports**. *
14. **Future Agenda Items**: Workplan 2023; Parks Development Fee; Citywide Accessibility Plan; BMASP Update, and Animal Care.
15. **Communications**. Turtle Island Project letter, CCCC (John Caner). *
16. **Next PRW Commission meeting**: Wednesday, January 11, 2023.
17. **Adjourned**. 10pm.

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

** document will be provided at the meeting.

- Commissioners in attendance: 9 of 9 appointed.
- Public in attendance: 7.
- Public speakers: 5

***Note:** For any handouts distributed at the meeting, please see the Draft Minutes for December 14, 2022 on the Parks, Recreation, and Waterfront Commission webpage at the following link online:

<https://berkeleyca.gov/your-government/boards-commissions/parks-recreation-and-waterfront-commission>



Parks, Recreation, and Waterfront Department

TO: Parks, Recreation, and Waterfront Commission

FROM: Scott Ferris, Director, Parks, Recreation & Waterfront Department
Jennifer Lovvorn, Office of the City Manager, Civic Arts Program

DATE: January 11, 2022

SUBJECT: Conceptual Plan for Martin Luther King Jr. for the Civic Center Park –
Upper Plaza Improvements and Turtle Island Monument

The below report summarizes project history and the Conceptual Plan for the Martin Luther King Jr. Civic Center Park Upper Plaza Improvements and Turtle Island Monument project. Civic Center Park is a designated City of Berkeley Landmark.

INTRODUCTION

In 1992, the City of Berkeley was the first city in the U.S. to declare Indigenous Peoples Day. The City included a designation of the Turtle Island Monument and Time Capsule at the fountain at Civic Center Park as part of the declaration. On October 11, 2022, the City adopted a Land Acknowledgment Statement that recognizes that the community we live in was built on the territory of xučyun, the ancestral and unceded land of the Chochenyo-speaking Ohlone people, and seeks to honor the original inhabitants of these lands. More broadly, this Monument in its 1992 dedication was to honor all indigenous people of this hemisphere, whose societies flourished centuries before Columbus arrived, and the original inhabitants across the North and South Americas. Over the last thirty years, many versions of this project have been designed with the intent of honoring the Indigenous Creation Story of Turtle Island through a monument at the fountain in the heart of Martin Luther King Jr. Civic Center Park. This report summarizes the progress made on the Conceptual Plan for the Martin Luther King Jr. Civic Center Park Upper Plaza Improvements and Turtle Island Monument project and includes the following:

1. Description of Location, Funding, and Public Process
2. Explanation of the Conceptual Design
3. Background and Project History

The Commission's feedback will inform the design before presenting the design to the general public in early 2023. On Wednesday, November 9th, 2022, Landmarks Preservation Commission (LPC) Infrastructure Sub-Committee, received a presentation on the project from City staff, PGAdesign and key members of the Indigenous community and their supporters. The project was presented the full LPC Commission on December 1, 2022. This project will come back to the LPC for a Structural Alteration Permit in early 2023.

CURRENT SITUATION

Project Location

The proposed project is located in Civic Center Park's Upper Plaza, and includes the hardscape, stone pavers, fountain terrace, and fountain located within the surrounding low walls.

Funding

The City has assembled \$891,666 to fund the design and construction for this project comprised of the following sources and spending deadlines: City Measure T1 (\$300,000 and spent by December 2025) and Clean California Local Grant Program (Caltrans) (\$591,666 and spent by June 30, 2024).

Public Engagement Process

The design and public engagement process began in 1992 and has gone through numerous iterations as funding has become available. The Turtle Island Monument was first proposed by Lee Sprague and Marlene Watson, respectively the Monument's artist and designer. They worked with both the City of Berkeley and indigenous communities internationally to develop the monument's design – merging an indigenous ethic and aesthetic with the requirements provided by the City and its Commissions.

In 2005, the City underwent a public process to commission artist Scott Parsons to create four bronze oceanic turtle sculptures and facilitate the creation of eight stone art medallions by North and South American Indigenous artists and international tribal representatives. These art pieces have been in storage to be installed as part of the Turtle Island Monument.

More recently at the local level, the Turtle Island Monument (TIM)¹ team has been very active for several years in terms of advocating, engaging architects and Indigenous people, and developing a conceptual plan for a grassroots campaign to continue the project.

In 2020, the City allocated Measure T1 funds for the project and in 2022, the Indigenous community was formally re-engaged. The original artist and designer, Lee Sprague and

¹TIM team is led by and comprised of Deb Durant, Elyce Klein and David Snippen

Marlene Watson, respectively, returned as City consultants to facilitate the project's design evolution, engage Indigenous community members in the design process, lead the process for the design team (with City staff and PGAdesign) and speak to an authentic Indigenous vision for Turtle Island Monument to develop the current conceptual plan. Scott Parsons who created the turtle sculptures and stone medallions, also returned as a consultant to support the project. To-date, this effort has involved a series of listening sessions, meetings, design workshops, and design iterations. In August 2022, a 2-day design charrette was conducted in which Indigenous leaders and supporters from across the United States attended.

The current conceptual plan is being presented to the Landmarks Preservation Commission, Civic Arts Commission, and Parks, Recreation and Waterfront Commission and then to the general public in early 2023.

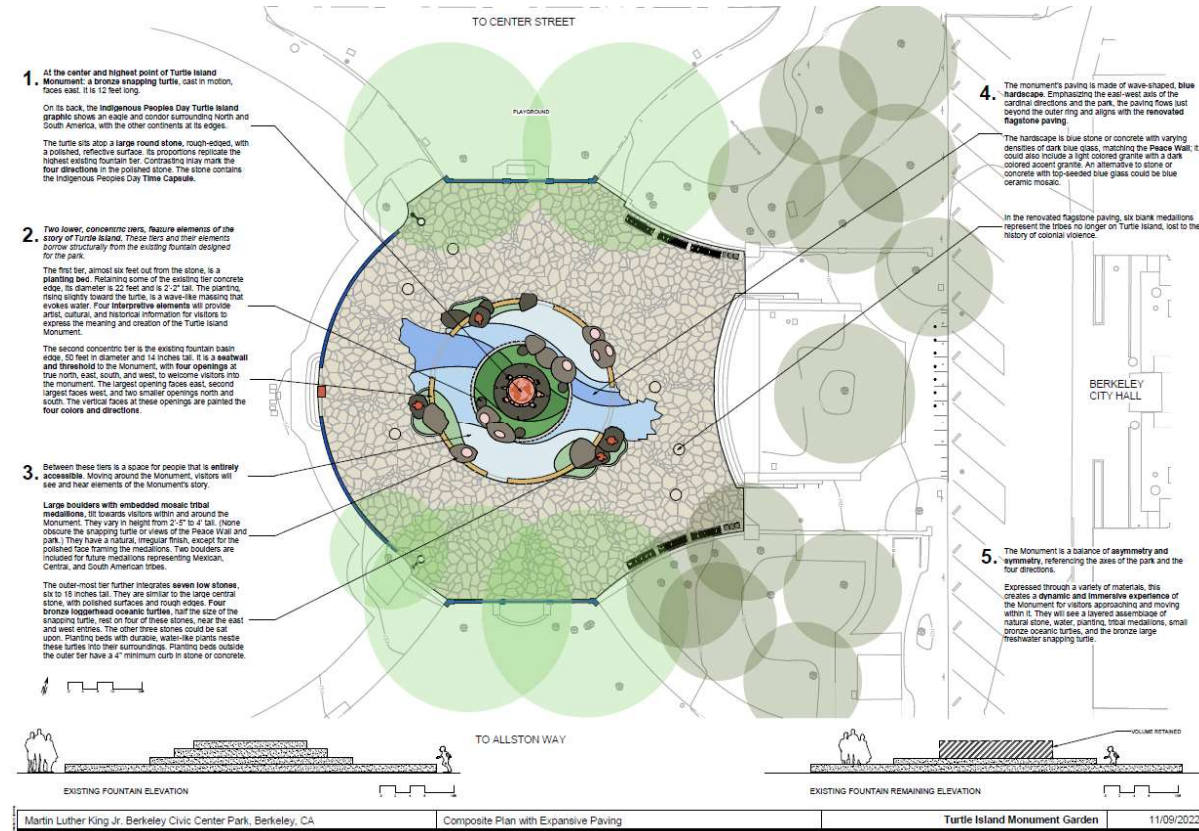
Explanation of Project Design

The Indigenous creation story depicting Turtle Island is common to different indigenous communities around the world. In the story, the world was covered with water and all the animals were swimming. They were getting tired, so they respectfully asked the muskrat to go under the water to see if there was any earth. So, the muskrat went down to find the earth. All the animals were waiting for the muskrat to reappear. They were worried for the muskrat. Finally, his body floated to the surface. The animals looked in his paw and they found some earth. They put the earth on the turtles back. The rest of the animals now knew that there was earth under the water so they each went down to get some earth. They all put the Earth on the turtle's back. This is how Turtle Island was created.

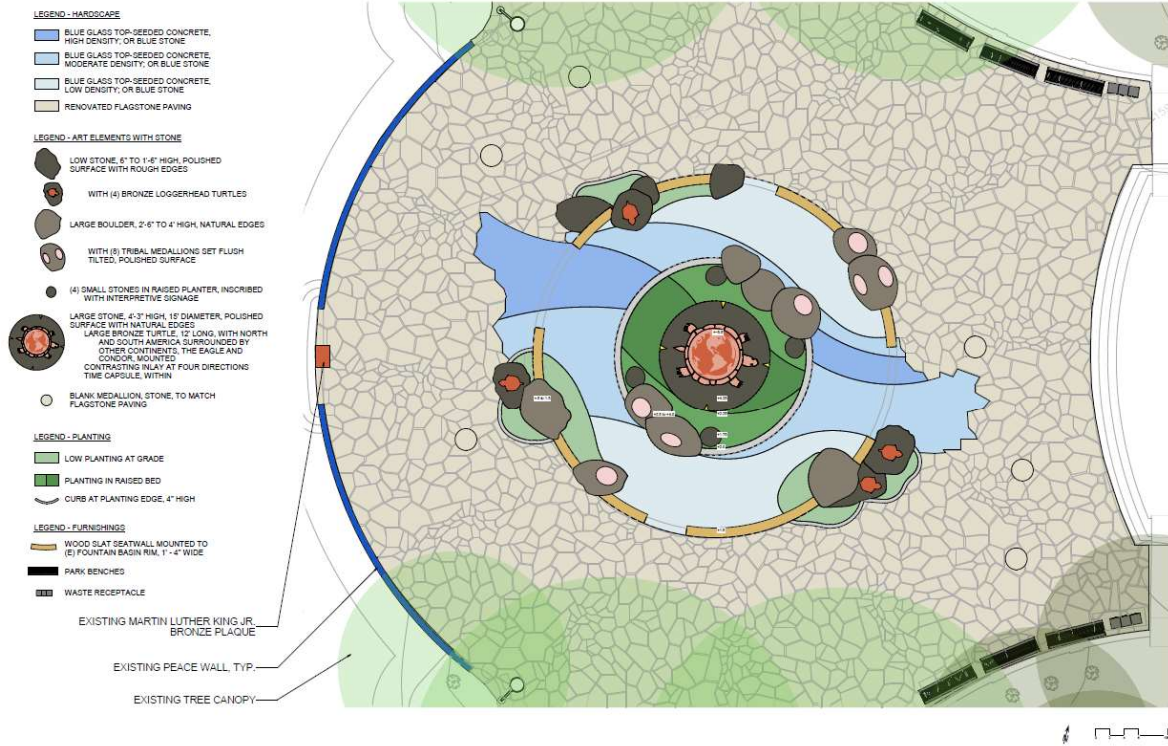
The conceptual design represents this origin story with an east-facing freshwater snapping turtle at the center of the monument symbolizing the creation of Turtle Island, and a time capsule to be preserved for seven generations. The eight medallions represent peoples who are Indigenous to Turtle Island. Blank medallions embedded in the paving represent the Indigenous communities that have been lost to the history of colonial violence, and who are no longer here. The four bronze loggerhead oceanic turtles, commissioned in 2006, are positioned around Turtle Island.

The Turtle Island Monument at the former fountain invites all people to enter and engage with sculpture, mosaics, fountain walls, natural stones and plantings. Interpretive signage will narrate the Indigenous origin story and history of the Monument. People are invited to sit and linger while facing the central turtle or outwards toward the park. The intention of the Turtle Island Monument is to authentically tell this story, to illuminate this park's intangible asset that is its role in the founding and celebration of Indigenous People's Day, to respect and contribute to the history and evolution of MLK Jr. Civic Center Park, and to engage the people of Berkeley on a physical, emotionally, and cultural level.

The Monument’s palette of materials and forms represent water as a sacred resource, the true cardinal directions and their axes, and the experience of asymmetry and symmetry in the natural world. There is also a reference to four sacred colors representing the four directions, cardinal points are marked at the entries into the monument. The resulting circulation and layout create a dynamic, immersive, and accessible experience for Monument visitors.



Agenda Item 9. Turtle Island Monument – Civic Center Park Project



Martin Luther King Jr. Berkeley Civic Center Park, Berkeley, CA	Plan Enlarged with Expansive Paving	Turtle Island Monument Garden	11/09/2022
---	-------------------------------------	-------------------------------	------------



Background and Project History

Civic Center Park was designed and constructed in the 1940s following the passage of a bond measure. The fountain design by architect Henry Gutterson was inspired by two fountains at the 1939 Golden Gate International Exposition on Treasure Island: specifically, the Fountain of the Western Waters and the Pacific Basin Fountain. These fountains were designed to commemorate the exposition's "Pageant of the Pacific" theme with sculptures referencing the Pacific Rim Peoples. The Civic Center Park fountain's machinery and pumps were reused from an original exposition fountain.

In the 1960's, the fountain's water feature was turned off due to broken equipment and remains in that state today. In 1997, the Landmark Application of Martin Luther King Jr. Civic Center Park that identified the Park's character defining features included the fountain, terrace, flagstone paving, and the presence of walls surrounding the terrace. The Application also included the concept of the Turtle Island Monument based on the 1993 endorsement by City Council and City Commissions, including the Landmarks Preservation Commission. The Turtle Island Monument is to be a monument to recall and honor the Native People of the Americas. The original design was presented to and reviewed by many Indigenous tribes from the Americas and fully represented Indigenous Peoples in Berkeley, America, and beyond.

As stated in the Landmark Designation of Civic Center Park, the park has been the site of numerous cultural and civic events of importance to Berkeley's history. These important events highlight the City's commitment to social justice and equity, including the renaming of the park to "Martin Luther King Jr. Civic Center Park", installation of the Peace Wall which was developed to symbolize peace and reverse the historic usage of walls as fortifications in war and barriers between people, and the establishment of Indigenous People's Day. In 1992, the City of Berkeley became the first city in the nation to declare Indigenous Peoples Day and also endorsed the park fountain as the site of the proposed Turtle Island Monument and time capsule. To this day, the Indigenous Peoples Day Pow Wow and Indian Market takes place at this park. This intangible asset, the social history at this park, and the forthcoming Monument, further validate the National Register of Historic Places' Berkeley Historic Civic Center District designated area of significance as "social history."

Leading up to the declaration of Indigenous Peoples Day by the City of Berkeley in 1992, multiple events drew attention to the recognition of Indigenous Peoples:

In 1977, the UN Conference in Geneva recognized October 12th as an international day of solidarity with the Indigenous Peoples of the Americas. Following this in 1990, the Quito Encuentro was the first continental gathering of Indigenous Peoples.

In 1992, US and Canadian Native Americans gathered for an all-Indian conference at D-Q University in Davis, California, to counter the official 'Encounter' of Two Worlds or 'The Discovery of America'. From the 1992 All People's Network Conference at Laney College, a new organization called Resistance 500 formed. The Berkeley Resistance

500 along with the City of Berkeley became the first city in the nation to declare Indigenous Peoples Day – it is at this important moment that the City endorsed the park fountain as the site of the proposed Turtle Island Monument and time capsule. This year, in 2022, at the Indigenous Peoples Day Pow Wow celebrated the 30th anniversary of the 1992 Indigenous Peoples Day declaration.

On July 7, 1992, City of Berkeley Council approved a recommendation for the creation of the Turtle Island Monument within the Peace Wall as shown in the original concept plans and as approved by the Civic Arts Commission, the Peace and Justice Commission, and the Landmarks Preservation Commission. Throughout the 1990s, the Turtle Island Monument concept underwent many design iterations that were loosely based on the original concept proposed by Lee Sprague and Marlene Watson.

On November 3, 1997, Martin Luther King Jr. Civic Center Park was designated a City of Berkeley landmark and the conceptual design of the Turtle Island Monument was endorsed. Their endorsement included a central bronze turtle and incorporation of some of the concentric ring arrangement of the current fountain, with water that flowed outwards and paths that lead inward to the turtle.

In 2003, the City issued a call to artists to develop the four turtle sculptures and eight medallions to be used as part of a monument at the fountain. The project was then paused due to insufficient funding, and the completed art pieces were reserved for installation at a later date.

In 2018, the Berkeley City Council made a referral to the City Manager to develop a plan to revitalize the fountain at Martin Luther King, Jr. Civic Center Park. With this direction, City staff began the process to re-engage the community and further develop the conceptual design.

The City continues to support this initiative and on October 11, 2022, unanimously adopted a Land Acknowledgement Statement whereby the City of Berkeley rests upon the ancestral lands of the Chochenyo speaking Lisjan Ohlone people, thus bringing attention to centuries of resistance to colonial violence, and to remind our City and community of the need to take concrete restorative actions. The statement is not an end in and of itself; it is intended as a call for further restorative and reparative work in which our City and community must engage.

DISCUSSION OF RECOMMENDATIONS

Martin Luther King Jr. Civic Center Park sits in the Berkeley Civic Center Historic District. The fountain and the low wall surrounding a portion of the terrace is a contributing feature within this historic resource.

The central fountain is approximately 50 feet in diameter and includes interior rings of descending height forming cascades, a large, low outer ring, and a tunnel for mechanical equipment and plumbing running from beneath the center of the fountain in a northeastern direction to a wooden hatch, flush with the ground, outside the fountain

terrace. The fountain terrace is paved with flagstone which is also a character defining feature.

As part of the project, modifications to some of the character defining features are being proposed in order to create the Turtle Island Monument and tell the origin story of Indigenous Peoples. Proposed modifications to the existing fountain include an addition of a native sculpture and artistic surfacing, the removal of an interior ring, opening a section of the outer ring for ADA access, modifications to other rings of the fountain, and limited modifications to the existing flagstone paving in the terrace to improve ADA accessibility.

The proposed modifications will not only enhance the existing fountain area, but will make the fountain fully accessible, which is currently not possible because the existing uneven flagstone terrace surface and grading does not meet current building code.

The Landmarks Preservation Commission's comments included asking if a water element could be incorporated. If not restored to a working fountain, perhaps a subtle water or irrigation feature. This could be situated in the top and central-most point of the fountain, beneath the central turtle. This approach to a water feature recognizes the fountain as a character defining feature as well as the Monument's aesthetic and the current site conditions. On this last point, the park's original planting design includes trees which have mature water-seeking roots that undermine the fountain's previous mechanical and plumbing infrastructure system.

As stated in the Landmark Designation of Civic Center Park, the park has been the site of numerous cultural and civic events of importance to Berkeley's history. As evidence of the City's history of documenting important and significant cultural shifts and events, Civic Center Park was renamed Martin Luther King Jr. Civic Center Park in 1983. It is listed on the National Register under this name.

More recently, City Council unanimously adopted a Land Acknowledgment Statement Resolution that reminds our City and community of the need to consider and take more substantive reparative and restorative actions to recognize that the City of Berkeley rests upon the ancestral lands of Indigenous peoples. The changes being proposed to the Civic Center Fountain carry a heavy cultural significance that is representative of the Indigenous People that originally occupied the continents of North and South America. As such, these proposed changes are consistent with the Secretary of the Interior's Rehabilitation Standard No. 4, which states that most properties change over time. Any changes that acquire historic significance in their own right should be retained and preserved.

TIMELINE AND NEXT STEPS

In order to meet critical funding deadlines for this project, we respectfully request the Commission's review and comments at this meeting. Following consultation with other

Commissions and the public, staff will move forward with revisions and detailed design to submit the project for permits and construction.

SUMMARY

The growing consciousness of the need to acknowledge the cultural significance of the Indigenous People that originally occupied the continents of North and South America has been evolving for several decades. The current conceptual design of the Turtle Island Monument at the Civic Center Fountain Terrace represents the vision of Indigenous Peoples and the City's intent to engage the Indigenous community in its reflection and recognition of Indigenous history and the City's landmarks.

Attachments:

February 28, 1992 – Indigenous Peoples Day Declaration and Dedication
December 4, 2018 Council Agenda – Revitalization of the Civic Center Park Fountain
November 2022 – Turtle Island Monument Garden Upper Plaza Improvements –
Conceptual Design Presentation

Loni Hancock
MAYOR

28 February 1992

Attention All Indigenous Peoples of Turtle Island:

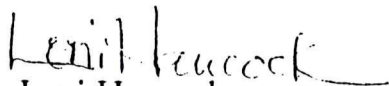
Greetings!

The City of Berkeley has declared 1992 as the Year of Indigenous People and 12 October as Indigenous Peoples Day.

As part of our commemorative activities during this year, we plan to dedicate land within the City for a Turtle Island Monument and time capsule. This dedication will take place during opening ceremonies for a week of activities on Saturday 10 October 1992.

We want to invite you, as the recognized leaders of the Great Nations and Peoples of Turtle Island, or your designated Ambassadors, Emissaries and citizens, to participate in these opening ceremonies. We invite all people to come and commemorate the 500 Years of Resistance with the citizens of Berkeley on this historic occasion.

Sincerely,


Loni Hancock
Mayor

LH:aro

FOR IMMEDIATE RELEASE

Loni Hancock

MAYOR

October 8, 1992, Berkeley, California

Contact: A.Robin Orden, Office of the Mayor 510/644-6484
Dennis Jennings, Indigenous Peoples Day Cte 510/548-1992

BERKELEY DEDICATES TURTLE ISLAND MONUMENT AS PART OF INDIGENOUS PEOPLES DAY ACTIVITIES

On Saturday October 10th, 1992 the City of Berkeley will host an outdoor program as part of its first Indigenous Peoples Day activities. The program runs from 10:00 a.m. until 2:00 p.m. in Martin Luther King, Jr. Park with acoustic music and a variety of cultural events. At 2:00, the commemoration will move to the BART Plaza at Shattuck Avenue and Center Street for a continuation of cultural activities until 4:00 pm.

The highlight of the day's events will be the dedication of the site for the Turtle Island Monument from 11:00 until 1:00. The Monument will honor the Native People of this hemisphere, whose societies flourished centuries before Columbus arrived and which continue on this day. 1992 is seen as the end of 500 years of resistance and the beginning of 500 years of rebuilding by the Indigenous People of Turtle Island. Among those expected at the dedication are leaders and elders of many Native Peoples, including the Ohlone of our area in California.

In dedicating the Monument, Mayor Loni Hancock recognized "the care that Native People have had for this land long before Columbus and in honor of their culture and philosophy, which are needed now more than ever if the planet is to survive".

- # -

Berkeley's Quincentennial Commemoration of
the 500 years 1492-1992
will be held on the first

INDIGENOUS PEOPLES DAY

Saturday, October 10, 1992

with Representatives from many of
**the Native Nations
of Turtle Island**

(Continental America)

Sunrise ceremony at the waterfront.

**10 AM to 2 PM: commemoration activities in
Martin Luther King, Jr. Park (Allston Way and M.L.K. Way),
with cultural presentations by Indigenous people.**

The Turtle Island Monument and time capsule
storing Native thoughts and artifacts will be dedicated.

Booths selling Indigenous food and crafts; informational tables
from Native, Environmental, and Human Rights groups.

**At 2 PM: procession leaves the park and walks to BART Plaza
(Shattuck Avenue between Allston & Center).**

2 PM to 5 PM: cultural presentations at BART Plaza
on
the last 500 years of Indigenous struggle and survival,
and the next 500 years of restoration.



**Berkeley
Resistance 500
Task Force**

**P.O. Box 2307
Berkeley, CA 94707
(510) 464-0345**



DEDICATING THE SITE FOR THE TURTLE ISLAND MONUMENT

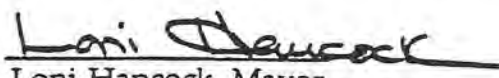
WHEREAS, the Berkeley Resistance 500 Task Force, a broad-based community group, brought the proposal for Indigenous Peoples Day and related activities and programs to the Commission on Peace and Justice, which recommended adoption of the proposal to the City Council; and

WHEREAS, the Berkeley City Council, on 22 October 1991, approved the recommendation for Indigenous Peoples Day and the designation of 1992 as the Year of Indigenous People, including educational events throughout the year and commemorative events on the weekend of 10-12 October; and

WHEREAS, the Task Force proposal also included a monument, now known as the Turtle Island Monument, and the concept for this monument and time capsule are being developed and circulated for review and approval through all necessary City boards and commissions; and

WHEREAS, the Turtle Island Monument is dedicated to all indigenous people of this hemisphere, whose societies flourished centuries before Columbus arrived and which continue on this day, which is seen as the end of 500 years of resistance and the beginning of 500 years of rebuilding;

NOW, THEREFORE, BE IT RESOLVED that I, Loni Hancock, Mayor of the City of Berkeley, do hereby dedicate this site for the Turtle Island Monument to the Native People of this hemisphere on behalf of the non-native people of Berkeley, in recognition of your care for this land long "before Columbus was discovered on our shores" and in honor of your culture and philosophy, which are needed now more than ever if the planet is to survive.


Loni Hancock, Mayor

2180 Milvia Street, Berkeley, California 94704 • Telephone (415) 644-6484

Declaration of the City Council of Berkeley, California, Concerning Indigenous Peoples Day

*as proposed by the Berkeley Resistance 500 Task Force and Peace & Justice Commission
Passed Unanimously October 22, 1991*

October 12 as Indigenous Peoples Day

The Berkeley City Council declares October 12 to be commemorated annually in Berkeley as Day of Solidarity with Indigenous People.

The First Commemoration, October 12, 1992

The Berkeley quincennial commemoration of October 12 will be an all-day event on the nearest calendar weekend, with ceremonies, cultural events and speakers, participation from the schools and an informational procession.

1992 the Year of Indigenous People

The City Council declares that 1992 will be commemorated as the Year of Indigenous People. The Council suggests that community organizations, businesses, religious organizations, city commissions, parks, local radio, cable TV stations and newspapers participate in this year and day; and that newspapers, radio and cable stations issue regular reminders throughout the year of Indigenous issues and events.

The Schools

The Council encourages the schools to include classroom discussions and projects regarding the history and issues of the 500 years.

Public Libraries

The Council encourages the public libraries to participate with a series of activities and events, including an invitation to Indigenous speakers, special exhibits featuring literature of and about Indigenous peoples, and exhibits critically displaying existing literature. The library should seek Indigenous resource people to consult with them on obtaining and stocking progressive literature.

Museum Exhibits and Events

The Berkeley Resistance 500 Task Force should consult with the museums to encourage all exhibits connected with the Quincenary to reflect the points of view and concerns of Indigenous people.

The Arts

Galleries, cultural centers, theaters, bookstores are all encouraged to feature local Native American artists throughout the year.

The University of California

The Council calls on the Anthropology Department to complete its returning of all bones of Indigenous people, and encourages the University to establish a 'think tank' composed of Native and non-Native academics to assist Indian struggles.

Monument and Time Capsule

The City will sponsor, by providing space and assistance, a monument dedicated to the Indigenous peoples impacted by the arrival of Columbus. The monument might include a time capsule storing Native thoughts and artifacts for future generations.

Solidarity and Outreach

We encourage the people of Berkeley to reach out in solidarity with Indigenous peoples around the world and their struggles, including especially people indigenous to this local area and surrounding regions, to promote the health, education and welfare of all people, both immigrant and Indigenous.



TURTLE ISLAND MONUMENT GARDEN UPPER PLAZA IMPROVEMENTS

MARTIN LUTHER KING JR. BERKELEY CIVIC CENTER PARK
BERKELEY, CA

City of Berkeley Parks, Recreation & Waterfront Department
City of Berkeley City Manager's Office, Civic Arts Program



INDIGENOUS COMMUNITY AND SUPPORTERS

Lee Sprague, Marlene Watson
Gino Barichello, Nannette Deetz, Shar Suke, Melinda Thomas
John Curl, Kim Anno

ADDITIONAL CONTRIBUTORS

Scott Parsons, Artist
Turtle Island Monument Project Committee

LANDSCAPE ARCHITECT

Cathy Garrett, Principal-in-Charge, PGAdesign



Landmarks Preservation Commission
Subcommittee

Wednesday, November 9, 2022

Civic Arts Program

Public Art Subcommittee

Wednesday, November 16, 2022

Landmarks Preservation Commission

Thursday, December 1, 2022

PROJECT FUNDING

Measure T1 Timeline

Passed in November 2016

Phase 1 Projects Approved June 2017

Phase 2 Projects Approved December 2020

\$300,000



Caltrans Clean California Grant

Awarded May 2022

\$519,666

Milestone

March 1, 2022

Project Award Notification

June 30, 2024

Date by when projects must be completed and all funds expended. If the project involves infrastructure components, all components must be opened to the public and all funds expended by this date.

December 31, 2024

Date by when final invoicing and project closeout must be complete.

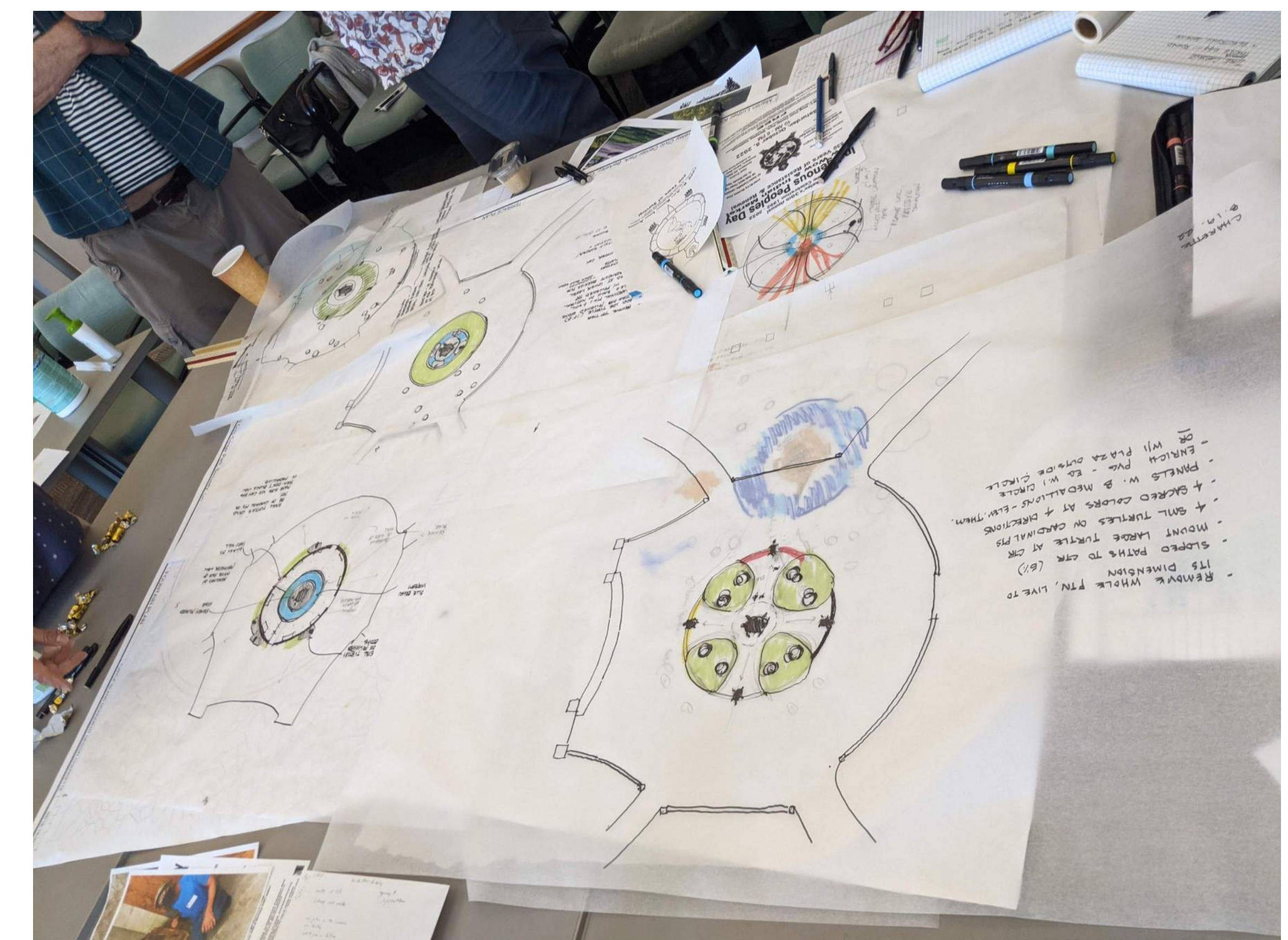
PROJECT PROCESS TO DATE

- 1990s
 - 1992** City of Berkeley Indigenous Peoples Day Declaration and creation of Turtle Island Project
 - 1996** Measure S funding allocated to Civic Center Park including the Turtle Island Monument Project
 - 1997** LPC Approved Landmark Status for Civic Center Park
 - 1998** Civic Center Park added to National Register of Historic Places

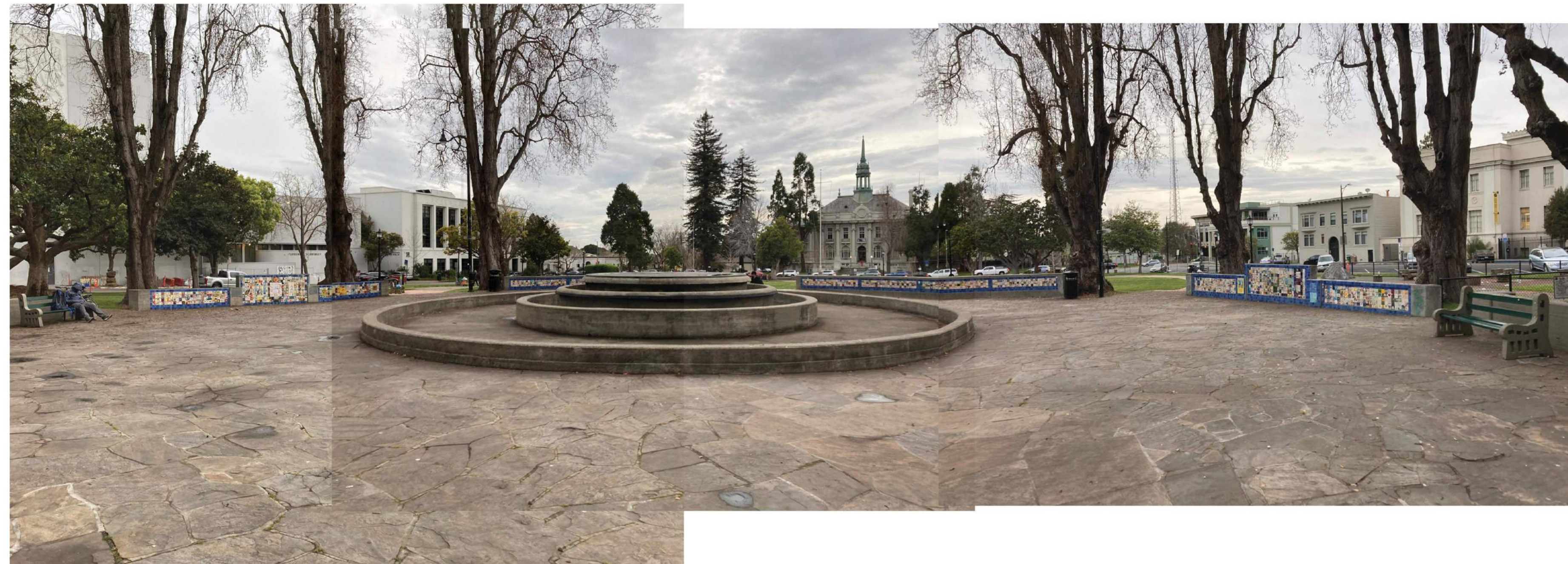
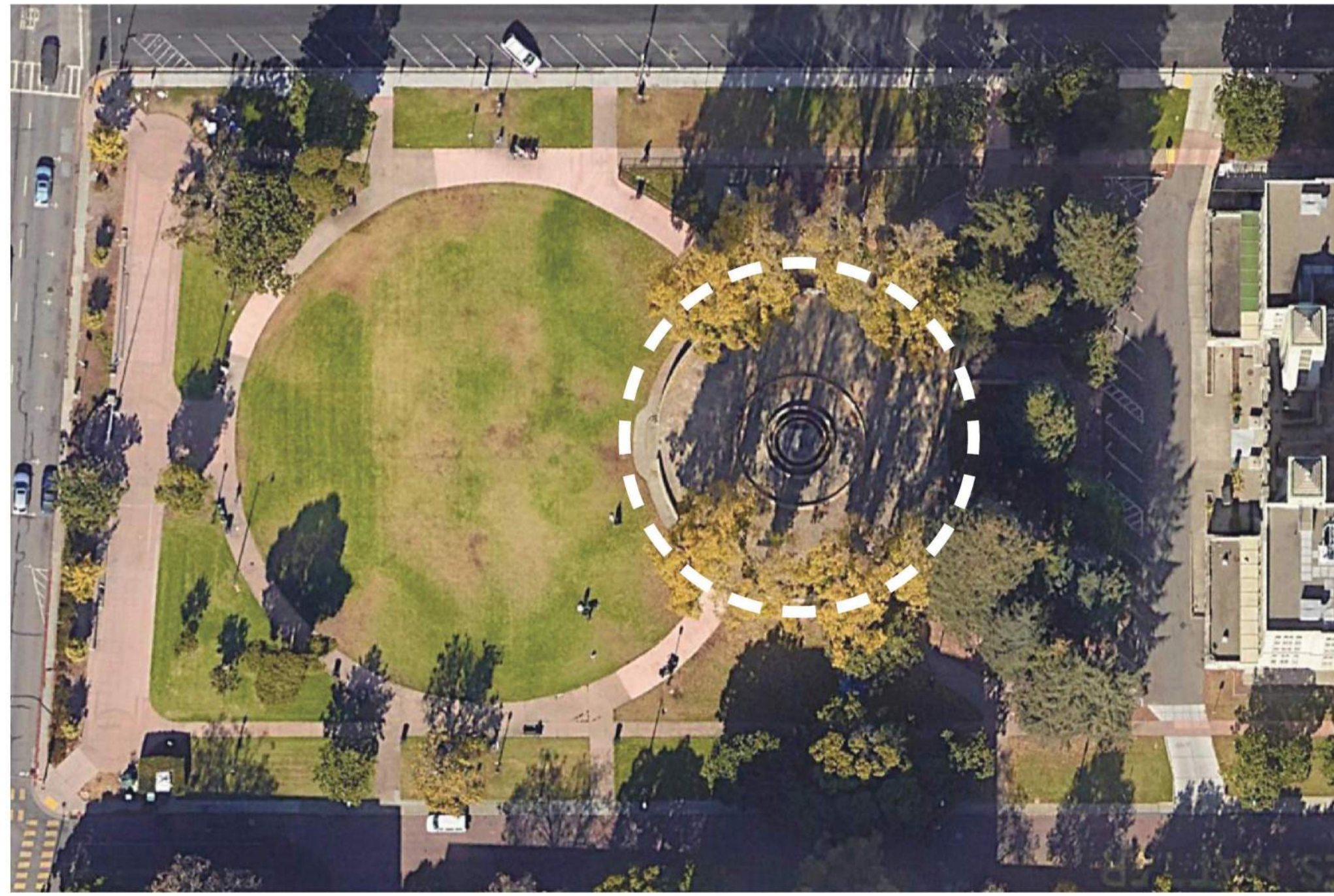
- 2000s
 - 2000** CEQA process started
 - 2002** CEQA and LPC Alteration Permit Approved
 - 2005** LPC approved CEQA and Alteration Permit addendum for improvements to Civic Center Park
 - 2005** Council approved reduced scope for Civic Center Park project, limited to the commissioning of Turtles and Medallions artwork only
 - 2005** City selected Artist for Turtle sculptures and medallions
 - 2008** Consultant Artist completed Turtle sculptures and medallions

- 2010s
 - 2017** Measure T1 Bond passed
 - 2018** Mayor and City Council recommend revitalization of the Civic Center Park Fountain project

- 2020s
 - 2020** City Council Approved Measure T1 funding for the Turtle Island Monument Project
 - 2021** PRW Department and Civic Arts begin coordination of Turtle Island Monument Project
 - 2021** City engages PGAdesign for Landscape Architecture Services
 - 2022** Clean CA Grant Awarded providing \$596k for Civic Center project
 - 2022** City re-engages Indigenous Community and previous designers and artist; Held meetings and design charette workshops



Indigenous Stakeholder Group Design Charrette (November 17-18, 2022)



Martin Luther King Jr. Berkeley Civic Center Park, Berkeley, CA

Existing Conditions

Turtle Island Monument Garden

11/09/2022

1. At the center and highest point of Turtle Island Monument: a bronze snapping turtle, cast in motion, faces east. It is 12 feet long.

On its back, the **Indigenous Peoples Day Turtle Island graphic** shows an eagle and condor surrounding North and South America, with the other continents at its edges.

The turtle sits atop a **large round stone**, rough-edged, with a polished, reflective surface. Its proportions replicate the highest existing fountain tier. Contrasting inlay mark the **four directions** in the polished stone. The stone contains the Indigenous Peoples Day **Time Capsule**.

2. Two lower, concentric tiers, feature elements of the story of Turtle Island. These tiers and their elements borrow structurally from the existing fountain designed for the park.

The first tier, almost six feet out from the stone, is a **planting bed**. Retaining some of the existing tier concrete edge, its diameter is 22 feet and is 2'-2" tall. The planting, rising slightly toward the turtle, is a wave-like massing that evokes water. Four **interpretive elements** will provide artist, cultural, and historical information for visitors to express the meaning and creation of the Turtle Island Monument.

The second concentric tier is the existing fountain basin edge, 50 feet in diameter and 14 inches tall. It is a **seawall and threshold** to the Monument, with **four openings** at true north, east, south, and west, to welcome visitors into the monument. The largest opening faces east, second largest faces west, and two smaller openings north and south. The vertical faces at these openings are painted the **four colors and directions**.

3. Between these tiers is a space for people that is entirely accessible. Moving around the Monument, visitors will see and hear elements of the Monument's story.

Large boulders with embedded mosaic tribal medallions, tilt towards visitors within and around the Monument. They vary in height from 2'-5" to 4' tall. (None obscure the snapping turtle or views of the Peace Wall and park.) They have a natural, irregular finish, except for the polished face framing the medallions. Two boulders are included for future medallions representing Mexican, Central, and South American tribes.

The outer-most tier further integrates **seven low stones**, six to 18 inches tall. They are similar to the large central stone, with polished surfaces and rough edges. **Four bronze loggerhead oceanic turtles**, half the size of the snapping turtle, rest on four of these stones, near the east and west entries. The other three stones could be sat upon. Planting beds with durable, water-like plants nestle these turtles into their surroundings. Planting beds outside the outer tier have a 4" minimum curb in stone or concrete.

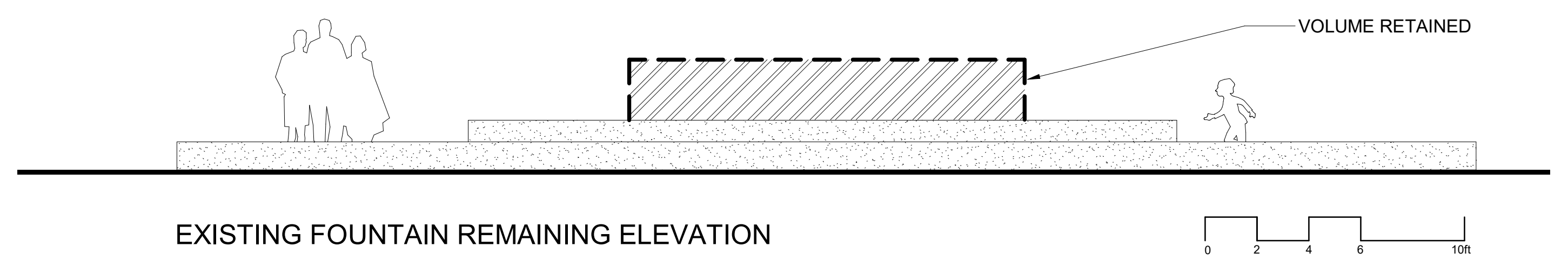
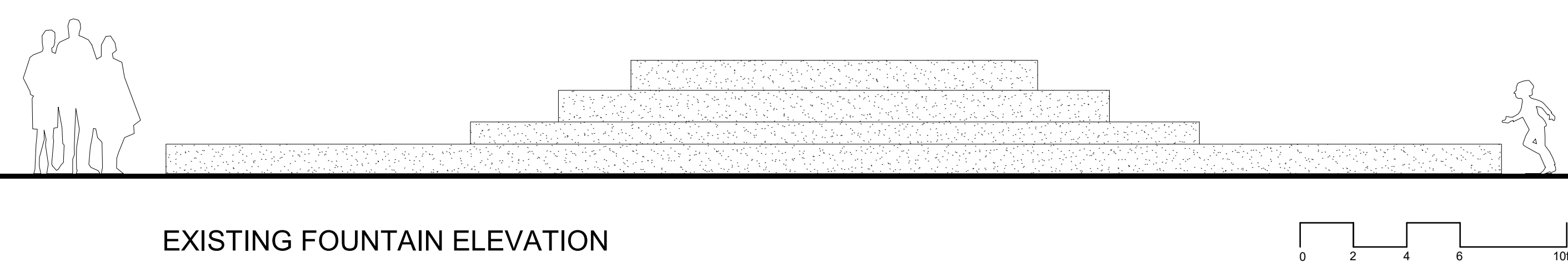
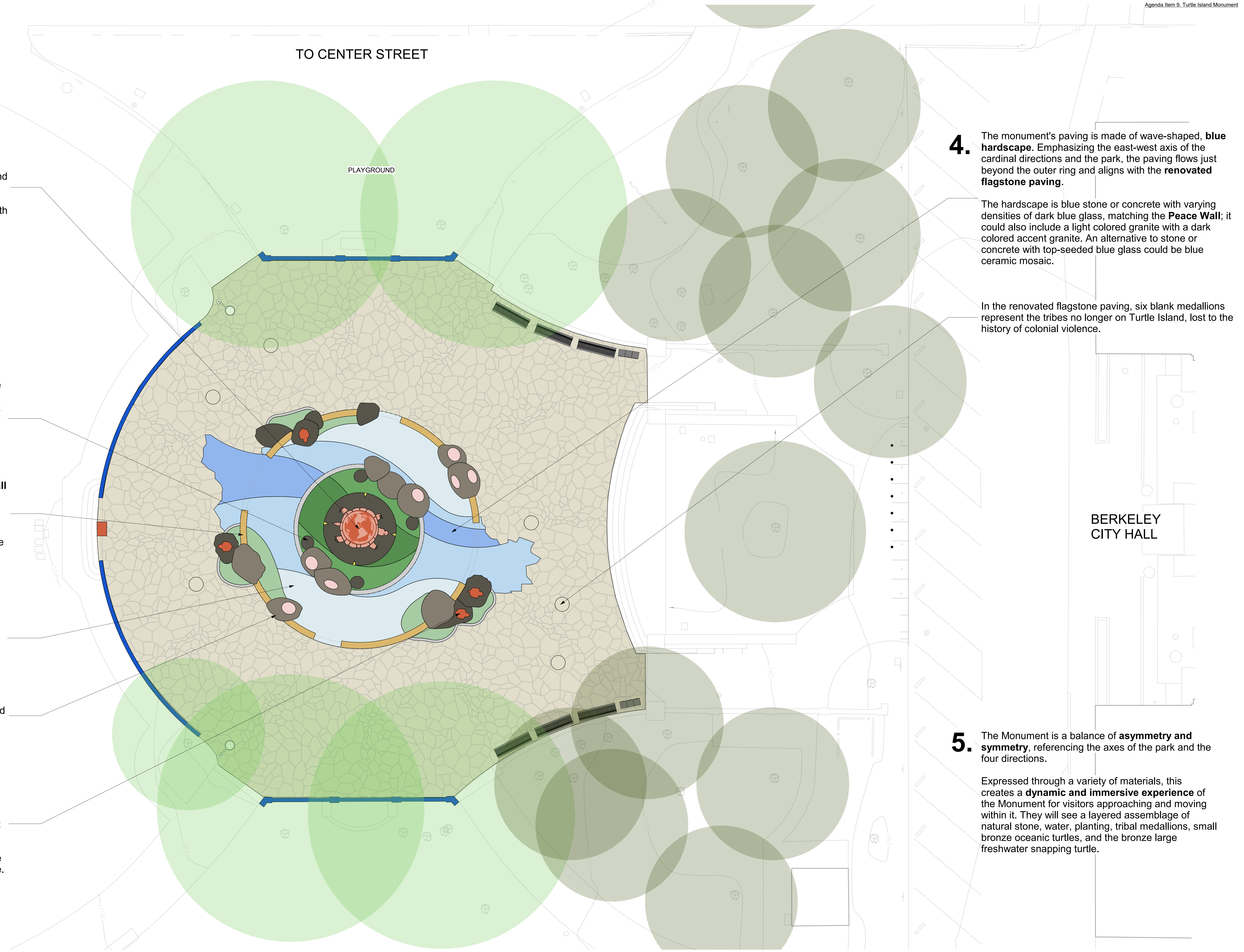
4. The monument's paving is made of wave-shaped, blue hardscape. Emphasizing the east-west axis of the cardinal directions and the park, the paving flows just beyond the outer ring and aligns with the renovated flagstone paving.

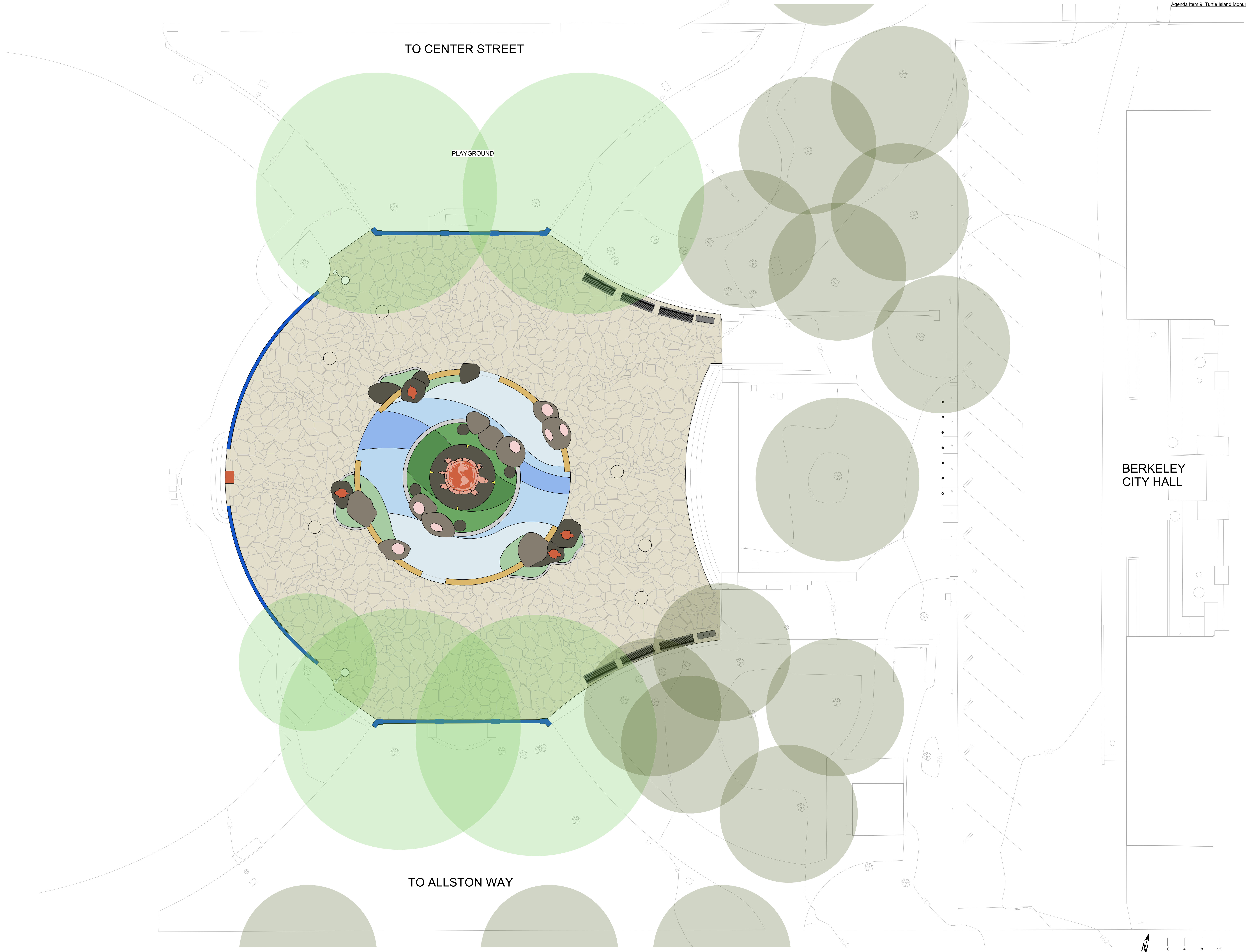
The hardscape is blue stone or concrete with varying densities of dark blue glass, matching the **Peace Wall**; it could also include a light colored granite with a dark colored accent granite. An alternative to stone or concrete with top-seeded blue glass could be blue ceramic mosaic.

In the renovated flagstone paving, six blank medallions represent the tribes no longer on Turtle Island, lost to the history of colonial violence.





5. The Monument is a balance of asymmetry and symmetry, referencing the axes of the park and the four directions.

Expressed through a variety of materials, this creates a **dynamic and immersive experience** of the Monument for visitors approaching and moving within it. They will see a layered assemblage of natural stone, water, planting, tribal medallions, small bronze oceanic turtles, and the bronze large freshwater snapping turtle.

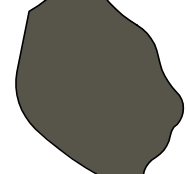
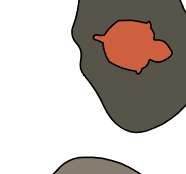
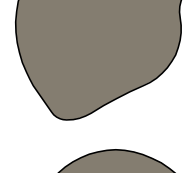

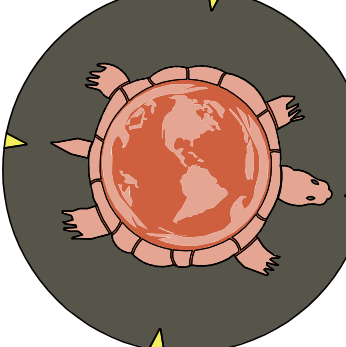
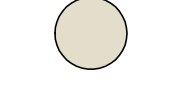







LEGEND - HARDSCAPE

-  BLUE GLASS TOP-SEEDED CONCRETE, HIGH DENSITY; OR BLUE STONE
-  BLUE GLASS TOP-SEEDED CONCRETE, MODERATE DENSITY; OR BLUE STONE
-  BLUE GLASS TOP-SEEDED CONCRETE, LOW DENSITY; OR BLUE STONE
-  RENOVATED FLAGSTONE PAVING

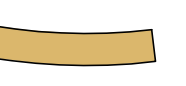


LEGEND - ART ELEMENTS WITH STONE

-  LOW STONE, 6" TO 1'-6" HIGH, POLISHED SURFACE WITH ROUGH EDGES
-  WITH (4) BRONZE LOGGERHEAD TURTLES
-  LARGE BOULDER, 2'-6" TO 4' HIGH, NATURAL EDGES
-  WITH (8) TRIBAL MEDALLIONS SET FLUSH TILTED, POLISHED SURFACE
-  (4) SMALL STONES IN RAISED PLANTER, INSCRIBED WITH INTERPRETIVE SIGNAGE
-  LARGE STONE, 4'-3" HIGH, 15' DIAMETER, POLISHED SURFACE WITH NATURAL EDGES
LARGE BRONZE TURTLE, 12' LONG, WITH NORTH AND SOUTH AMERICA SURROUNDED BY OTHER CONTINENTS, THE EAGLE AND CONDOR, MOUNTED
CONTRASTING INLAY AT FOUR DIRECTIONS
TIME CAPSULE, WITHIN
-  BLANK MEDALLION, STONE, TO MATCH FLAGSTONE PAVING

LEGEND - PLANTING

-  LOW PLANTING AT GRADE
-  PLANTING IN RAISED BED
-  CURB AT PLANTING EDGE, 4" HIGH

LEGEND - FURNISHINGS

-  WOOD SLAT SEATWALL MOUNTED TO (E) FOUNTAIN BASIN RIM, 1' - 4" WIDE
-  PARK BENCHES
-  WASTE RECEPTACLE

EXISTING MARTIN LUTHER KING JR. BRONZE PLAQUE

EXISTING PEACE WALL, TYP.

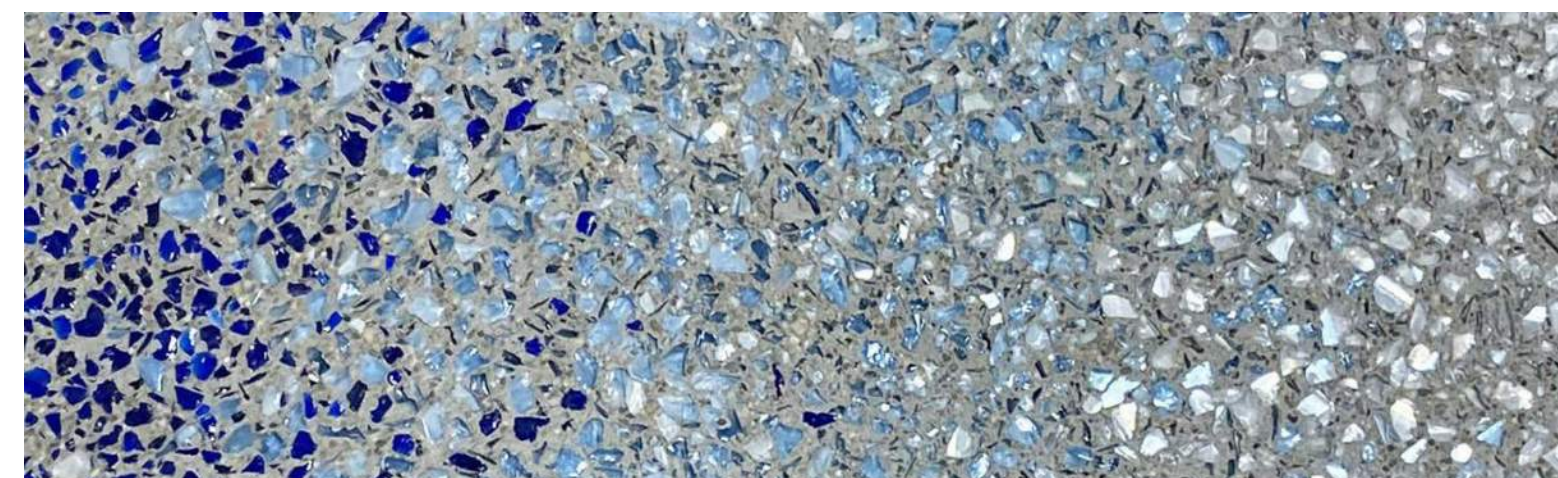
EXISTING TREE CANOPY



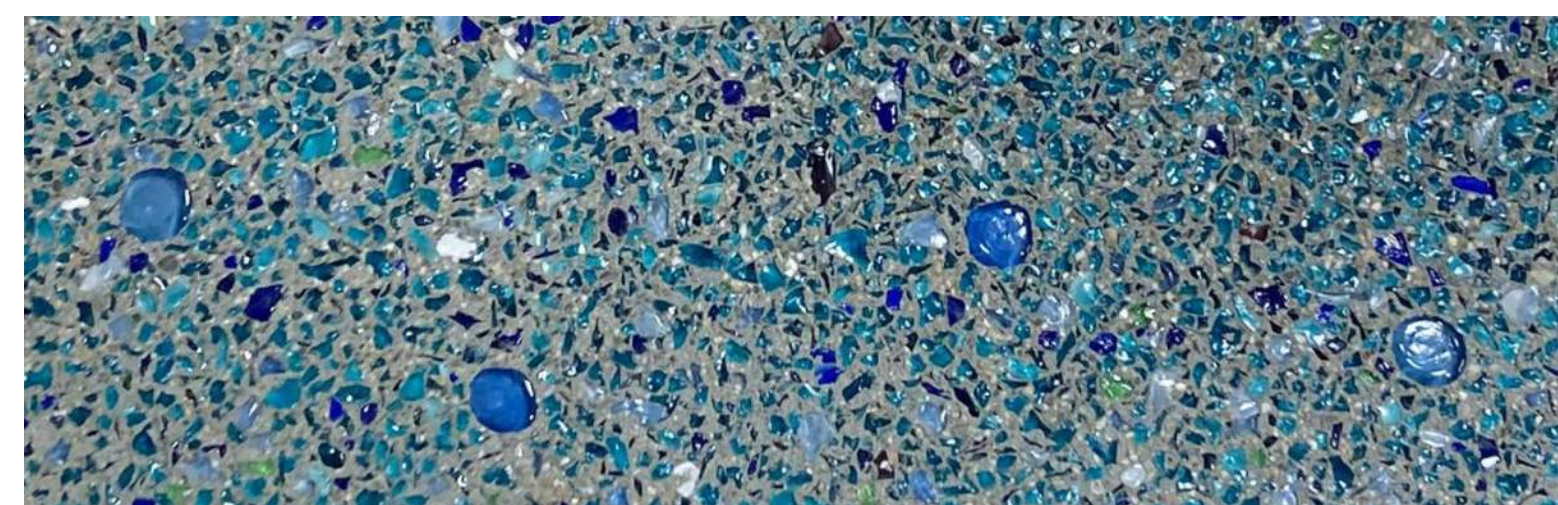
GLASS TOP-SEEDED CONCRETE PAVING



SAMPLE A - BLUE - GREEN - WHITE GRADIENT



SAMPLE B - BLUE - WHITE GRADIENT



SAMPLE C - BLUE









Martin Luther King Jr. Berkeley Civic Center Park, Berkeley, CA

Indigenous Peoples Day Pow Wow & Indian Market 30th Anniversary

Turtle Island Monument Garden

11/09/2022

11/09/2022 12:26:00 PM



Office of the Mayor

CONSENT CALENDAR

December 4, 2018

To: Members of the City Council

From: Mayor Jesse Arreguín, Councilmembers Kate Harrison and Sophie Hahn

Subject: Revitalization of the Civic Center Park Fountain

RECOMMENDATION

Refer to the City Manager to work with the Turtle Island Fountain Project in developing a plan to revitalize the fountain at Martin Luther King Jr. Civic Center Park.

BACKGROUND

Civic Center Park was created in the 1940s after a bond measure was passed to acquire the property and develop a Civic Center Plaza. The fountain was a gift from the City of San Francisco that was originally used for the 1939-1940 Golden Gate International Exposition. For a generation, the fountain was a popular destination for residents until it was decommissioned in the mid-1970s due to drought and financial limitations.

In 1994, Mayor Shirley Dean called for plans to redesign the park. Such plans would incorporate elements to honor Native Americans, as Berkeley had just celebrated its first Indigenous Peoples Day two years earlier. In 1996, Berkeley voters approved Measure S, a \$49 million bond which included \$4 million for landscaping and street improvements to the Downtown and Civic Center areas. In 1997, the park, including the fountain area, was landmarked to preserve its historic features.

With hopes of soon reinstating the fountain, a nationwide call was made in 2003 for artists to develop a proposal for artwork to be incorporated into the fountain. In 2005, the Civic Arts Committee approved Scott Parson of Sioux Falls, South Dakota, to create four bronze turtles to be placed in the fountain. Once completed in 2008, they were placed in the Martin Luther King Jr. Civic Center at 2180 Milvia Street, where they currently reside awaiting to be moved to the fountain once renovations are completed.

In July 2017, the City Council directed the City Manager to expand the existing study of renovating Old City Hall and the Veterans Building to include Civic Center Park. The cost of this study is being funded through Measure T1. It is important to move forward on developing plans for its revitalization given the park's popularity in hosting many events each year that attracts hundreds of people and its geographic location as the heart of the Civic Center Historical District Overlay.

2180 Milvia Street, Berkeley, CA 94704 • Tel: (510) 981-7100 • TDD: (510) 981-6903 • Fax: (510) 981-7199
E-Mail: mayor@cityofberkeley.info

Civic Center Park Fountain

CONSENT CALENDAR
December 4, 2018

A community group, Turtle Island Fountain Project, has formed to develop plans to restore the fountain as a piece of public art in honor of the Native American community. Working with architects, they have developed a conceptual design (which is attached) which does not involve restoring the water feature but repurposing the fountain to provide seating and public art and create placemaking in Civic Center Park. Their plans closely follow the conceptual design developed over 10 years ago for the fountain as a Turtle Island monument.

The group is seeking partnership with the City to work on repurposing the fountain, as well as seek grant funding to complete the project. This item would refer to the City Manager to begin work with the Turtle Island Fountain Project on developing a design which can be funded in the future through a combination of city and private funds.

Repurposing the fountain will help revitalize Civic Center Park, improve public safety and complete the vision developed over 20 years ago for a monument to the Native American community.

FINANCIAL IMPLICATIONS

The total cost of renovations is expected to cost \$200,000, with some funds being raised through private donors. See attachment 2 for details.

ENVIRONMENTAL SUSTAINABILITY

As directed in the July 2017 Council item, any proposal must adhere to the highest green standards possible.

CONTACT PERSON

Mayor Jesse Arreguín 510-981-7100

Attachments:

- 1: Proposal from the Turtle Island Fountain Project
- 2: Breakdown of proposed budget
- 3: Rendering of proposed fountain revitalization

8/02/2018

PROPOSAL TO REVITALIZE THE CENTRAL FOUNTAIN IN MLK JR. CIVIC CENTER PARK, BERKELEY

GOAL: A team of civically engaged Berkeley residents is proposing a design project to revitalize the central fountain feature in Berkeley's Martin Luther King Jr. Civic Center Park. Picking up where the city left off in 2005, the current plan would utilize already existing city approved artwork elements (documentation below) with a primary focus on safety, preservation, and beautification of the fountain, factoring in sustainability issues and current security concerns. We believe this revitalization effort - which would be paid for through public fundraising efforts - will not only make safe again and preserve this once-beautiful feature in the heart of Berkeley, but will also help promote revitalization of the downtown business district, enhancing and honoring the Berkeley community and the overall Civic Center culture.

INCLUDING:

- replacing currently open trench areas with drought tolerant native plantings & landscaping
- resurfacing of the overall basin floor (in lieu of replacing the non-functioning fountain)
- installation of existing (4) bronze turtle sculptures + (8) Native American designed stone medallions
- addition of a mosaic low feature wall (on face of fountain's low inner ring wall)
- addition of a perimeter circular bench system (atop existing outer ring wall)

Our team plans to focus on the development of an updated design of the fountain area to be paid for through fundraising from public and private sources.

BUDGET: \$200,000 (line item breakdown attached)

We're interested in shepherding this important project to completion, bringing together all interested parties (i.e., Public Works Engineering, Parks & Waterfront, Landmarks Preservation Commission, BAHA, Public Arts, Council members, etc) to consult on the development of an inspired design - one that thrives in today's current environment while respecting the historical integrity of the civic center park and fountain - which incorporates the previously approved design elements honoring the original Native American inhabitants of Berkeley.

Our team members include:

Elyce Klein: Original member of the MLK Jr. Civic Center Park Subcommittee of the Planning Commission, former member of the Downtown Planning Committee, Former member of the Downtown Transportation Planning Subcommittee, Founding member of Citizens for Strawberry Creek Plaza, Fundraiser for Berkeley's 60 Boxes Project, Alameda County Event Coordinator for Citizens Climate Lobby. I also worked with David Snippen on the Sonoma Hopkins Triangle. Contact: elyceklein@gmail.com 510.526.2995

David Snippen: Previous staff architect and project manager for City of Berkeley Public Works Department; staff designer and manager of Berkeley Redevelopment Agency affordable housing and Delaware Historic District projects in West Berkeley; past Chair of the Civic Arts Commission, and Public Arts Subcommittee; past co-chair of Berkeley Design Review Committee; designer, fundraiser and manager of the Sonoma/Hopkins mini-park project; member of the Berkeley Historical Plaque Project team; planning team member of the Cesar Chavez Memorial Solar Calendar in the Berkeley Waterfront Park. Contact: dsnppn28@gmail.com

Deb Durant: Berkeley District 5 resident/home owner, local designer, small business owner, Berkeley High School Development Group Board Member, (former) Thousand Oaks Neighborhood Association (TONA) Board Member, Society of American Mosaic Artists Board member. Contact: debduurant@gmail.com cell 415.235.1551

HISTORICAL BACKGROUND INFO:

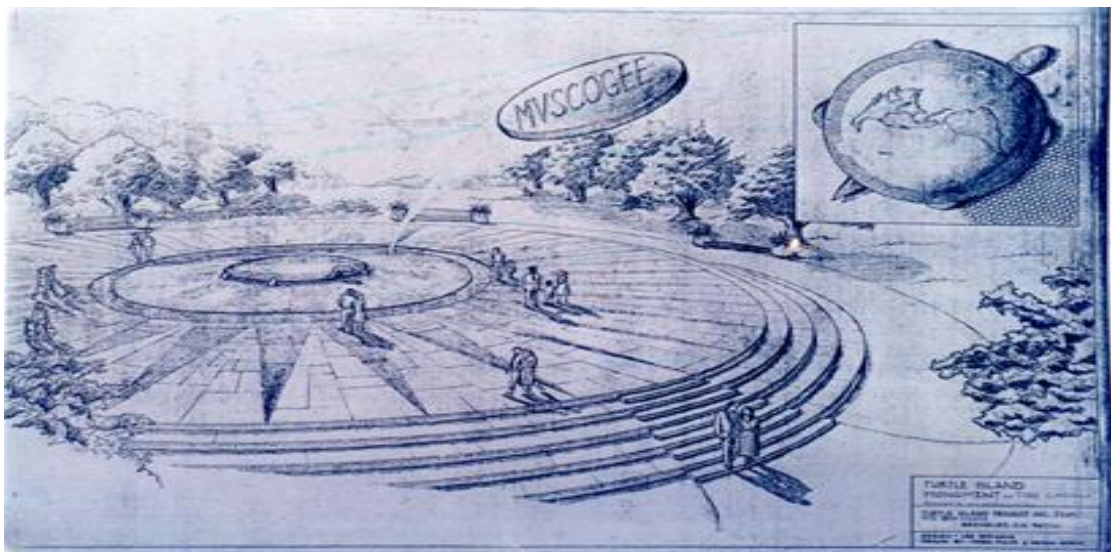
Excerpts of original documentation from the City of Berkeley website:

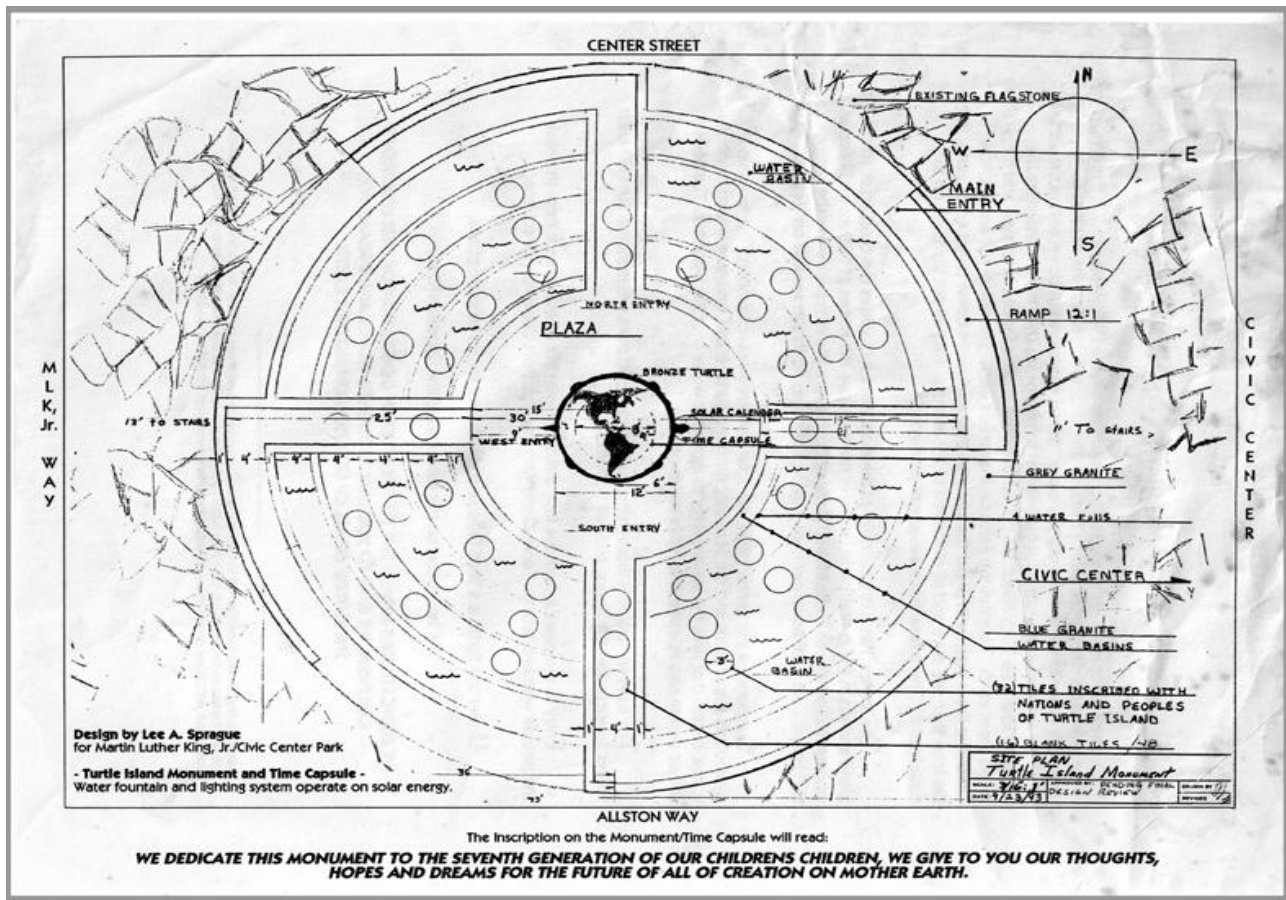
"In May 1940, Berkeley voters passed a \$125,000 bond measure to acquire property to develop a Civic Center Plaza. The design included contributions from many of Berkeley's most noted architects and landscape architects, and labor was furnished by the federal Works Projects Administration (WPA). The electrically illuminated fountain set in a flagstone terrace was a gift to the City of Berkeley from the City of San Francisco after the Golden Gate Exposition closed. The City's first playground, located behind City Hall west of the Civic Center, was moved to Civic Center Park in the 1930s when the Hall of Justice was built. A new "Tiny Tots" playground was opened to the public on May 18, 1948.

The park was designated the Martin Luther King Jr. Civic Center Park in 1983 in honor of the slain civil rights giant. (The park had also been known as Provo Park during the years of the anti-Vietnam War movement, after the progressive political group of that name which was started in Amsterdam.) An Urban Park and Recreation Recovery (UPARR) rehabilitation grant provided approximately \$74,000 in 1983–1984 to renovate the tot area, lawn, shrubs, benches, and pathways. The park is scheduled for a complete renovation in coming years using funds from Measure S, a bond measure passed in the mid-1990s for downtown improvements."

Additional information: In 1994 newly elected Mayor Shirley Dean was first approached by one of our members, Elyce Klein, with the suggestion that she initiate a process specifically to fix the defunct fountain. Klein was part of a diverse group of interested citizens who - over the course of 2 years - had unanimously agreed on a design for the fountain and produced a set of recommendations. In response, Mayor Dean called for the creation of a planning commission subcommittee to draw up plans - *incorporating the redesign of the entire MLK Jr. Civic Center Park*. The citizen groups' design and recommendations were the basis of the finalized study by architectural firm Freedman Tung and Bottomley. The park and its fountain were then landmarked in 1997 in response to these efforts, in order to protect and preserve the basic design of its historical features.

The design recommendations for the fountain were based on a "Turtle Island Monument" concept proposal by artist and community activist Lee Sprague, as described and illustrated below.





According to the City of Berkeley website:

“In November 1996, Berkeley voters adopted Measure S, which authorized bond funds of \$4 million for public improvements in the Downtown Area. A total of \$900,000 was allocated toward the renovation of Martin Luther King Jr. Civic Center Park. The Turtle Island Monument project received Measure S funds totaling \$34,000.

In 2003 a Call to Artist design competition was advertised nationwide and proposals were reviewed by a Selection Committee comprised of: two Civic Arts Commissioners, two Parks & Recreation Commissioners, two Landmarks Preservation Commissioners, two members of the Native American community, and one Parks Recreation & Waterfront Department staff person.

On April 27, 2005, the Civic Arts Commission approved Scott Parson of Sioux Falls South Dakota, as the artist to complete the Turtle Island Monument at the Civic Center Fountain. Parson was contracted to design, develop and install four bronze Loggerhead Turtles and four stone medallions in the Civic Center Park Fountain. In 2008, Parson shipped the finished turtles to the City for public display elsewhere until the Civic Center Park Fountain is restored. The turtles are currently displayed in the Martin Luther King Jr Civic Center, 2180 Milvia Street, 1st and 5th Floor Lobby.”


Plus excerpts fr a resolution passed by the Berkeley City Council on July 25, 2017: (highlight added)

“...the City Manager to merge the Old City Hall and Veterans Building Conceptual Design Projects approved for Phase 1 of Measure T1 implementation and add Civic Center Park to create a single, unified conceptual design project for these three Civic Center elements, at a cost of \$300,000, the combined amounts already allocated by Council... Proposals for this combined conceptual design project must conform to the existing Historic Civic Center Overlay and incorporate state-of-the art green and environmental features.”

From selected artist Scott Parson's website:

"As part of a larger effort undertaken by the City of Berkeley, California to renovate the Martin Luther King Jr. Civic Center Park in downtown Berkeley, this project is designed to honor and recognize Native American history commemorating the end of 500 years of resistance and the beginning of 500 years of rebuilding. The Turtle Island Monument is an unprecedented, multi-visionary approach to the making of a public art monument. The Monument consists of four turtles placed on the true north, south, east and west axis, mounted in the lower pool of an existing historical fountain, and eight medallions incorporated into the surrounding plaza surface. Eight contemporary Native American artists each designed a 3-ft. diameter stone medallion to commemorate his or her own people. The four large Loggerhead turtles I sculpted weigh nearly 200 pounds each and are 46 inches in length. This project is on hold. Actual installation of the project is forthcoming and will take place when the City of Berkeley renovates the entire Park. Currently the turtles are on display and available for viewing in Berkeley City Hall."

Artists: Scott Parsons; Harley L. Zephier Wambli Hoksila – Dakota – Mdewakanton & Lakota – Mnicoujou; Mateo Romero – Cochiti Pueblo; Linda Yamane – Ohlone; Ramon Murillo – Shoshone-Bannock; David Jones – Choctaw/Delaware; Ruth Taylor – Ojibwa



Turtle Island Monument and Time Capsule

In my people's creation stories the world was covered with water and all the animals were swimming. They were getting tired, so they respectfully asked the muskrat to go under the water to see if there was any earth. So the muskrat went down to find the earth. All of the animals were waiting for the muskrat to reappear. They were worried for the muskrat. Finally his body floated to the surface. The animals looked in his paw and they found some earth. They put the earth on the turtle's back. The rest of the animals now knew that there was earth under the water so they each went down to get some earth, first the loon then the duck and all of the rest of the animals. They all put the Earth on the turtle's back. This is how Turtle Island was created.

The Bronze Turtle in the center of the monument symbolizes the creation of Turtle Island and sits in the center plaza. Many of the tiles have the names of Nations and Peoples who are Indigenous to Turtle Island. Many of the tiles are blank, representing the Nations and Peoples who are no longer here and the languages no longer spoken on Turtle Island.

Surrounding the center plaza, is a solar powered water fountain. The fountain symbolizes the Oceans and the Seas that surround Turtle Island, and is powered by photovoltaic system that uses the sun's energy to move the water over the waterfalls. The photovoltaic system also operates the lights in the evening.

The sun's ray entering through the Turtle's eyes and nose will mark the Summer and Winter Solstices and the Spring and Fall Equinox.

Enter to the plaza is from the four directions with the main entrance from the east. The people who live here on Turtle Island with us came from these four directions.

Under the Turtle is a Time Capsule to be buried for seven generations.

The Inscription on the Monument/Time Capsule will say:

WE DEDICATE THIS MONUMENT TO THE SEVENTH GENERATION OF OUR CHILDREN'S CHILDREN, WE GIVE TO YOU OUR THOUGHTS, HOPES AND DREAMS FOR THE FUTURE OF ALL OF CREATION ON MOTHER EARTH.

Indigenous Peoples Day Committee will be hosting a reception to start the fund raising campaign for the Turtle Island Monument and Time Capsule on December 4th, 1993, from 7:00 p.m. to 10:00 p.m. at the Shattuck Hotel, 2086 Allston Way, Berkeley, Turtle Island. \$35.00 per person - Native American food and entertainment, RSVP (510) 464-5917.

CURRENT UPDATE:

The City has yet to complete the plan to restore the fountain and the project has remained dormant since 2005. Since that time, a number of factors have arisen (which were not concerns when the citizens' plan for the fountain was initially submitted) which increasingly impact the park and its fountain, namely statewide drought conditions, homelessness, drug use / sale of drugs, and numerous safety concerns.

ADDITIONAL NOTES:

Separate but adjacent to the fountain is the surrounding flagstone area and Peace Walls require restoration, which hopefully will be included in a larger city funded effort to restore the overall Civic Center Plaza.

Advisory team:

Theodore Ellison, mosaic artist, Artistic License Guild member

Wilma Wyss, mosaic artist

Charles Wilson, Landscape Architect, Friends of The Fountain Board member

Matthew Winkelstein, AIA, licensed certified CA architect

Phil Stevens, licensed contractor

MLK, JR. CIVIC CENTER PARK, BERKELEY
FOUNTAIN IMPROVEMENTS
 INITIAL SCHEMATIC SCOPE / PRELIMINARY BUDGET ESTIMATES

<u>ITEM DESCRIPTION / LOCATION / QUANTITY</u>	<u>ESTIMATED COST</u>
• Color coat exterior face (outer ring A wall): =2,900 sq.ft.	\$6,000
• Install 4 existing bronze cast Turtles (@ ordinate points):	\$1,000
• Install 8 existing granite medallions (in basin btwn Turtles):	\$2,000
• Soft foam surface in main basin (btwn rings A&B); =1,250 sq. ft.:	\$40,000
• Mosaic specialty tile (@ exterior wall of inner ring B); =175 sq.ft. :	\$70,000
• Fabricate wood bench seat atop outer ring wall: =159 lin.ft. (194 sq.ft.)	\$45,000
• LED strip lighting below rim (@ inner ring C); =80 lin. ft.	\$5,000
• Backfill space w rock material (btwn rings B&C); add planting medium w/ irrigation, controller; let drain; =90 cu.yds.rock fill:	\$5,000
• Backfill space w/ rock & planting soil (between rings C&D); let drain; 75 cu.yds. rock fill:	\$5,000
• Backfill space & concrete slab finish at top (between rings D&E);	\$8,000
• Core drilling for drains:	\$3,000
• Electrical connections:	\$5,000
• Irrigation piping and controller:	\$5,000
TOTAL PRELIMINARY ESTIMATE:	\$200,000

WORK NOT INCLUDED:

- Restoration of Flagstone plaza paving (aprox SF TBD)
- Additional central fountain area lighting by City (QTY 4) \$6,000 to \$8,000
(recommend: Sternberg historic restoration style, w/ LED lamp, acorn polycarbonate globe)

City of Berkeley FOUNTAIN PROJECT - design proposal @ MLK Jr. Civic Center Park September 2018



existing Turtle sculptures (4)
native drought resistant plantings

mosaic feature on low wall

soft re-surfacing in basin

existing Native American medallions

perimeter wood bench
with safety back / rail



Office of the City Manager

ACTION CALENDAR

January 11, 2023

To: Parks, Recreation and Waterfront Commission

From: Scott Ferris Director, Parks, Recreation & Waterfront
Liam Garland Director, Public Works

Subject: Provide Direction on Closing the \$3.28M -\$4.58M Funding Gap to Complete Measure T1 Projects

CURRENT SITUATION

Recent increases in construction costs have created a total funding gap overage of between \$3.28M to \$4.58M for Measure T1 projects. For example, the North Berkeley Senior Center project currently has \$300,000 in unanticipated costs, and a recent structural engineering assessment at the proposed new African American Holistic Resource Center building found significant structural problems that will likely require an additional \$1.85M - \$3.15M.

The solutions to this projected overage could involve finding new funding, or covering certain phases of a project (e.g., design but not construction), or deleting certain projects from the [T1 Phase 2 list](#). Per the [T1 Operations Manual](#) (Section 4.5), such changes require consultation with the two Measure T1 lead City Commissions (Parks, Recreation and Waterfront and the Transportation and Infrastructure Commissions) and action by City Council. In order for staff to execute the remaining T1 Phase 2 projects in a timely matter, direction on these difficult decisions is needed immediately.

Construction Cost Increases (\$1.08M)

Staff typically anticipates yearly increases of between 3-5% in construction costs. Over the last two years, construction costs have increased as much as 26%. These increases have required staff to reduce design and construction scopes, identify other funding sources, and re-evaluate the priority of all T1 Phase Two (T1P2) projects. Examples of these issues can be seen in the Willard Clubhouse replacement project and the new Ohlone 2-5 and 5-12 Playgrounds and Mural Garden project. For example, less than 16 months ago, the Willard Clubhouse preferred conceptual design was reduced by more than 30% in order to complete the total project within the original T1 budget allocation of \$7.0 M. The construction contract at Ohlone Park, which was recently awarded at City Council in December of 2022, needed an additional \$200,000 of PRW CIP funds in order to proceed.

Staff has analyzed all T1P2 projects that have not been completed and/or are in the process of being awarded in terms of each project's capacity to reduce scope or to find other funding (see Attachment 1). The result of this evaluation is that we have identified

Provide direction on closing the funding gap to complete Measure T1 projects

10 projects that cannot be reduced in scope, and need an additional 15% in funding in order to produce a baseline project (highlighted in yellow in Attachment 1). This list includes five restrooms, and a variety of smaller projects. Staff have identified seven projects that can be made whole by using existing Public Works (PW) and Parks, Recreation and Waterfront (PRW) CIP or ADA funding, but this impacts other non-T1 funded projects. For example, the use of PRW CIP funds to cover T1 construction cost increases at the Ohlone Playground and Mural Garden, Grove Park Sports Field, Grove Playground and the Marina Timber Piling Replacement project will likely eliminate all FY 2023 design funding for play structure replacement at Glendale LaLoma, Aquatic, Codornices, and Shorebird Parks. The African American Holistic Resource Center project is not included in this amount because it is discussed separately in this report.

North Berkeley Senior Center (NBSC): \$350K

This \$10.83M project is currently in the close-out phase and has approximately \$350,000 of existing costs that are over and above T1, FEMA Grant and other funding sources assigned. These costs include construction and legal fees incurred to-date.

African American Holistic Service Center (AAHRC): \$1.85M- \$3.15M

The AAHRC currently has \$8.25M in total project funding (comprised of \$7.0M T1, \$225,000 GF and \$1.0M in a federal earmark). Until last year, this funding would have been enough to complete the renovation of the 4,000 square foot building at 1890 Adeline Street. However, over the past year, construction costs have increased significantly. In addition, recent engineering assessments of the building and site (structural and geotechnical) found significant structural problems¹, and the project is now estimated to cost \$10.1M to renovate and \$11.4M to replace as new. The project management team strongly recommends that this facility be fully replaced because a renovation may encounter additional unforeseen issues related to the building and site. The project architect cannot proceed through the design phase without guidance on which type of building (new or renovated) to design.

DISCUSSION

Halfway through Measure T1 Phase One, a similar funding gap arose because extra projects were added to the original T1 list and there was a similar surge in construction costs. The T1 Lead Commissions both recommended that City Council proceed with the projects and allocate the needed \$5.3M to finish all projects. Council took action and funded the \$5.3M gap for Measure T1 Phase 1 projects. Ultimately, this funding was pulled back because of needs associated with the City's COVID-19 response and the gap was allocated from the remaining T1 bond funds. A similar solution for the Measure T1P2 funding gap is not possible because all Measure T1 bond funding has been fully allocated.

There are multiple options or combinations of options that could solve this T1 Phase 2 funding gap of \$3.28 - 4.58M. These options include the following:

¹ Problems found to-date include inadequate shear capacity, diaphragm discontinuities, insufficient anchorage and cross ties, and expansive and unknown subsurface soils, etc.

Provide direction on closing the funding gap to complete Measure T1 projects

1. Find new and/or additional funding for all of or part of the T1P2 gap. Existing PW and PRW Departmental CIP funding in F23 and FY24 are already being used to offset seven T1P2 and non-T1 projects.
2. Reduce the phases of T1P2 projects, (e.g. from construction to design only).
3. Eliminate projects from the T1P2 list that have not yet been awarded for construction.

At present, only eight projects T1P2 have been completed or currently under contract to-date (see Attachment 1 – highlighted in turquoise). In an attempt to identify projects that could be reduced or eliminated, staff prioritized the continuance of projects related to streets, public buildings, and public restrooms. Of the remaining projects that have not been completed or bid out, staff have identified four projects totaling \$1.5M that could be reduced or deleted that would have the least impact on current City priorities as follows:

- \$700k Ohlone Park Lighting Project
- \$300k Civic Center Turtle Island Monument (fountain) Project
- \$150k Bollard Conversion to Landscaping Project
- \$350k Corpyard Gate, Paving, Parking, Fuel Island Replacement Project
- \$1.5M total Measure T1 funds (could be reduced or deleted)

In addition, the Measure T1 \$3M South Berkeley Senior Center Project has been waiting for two years for a FEMA grant that would be needed to do a baseline seismic improvement project. If this grant is not awarded soon, a seismic retrofit cannot be completed and these funds may be used for other improvements at the South Berkeley Senior Center or re-allocated to other T1 P2 projects.

NEXT STEPS

The T1P2 funding gap issue will be discussed at a City Council Special Meeting on Tuesday, January 31 at 4pm. If the PRW Commission can make a recommendation on how to eliminate or reduce this funding gap, it will be included in the staff report to Council. The Transportation and Infrastructure Committee will also be asked for a possible recommendation at their meeting on Wednesday, January 18, 2023.

- [Measure T1 Phase 2 Project List](#)
- Measure T1 Phase 2 Project Status Matrix (Attachment 1)

CONTACT PERSON

Scott Ferris, Parks, Recreation & Waterfront, 510-981-6700
Liam Garland, Public Works, 510-981-6300

Attachments:

- 1: Measure T1 Phase 2 Project Status Matrix

Measure T1 Phase Two - List of Projects - for prioritization (01-11-2023)

Category	Project Name/Description	Budgeted	Completed or Encumbered	In Design	Apply Escalation?	Addl 15% Escalation	Possible to Reduce Scope?	Escalation Required	Priority	Notes
Care and Shelter and Non-Departmental Citywide Facilities	MLK Jr. Youth Services Center	7,000,000		x	Yes	1,050,000	Yes	-	1	Possible additional funding available in PRW CIP Fund
	South Berkeley Senior Center	3,000,000		x	Yes	450,000	Yes	-	1	
	African American Holistic Resource Center **	7,000,000		x	Yes	1,050,000	No		1	Baseline scope now requires \$1.85M to complete
	Restrooms in the ROW Telegraph/Channing	450,000	x		Yes	67,500	No	67,500	1	
	Restrooms in the ROW San Pablo/University	450,000		x	Yes	67,500	No	67,500	1	
	Restrooms in the ROW Alcatraz/Adeline	450,000		x	Yes	67,500	No	67,500	1	
Camps	Cazadero Dining Hall & ADA Improvements	400,000	x		No			-	1	Required by lease
Buildings in Parks	Willard Clubhouse/Restroom Replacement	7,000,000		x	Yes	1,050,000	No		1	Scope already reduced; possible additional funding by PRW CIP. \$500k gap remains
	Tom Bates Restroom/Community Space	2,999,238		x	Yes	449,886	Yes	-	1	Possible additional funding available in PRW CIP Fund
	Harrison Park - Restroom Renovation	450,000		x	Yes	67,500	No	67,500	1	
	Ohlone Park - New Restroom	500,000		x	Yes	75,000	No	75,000	1	
Parks - Play structures	Ohlone (Milvia) Ages 2-5, 5-12, Garden Mural, Exercise	517,285	x		Yes	77,593	No	-	-	Contract awarded; gap covered by FY23 PRW CIP
	John Hinkel Lower Ages 2-12, picnic, parking	400,000	x		No				-	Completed
	Grove Park Ages play structures 2-5, 5-12 yrs old	700,000	x		Yes	105,000	No	-	-	Contract to be awarded; Gap covered by FY23 PRW CIP
Parks	Aquatic Park Tide Tubes Clean out, Phase 1B	185,000	x		No				-	Completed
	Ohlone Park - Lighting	700,000		x	Yes	105,000	Yes		3	
	Civic Center Park – Turtle Garden	300,000		x	Yes	45,000	No	45,000	3	
Pools	King Pool Tile and Plaster Replacement	350,000	x		No				-	Completed
Waterfront	Marina Timber Piling Replacements	1,200,000	x		Yes	180,000	Yes		1	
	Marina D and E Dock Replacement	517,285		x	Yes	77,593	No	77,593	1	
	Marina K Dock Restroom Renovation	499,238		x	Yes	74,886	No		1	
	Cesar Chavez Park - New Restroom (on Spinnaker)	449,238		x	Yes	67,386	No		1	
Streets	T1 Streets Contribution to Annual Street Paving Improvements	6,750,000		x	Yes	1,012,500	Yes	-	1	
	Bollard Conversion to Landscaping	150,000		x	Yes	22,500	Yes	-	3	
Sidewalks	Sidewalks Maintenance & Safety Repairs	1,850,000	x		No		No	-	-	Project in construction.
Pathways	Pathway Repairs/Improvements	200,000	x		No	30,000	No		-	Project in construction.
Storm	Storm Drain Imprv -Marin, Virginia & Spruce	500,000	x		No				-	Completed
	John Hinkel Storm Drain Repairs	74,159	x		No				-	Completed

Category	Project Name/Description	Budgeted	Completed or Encumbered	In Design	Apply Escalation?	Addl 15% Escalation	Possible to Reduce Scope?	Escalation Required	Priority	Notes
Facilities	1947 Center Street Improvements	1,800,000		x	Yes	270,000	No	270,000	1	
	Fire Station #2	1,450,000		x	Yes	217,500	No		1	Possible PW ADA funding
	Fire Station #6	1,300,000		x	Yes	195,000	No		1	Possible PW ADA funding
	Corporation Yard -Gate, Paving, Parking, Fuel Island	350,000		x	Yes	52,500	Yes		3	
	Corporation Yard - Wash Station Compliance	200,000		x	Yes	30,000	Yes		1	
	Corporation Yard - Green Room Lockers, Bathroom, Training Room, Floor, Cabinets - Building B	1,700,000		x	Yes	255,000	No	255,000	2	
	Corporation Yard - Storage Room - Roof Repair Bldg	600,000		x	Yes	90,000	No	90,000	2	
	Telegraph Channing Garage Internal Restroom	300,000		x	Yes	45,000	No		1	Additional funding not needed.
	NBSC-Emergency Power Supply Solar Batteries	500,000		x	Yes	75,000	No		2	Additional funding not needed.
Totals		53,241,443						1,082,593		Escalation Min Need
Art		650,000								300,000 NBSC Addl Project Costs *
Staffing / FESS		6,195,330								1,850,000 AAHRC: Renovated 4k sf bldg**
Total Phase 2 Budget		\$60,086,773								3,232,593 Scenario 1: Minimum Total Need
										300,000 NBSC Addl Project Costs
										3,150,000 AAHRC: New 4k sf bldg**
										4,532,593 Scenario 2 Total Need

* Additional pending legal fees not included

PARKS AND WATERFRONT COMMISSION

RECENT COUNCIL REPORTS

The following recent PRW council reports can be accessed from the City Council Website by using the following URL's:

January 17, 2023 (regular)

12.-Lease Agreement: Bay Area Hispano Institute for Advancement (BAHIA) at building 1718 8th Street, at James Kenney Park

URL: <https://berkeleyca.gov/sites/default/files/documents/2023-01-17%20Item%2012%20Lease%20Agreement%20Bay%20Area%20Hispano%20Institute.pdf>

20.-Changes to Selected Camps Program Fees

URL: <https://berkeleyca.gov/sites/default/files/documents/2023-01-17%20Item%2020%20Changes%20to%20Selected%20Camps%20Program.pdf>

December 13, 2022 (special)

2.-Grant Contracts with the State Coastal Conservancy to receive the FY2022 State Budget Allocation of \$15 Million for improvement projects at the Berkeley Waterfront

URL: <https://berkeleyca.gov/sites/default/files/documents/2022-12-13%20Special%20Item%2002%20Grant%20Contracts%20with%20the%20State%20Coastal.pdf>

December 13, 2022 (regular)

14.-Contract: California Constructores for Ohlone Park (East) Playground Replacement and Site Improvements Project

URL: <https://berkeleyca.gov/sites/default/files/documents/2022-12-13%20Item%2014%20Contract%20California%20Constructores.pdf>

SAMPLE

Parks and Waterfront Commission 2021-2022 Work Plan

MISSION

The Parks and Waterfront Commission advises the City Council on the policies, projects, planning efforts, activities, and funding that impact the physical condition of parks, pools, camps, recreation centers, the Marina, and public greenery. A major goal is to ensure that marginalized and underrepresented communities have equitable access to Parks, Camps, and Recreational facilities

STRATEGIC OBJECTIVES

The Parks and Waterfront Commission will work on the following Objectives over the next year:

- I. Create a vision and explore funding options for park and waterfront improvements that could not be funded under T1: such as a more vibrant park and habitat at Aquatic Park, restoration or replacement of the fishing pier, improvements at San Pablo Park, and a more resilient shoreline.
- II. Maintain and improve parks, recreation, and camp facilities, and associated programming, so that they can be enjoyed by all residents. Phase 2 of Measure T1 funded projects are crucial to this effort.
- III. Refresh the Berkeley Waterfront by addressing its unfunded capital and operating needs. Increase recreational opportunities and improve ADA accessibility at the Waterfront.
- IV. Develop a resilient vision that protects our waterfront parks from sea level rise.

ACTIVITIES

To advance each of these objectives, the Commission will focus on the following specific activities.

Objective A. To maintain and improve park, recreation, and camp facilities.

1. Monitor the design and construction of Phase 2 Measure T1 Projects
 - Deliverables:
 - Review designs and monitor construction progress
 - Participate in public outreach
2. Monitor the progress in rebuilding and reopening Tuolumne Camp
 - Deliverables:
 - Regularly review progress at Commission meetings
3. Civic Center Park Group
 - Deliverables:
 - Appoint a liaison from Commission
 - Participate in discussions and report back to Commission
 - Lead Commissioner: Diehm
4. Promote Greening Berkeley
 - Deliverables:
 - Develop ideas for softening the city's hardscape
 - Lead Commissioners: Landoni and Diehm
5. Adopt a Spot

- Deliverable:
 - Advocate for creating and financing an Adopt a Spot program in parks
- Lead Commissioners: Diehm and Srioudon

Objective B. To refresh the Berkeley Waterfront by addressing its unfunded capital and operating needs, to increase recreational opportunities, to achieve financial sustainability for the Marina Fund.

1. BMASP Process

- Deliverables:
 - Develop a vision for the Waterfront that preserves open space, recreational, and waterfront activities. Continue to support nonprofits that provide low-cost access to waterfront recreation.
 - Evaluate proposed developments for impact on existing programs and progress towards the goal of achieving a sustainable Marina Fund.
- Lead Commissioners: McGrath, Brennan, Kamen, and Landoni

2. Pier/Ferry Process

- Deliverables:
 - Evaluate siting options and the impacts on traffic, parking, recreation, and revenues.
 - Evaluate the impact of new uses at the Waterfront and the potential to create new recreational opportunities, while protecting existing access and uses.
- Lead Commissioners: Kamen, McGrath, and Wozniak

3. Cesar Chavez Park

- Deliverables
 - Establish land uses and accessible trails for the undeveloped portion of the Cesar Chavez Park.
- Lead Commissioners: Kawczynska, Diehm, and Srioudom.

Objective C. Develop a resilient vision that protects our waterfront parks from sea level rise.

1. Develop a regional vision for resilience from the Albany Bulb to the Bay Bridge in cooperation with Albany, Emeryville, East Bay Regional Park District, and Caltrans.

- Deliverables:
 - One or more meetings and a graphic for a resilient shoreline
- Lead Commissioners: McGrath, Landoni, and Kawczynska

2. Develop a Plan for further restoration of Aquatic Park that takes advantage of the closure of the Potter Street on-ramp and includes a hydraulic analysis that balances flood control, habitat enhancement, and recreation.

- Deliverables
 - Grant application for funding by the San Francisco Bay Restoration Authority
- Lead Commissioners: McGrath, Diehm, and Kawczynska

3. Identify areas along the Berkeley Waterfront, where swimming can safely be encouraged, and enhanced by measures such as restoration of sandy beaches.

- Deliverables
 - Mapping of beach enhancement opportunities in the update to the Marina Plan and in any updates to the East Shore State Park Plan.
- Lead Commissioners: Landoni and Srioudom

COMMUNICATIONS

Berkeleyside

CITY

Berkeley's sidewalk repair backlog is shrinking

The city has helped fund over 2,800 sidewalk repair jobs since 2019 in a popular cost-share program, but the end of the waitlist is years away.

By Kate Darby Rauch

Dec. 26, 2022, 2:01 p.m.



A sidewalk in need of repair in the Berkeley Hills. File photo: Jerome Paulos

Walk around this city these days, and you may notice fresh stretches of concrete underfoot — sidewalk that’s been recently repaired or restored.

This doesn’t mean other sections of Berkeley’s 400 miles of sidewalk aren’t rough, rocky or dangerously uneven (mostly from the push of tree roots). It would take \$50 million-plus to fix all sidewalks citywide, according to a spring 2022 city estimate.

But in the often confusing world of sidewalk responsibility and repair, the city is reporting steady progress in problem-solving, according to Scott Ferris, Berkeley parks director. Recent work is largely attributed to voter-approved **Measure T**, a \$100 million infrastructure and facilities improvement bond, passed in 2016.

“The sidewalk repair backlog has shrunk from 10+ years to 3-4 years, mostly because Measure T1 is funding more repairs,” Ferris wrote in an email.

Agenda Item 14a. Communications - Berkeleyside

The repair backlog Ferris refers to specifically applies to a city program that splits the cost of sidewalk repairs with property owners.

Chronically underfunded, the **50/50 cost-share program** had a waiting list of years. So long that some program applicants forgot they had even applied, according to several messages sent to Berkeleyside over the past year. People were confused by letters from the city saying their sidewalks were up for repair work and asking for 50% of the cost.

Measure T funds are helping with sidewalk catch-up, Ferris said.

Budgeted in stages or phases, the bond has helped fund around 2,811 sidewalk repairs through the 50/50 program since 2019, Ferris said, including around 550 jobs in the past year. It will assist with another 575 repairs in 2023.

This leaves 350 to 450 applications waiting, with the goal of completing these projects in a few years, Ferris said, noting this list isn't static and always changes.

Property owners responsible for sidewalk conditions

Many people assume city sidewalks, like roads, are maintained by the city.

But in Berkeley, as in most cities in the state, responsibility for sidewalk repair is on property owners.

“**State** and local law place sidewalk maintenance as the responsibility of the property owner,” said Matthai Chakko, city spokesperson.

Maintenance must meet city standards.

This also means property owners are liable for legal action stemming from bad sidewalks.

According to the Berkeley Municipal Code: A property owner “owes a duty to members of the public to keep [their] sidewalk in a safe condition. If said owner fails to maintain said sidewalk in a safe condition, and a person sustains injury or damage as a result of said failure, then the owner shall be liable to such person for the resulting injury or damage.”

“ *It would take \$50 million-plus to fix all sidewalks citywide, according to a spring 2022 city estimate.*

Cities can take on responsibility for sidewalk maintenance under local ordinance, though few do.

Cities can also pitch in to help, such as with the 50/50 program, which is

statewide.

Participation in the 50/50 program is by application. All property owners are eligible, and projects are completed on a first-come, first-served basis, Ferris said.

After applying, property owners receive a letter from the city saying, in part:

“Please note that this program is extremely popular and the waitlist is long. Please be advised that being on this waitlist does not waive your liability in the event of a third-party injury, and it does not Relieve your

responsibility as property owner to maintain the sidewalk adjacent to your property in a safe and usable condition.”

‘Make Safe’ repairs

There’s another way Berkeley steps in for more urgent sidewalk repairs.

Berkeley sidewalk repair is primarily complaint driven, Ferris said. Complaints drive city inspections, which drive notices to property owners.

If the city doesn’t receive any complaints about a sidewalk issue, the problem can persist.

Ferris said the city responds to all complaints, though some people contacting Berkeleyside said they alerted the city to dangerous sidewalks, without seeing any changes.

Property owners worried about their sidewalks can always make repairs themselves, using city-approved contractors. Or, they can apply for the 50/50 program, risking a wait.

But sidewalk inspections may also drive emergency repairs.

The city does temporary “make-safe” sidewalk repairs “all the time,” said Joe Enke, city engineer, usually asphalt patching and filling. Property owners are told they’re responsible for permanent fixes.

A “make safe” repair may last until someone’s name comes to the top of the 50/50 list.

The city also does sidewalk shaving or grinding, at no cost to property owners. Sidewalk shaving, a relatively quick process, can reduce or eliminate tripping hazards. “We do repairs as they are brought to our attention,” Enke said.

Patching almost always eventually needs additional work, Enke said. But shaving “can solve many identified issues.”

A city shaving contractor just started \$1 million worth of work focused on schools and areas in Southwest and Northwest Berkeley,” Enke said.

Street trees belong to the city

One of the most common ways sidewalks are damaged is by tree roots, uplifting sections of concrete which easily snag feet or wheels.

It’s easy to assume property owners, responsible for their sidewalks, are also responsible for trees growing in the strips of land between the sidewalk and the street.

But this isn’t so. Sidewalks are one thing, median strips another.

“It’s City Right of Way (ROW) and ownership of the ROW [is] complicated,” Ferris said. “The width of the ROW varies from street to street, but typically includes the curb, planting strip, the sidewalk and sometimes a narrow area beyond the sidewalk.

“
City tree care ultimately falls to the city, even when roots are damaging a sidewalk a property owner must repair.

“The City takes on responsibility of managing and maintaining the trees in the ROW in order to ensure that they are property maintained.

The rest of the ROW

(sidewalk/vegetation) is the responsibility of the homeowner,” Ferris said.

Property owners are welcome, and even encouraged, to partner with the city on tree care, Ferris said. City arborists will offer advice.

But city tree care ultimately falls to the city, even when roots are damaging a sidewalk a property owner must repair.

The worst offenders are some older trees, including liquidambar and camphor trees. To address this challenge, the city’s urban foresters are now planting urban site-suitable species such as trident maple, redbud, Chinese flame, Brisbane box, Persian ironwood, Chinese pistache, and water gum, said Chakko, the city spokesperson.

In Berkeley, as in many cities, many older street trees that are now recognized as poor choices for urban environments were planted before this was clearly understood.

Climate change is also affecting the health of street trees, Chakko said.

Disability survey will shed more light on sidewalks

Soon, Berkeley will know more about the state of its sidewalks. A sidewalk inspection required by the Americans With Disability Act (ADA) was recently completed, Enke said.

“Nearly all of the city sidewalks were surveyed,” Enke said. A contractor did the work.

The survey is one part of the city’s **ADA Self Evaluation and Transition Plan**, a framework for complying with pedestrian accessibility

requirements of the federal law. The initial plan was completed years ago, but updates are required.

“ADA compliance is ongoing. A timeline for accessibility improvements, including sidewalks, will be developed as the plan is finalized,” Enke said. Budgeting for ADA compliance is up to the city.

Public hearings and reports are part of the transition plan.

To report a broken or dangerous sidewalk or to get information on repairing the sidewalk by your house, including the city’s free shaving or the 50/50 cost sharing program contact the Berkeley Public Works sidewalk division by emailing [**PWSidewalks@cityofberkeley.info**](mailto:PWSidewalks@cityofberkeley.info) or calling 510-981-2489.

This story has been corrected to better explain which types of trees are most likely to cause sidewalk damage and how urban foresters are addressing the issue. A previous version of the story listed as problematic some types of trees that, the city says, are actually well suited for urban environments.

© 2023 Cityside. All Rights Reserved.

Proudly powered by Newspaper by Automattic



Reopening the Berkeley Municipal Pier

An Architect's assessment of the structural integrity of the Berkeley Fishing Pier

Todd Jersey AIA

DRAFT

January 3, 2022



About the Author:

Todd Jersey, AIA is a Berkeley resident, architect, and the owner of Todd Jersey Architecture, Inc., a Berkeley based sustainable design firm that specializes in both sustainability and historic preservation. Mr. Jersey restored the historic Richmond Plunge from 2005 to 2010. He was awarded the project after demonstrating to the City of Richmond alternative methods of reinforcing the existing building that saved well over a million dollars in construction costs. The strategies he employed in restoring and reopening the Richmond Plunge are like those he recommends for the economical repairs to the Pier. Mr. Jersey has a long history of working on pro-bono projects in the city of Berkeley and the East Bay



January 3, 2023

To Whom it may concern:

For the last several years I have studied all available documentation and physical evidence I could about the reasons for the closure of the Berkeley Pier from all available sources. Sources included the detailed survey in the GHD Structural Assessment of the Berkeley Municipal Pier (2017) as well as a great deal of visual inspection which included copious visual inspection using a drone as access to the pier is limited to the shore. This study has led to conclusions that are contrary to those established in the GHD report which has unfortunately solidified faulty reasoning for the Pier closure without further debate or discussion.

It is the purpose of this paper to re-open the debate regarding whether the pier as it stands today retains sufficient structural integrity to perform its designed function to support pedestrian loads as a fishing pier. It is my assertion that it is with the caveat that only the first 2,000 feet (most of the length) have sufficient integrity to be declared in serviceable condition. Below you will find **16 Key Conclusions** that support the declaration that the pier (the first 2,000 feet) remains in serviceable condition. These conclusions are then followed by a partial list of **7 Exhibits** (facts) which back up these claims.

To aid the reader, I created to-scale as-built drawings of the structure which are found at the end of this report. You can see from these drawings that the degradation of the lower part of the concrete does not transmit to the upper part which remains fully intact.

Key Conclusions:

1. That, while certainly suffering from decades of neglect, the first 2,000 feet of the Pier (Section 1 as noted in the GHD report) is **NOT in failure mode** and thus, contrary to claims made by GHD, **remains in serviceable condition.**
2. The Section 1 steel reinforced concrete road sections also called spans and slabs that look so bad from below are **not in any danger of catastrophic collapse.**
3. Section 1 should be immediately set up for continuous monitoring of its structural integrity so that it becomes clear if it ever enters a failure mode.
4. To ease fears **in situ load testing should begin on a monitored span that is weighted to the code required capacity for pedestrian bridges of 100 pounds per square foot.** This can be done inexpensively and can and should be done immediately. For instance, to easily test the ability of the pier to hold vehicular loads a retired city vehicle could be parked on the pier and that section closely monitored. (I believe that all mid-sized emergency vehicles can easily be accommodated in Section 1 without danger) Sadly, **easy methods for load testing were never done by GHD or the City which relied on much less reliable mathematical modeling for determining the strengths of the existing structural elements.**
5. That most of the visible damage to the underside of the concrete spans is due to the rusting of the lower matt of steel rebar. The expansion of the rusting steel forced the spalling of the lower third of the concrete spans.
6. This rusting began almost immediately after the concrete spans replaced the wood spans in the 1960s as the structure became a fishing pier.
7. Most of the rust that then damaged the bottom of the slabs occurred early after construction.
8. That the **amount of damage over time to the pier has greatly decreased in the last few decades.**



9. The upper level of rebar remains intact and unaffected by water intrusion and **is doing the “work” of supporting the concrete slabs** in lieu of any work being done by the rusted and degraded lower level of rebar. This has been the case for decades.
10. **Section 2** as noted in the GHD report (the middle section of the pier about 800 feet in length) is **currently in failure mode and should not be reopened without repairs**. This will limit the useful length of the pier without repairs to the first 2,000 feet. Here, I agree with the GHD report.
11. The other elements of the pier (that are not the Section 1 spans) also remain in serviceable condition. These elements include the concrete encased wood piles (piers), the reinforced concrete “bent caps” or beams as well as the wood railings, light stands, benches etc.
12. **Section 1 retains its functional structural integrity and remains able to perform** in a manner like most of the older but still operational bridges in the entire country. It is well known that most of the older bridges in the nation need maintenance and repairs but remain open because they are considered able to safely perform even in a degraded condition.
13. **There is no danger of catastrophic collapse of the pier in an earthquake**. As the GHD report discusses, and visual inspection clearly shows, the battered wooden piles that were installed originally to resist transverse loads are almost completely gone. These were placed because the original pier was built to carry heavy vehicles with weights orders of magnitude higher than a pedestrian fishing pier. As per the current use, there is no need for transverse support of the pier. It no longer must resist the higher loads placed on it by vehicles and the battered piers do not need to be replaced. Of course, in a major quake the pier is the least of our issues, but in terms of the structure being able to resist the transverse loads from a seismic event. I believe this is not an issue of concern. Earlier today I visited the Maritime Museum where similar age wood and concrete piers are restraining large wooden ships which are putting orders of magnitude greater transverse loads on similar pier structures. These examples demonstrate that much lower transverse loads from an earthquake or any other natural even would be easily resisted by the existing structure than the Berkeley Pier would get in an earthquake.
14. Economical (and low carbon signature) repairs should be undertaken as described below so that the entire pier can be reopened as soon as possible.
15. A maintenance and monitoring regime should be undertaken right away.
16. Section 1 should be **reopened to the public as soon as possible**.

Essential Facts (Exhibits):

Exhibit 1: Section 1 is not in failure mode. Failure mode is a quality assigned to steel structures as well as steel reinforced structures like the pier to explain the idea that before a structure collapses it enters a period where it starts to fail. This is the bend but does not break idea and is defined by the concept of ductility. **Steel reinforced concrete slabs like we see at the pier are ductile structures and begin to bend and slump usually well before the break.** We have perfect examples of concrete spans that ARE in failure mode in Section 2 which are called out in the GHD report. These spans are slumping. Its worth noting that even 7 years after closing none of the slumping spans in Section 2 have collapsed.

Exhibit 2: We would expect to see a type of cracking called transverse cracking on the concrete slabs that are in failure mode. Transverse cracks develop perpendicular to the span towards the middle of the span where the tensile forces are greatest. I have **not been able to detect ANY transverse cracking at all in any location in any of the concrete spans in Section 1.** It should be noted that there ARE transverse cracks in the slumping Section 2 slabs.



Exhibit 3:

Most of the “loose” or spalling concrete on the span’s underbelly is NOT spalling of the structural concrete of the pier itself. It is the continuous delamination of a thin veneer of cement that was applied in the 1990’s and NOT original concrete from the Pier itself. This thin veneer never added structural strength to the bottom of the spans and was most likely was performed to inhibit further deterioration. This is a key finding as it demonstrates that **the current state of delamination visible to the naked eye is NOT an issue of continuous structural degradation.**

Exhibit 4:

There is virtually no structural cracking on the top side of the concrete spans at all. If the spans were at risk of failing under pedestrian loading cracking on the top of the spans would be noticeable.

Exhibit 5:

There are (and have been for decades), spans in Section 1 where the lower matt of steel reinforcement is completely absent. This is demonstrated in the GHD report and is also easily observable from shore. Where this occurs the upper level of steel reinforcement has functionally and adequately supported the spans. This demonstrates that in Section 1 and **the upper intact layer of rebar is fully capable of doing all the of the “work” necessary to allow the pier to operate under its intended use.**

Exhibit 6:

There are no transverse cracks visible on any of the concrete bents (beams) indicating they are not in failure mode and currently in serviceable condition.

Exhibit 7:

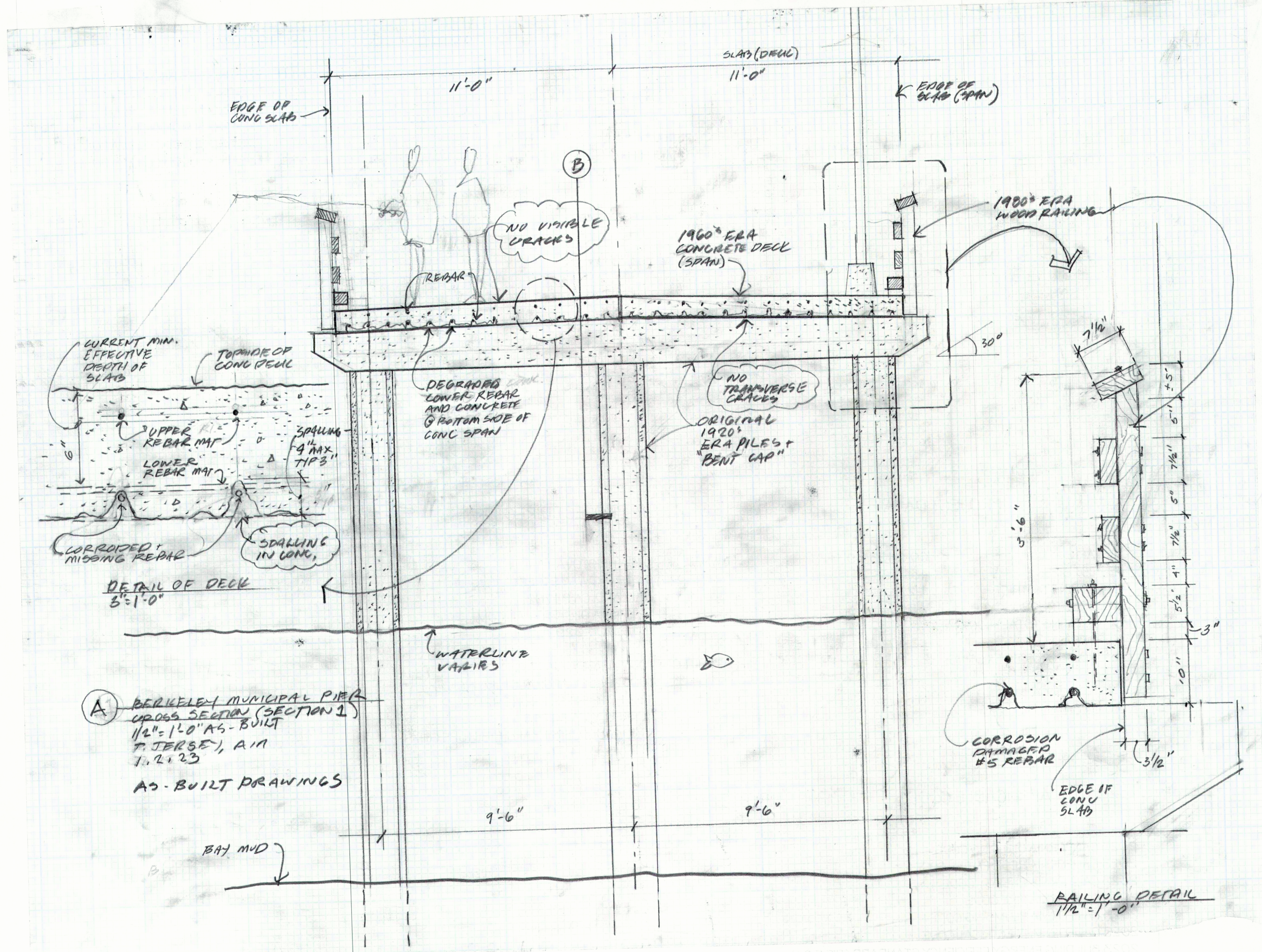
From comparing photographs taken for the GHD report in 2017 with current conditions, it is clear that the structural elements of the pier have NOT steadily degraded nor has the speed of degradation in any way increased as erroneously predicted in the GHD report.

Conclusion: Providing a sensible and affordable path to reopening:

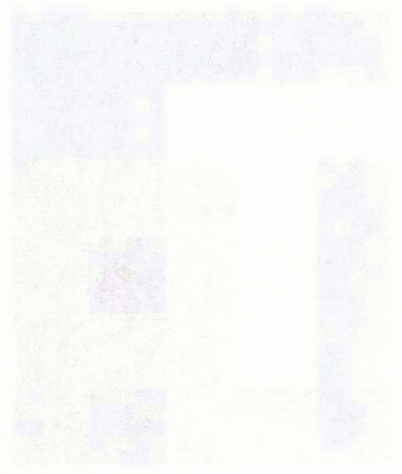
One of the unfortunate aspects of the GHD report was the lack of creative and affordable approaches to repairs. I found the same issue with reading early structural reports for the Richmond Plunge. On that project I looked beyond conventional repair methods and ended up using affordable and lightweight fiber reinforced polymer coatings to repair the structural elements. In doing so, I **saved the City of Richmond so much money the project was taken off the “unaffordable” shelf and we all moved forward together. This strategy also reduced by orders of magnitude, the carbon footprint of the project. The exact same approach will work** to repair, upgrade, and maintain the pier at a fraction of the costs noted in the GHD report.

A full description of the methods I employed at the Plunge and their relevance to the repairs at the Pier is beyond the scope of this document. At the appropriate time I am more than happy to share these ideas as well as ideas for in situ testing protocols with city leadership at no cost. It is my sincere hope that in so doing we might be able to pull the re-opening of the Pier off the unaffordable shelf and move this important project forward.

Todd Jersey AIA,
Berkeley, CA
January 3, 2023



0.0A



ARCHITECTURE

1440 ORKWAY STREET
BERKELEY, CA 94702

1440 ORKWAY STREET
BERKELEY, CA 94702

OLGA KRISTOVA

AG BUILT DRAWINGS

12.15.2022

T. JERSEY, AIA

M. CLIN

PROJECT INFORMATION



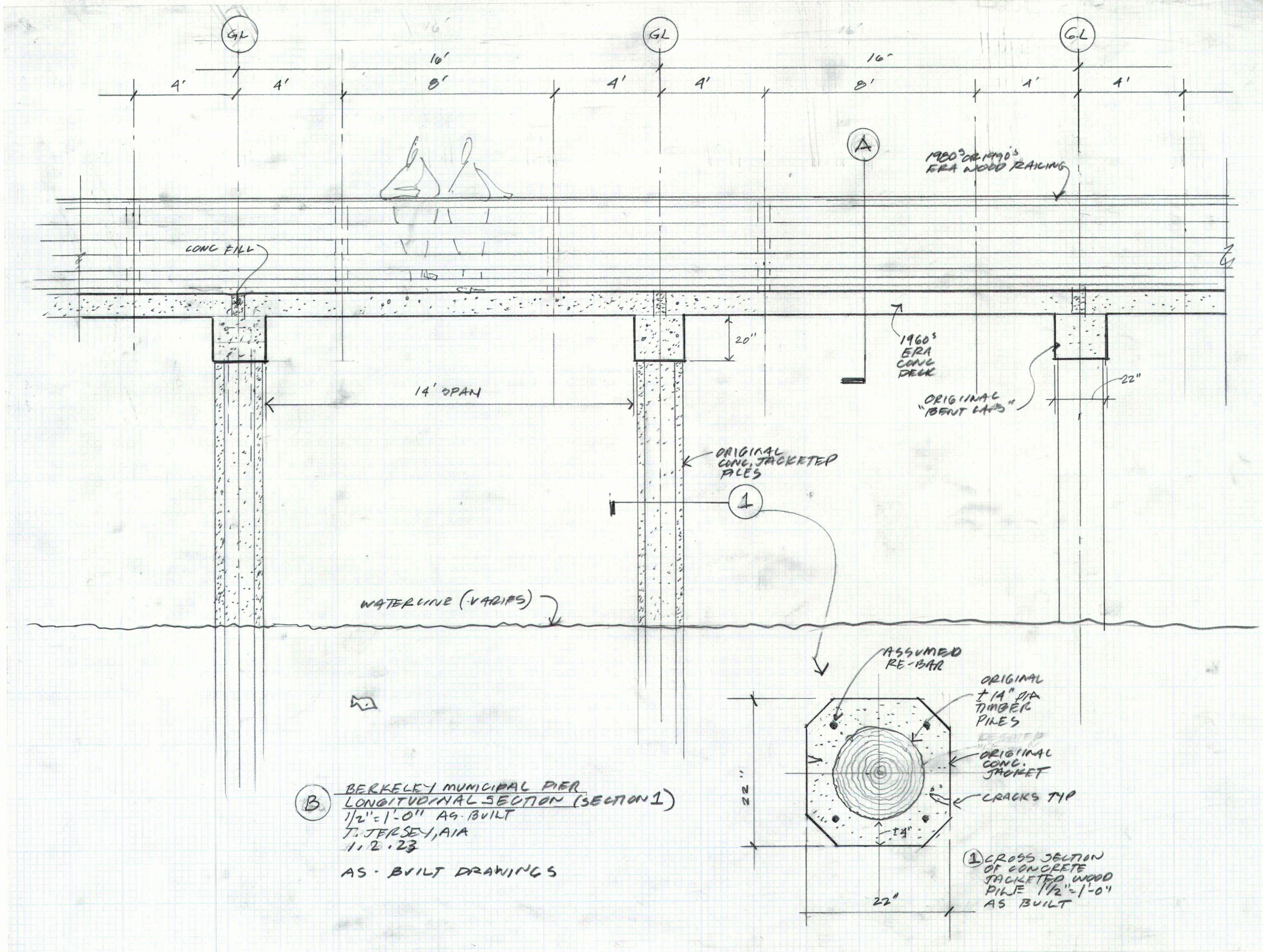
JOHN JERSEY ARCHITECTURE INC.

Parks, Recreation, and Waterfront Commission

GENERAL NOTES

SYMBOLS

ABBREVIATIONS



Jim McGrath
2301 Russell Street
Berkeley, CA 94705
April 2008

Councilmember Max Anderson
2180 Milvia Street
Berkeley, CA 94704

Subject: Berkeley Marina

Dear Mr. Anderson:

I have now served as your appointee on the Waterfront Commission for over two years. During that time, I haven't felt a need to contact you, and have worked as a Waterfront Commissioner representing all of those who frequently, and occasionally, use the marina's public space. Although I don't own a traditional boat, and instead windsurf and kayak, I quickly came to realize that I needed to represent everybody that might want to use the marina. I write now because I believe that the marina faces a crisis. This crisis has a fiscal component, but is more an issue of vision than of money. I believe that the status quo at the marina simply cannot endure, and a new vision and economic base must be laid out at this time. The matter comes to the Council through your annual budget, and the immediate question of whether or not to raise rates at the marina. But the issues are far more fundamental, and important, than the rates at the marina. Further, the City is now hiring a new Marina manager, and the time is ripe for the Council to charge that Marina manager with developing a new vision for the Berkeley Waterfront. This letter is intended to lay out my recommendations as your commissioner, and as the former chair of the Waterfront Commission.

MARINA RATES AND FUNDING

No motion to increase rates at the marina this year passed the Waterfront Commission during our April meeting, and I voted against all of the motions to increase rates. This happened even though there is a strong consensus on the Commission that the marina faces serious fiscal issues. Indeed, low rates and the lack of funding for much of the the last twenty years has led to a marina that needs a substantial influx of investment to be competitive with facilities in Emeryville and Richmond. There are two factors that led to my vote. First, Berkeley has raised rates rapidly during the past six or so years, and I believe that the market will not bear another increase in rates. Second, I don't believe it is responsible to again increase rates until we can present the public with a full picture of what it will take to upgrade the marina, and what length of time that will take. With uncertainties about further replacements, and particularly about dredging, we cannot look our tenants in the eye and tell them exactly what higher rates will pay for, and why those facilities are needed now.

I voted to recommend an increase in rates of 12% in 2006 and 5% in 2007. Those rate increases have brought Berkeley marina rates to among the highest rates in the Bay, and are comparable to, or higher than marinas with newer facilities and greater security. I am convinced that another increase, particularly in deteriorating economic conditions, will exacerbate our economic problems. I am convinced by careful review of the economic data from those years that we are already encountering substantial market resistance and that further increases will reduce our occupancy rate and garner little additional revenue. Our vacancy rate has increased from 2.5% in 2004 to 11% in 2008 as our rates have

increased by over 31%. For this reason, and as a byproduct of reconstructing the marina, recent increases have not brought in the anticipated revenue. If one compares 2006 actual income to 2007 actual income, for slips alone, the totals show a revenue increase of \$64,195, or about 2.28% increase in revenue from a 12% rate increase. Similarly, a 5% rate increase in 2007 resulted in a \$27,864 revenue increase, or less than a 1% increase. While there are many reasons for that, the simple fact is that our purported revenue increases over the last 2 years haven't come close to covering the cost of interest on the loans.

Other marinas provide substantial amenities not found in Berkeley, even if we ignore the condition of some of our docks. In particular, Emeryville provides new bathrooms, new docks, and secure parking at rates below those of Berkeley. Emeryville is currently dredging their entrance channel. The new Marina Bay facilities in Richmond also provide newer facilities at rates nearly 10% below those in Berkeley. Those marinas provide a direct comparison, as well as locations for our tenants to move.

The good news is that Berkeley is well placed geographically, and marina rates will continue to increase over time. A marina that provides for sailboats located near the best sailing area in the Bay will be in demand if it can be upgraded and if future rate increases will cover the cost of those increases. However, to do that, the marina will need a complete and realistic capital budget. That is an important topic of its own.

MARINA CAPITAL BUDGET

For many years, under the strong leadership of Brad Smith, the Waterfront Commission has been looking at the various projects that would be necessary to modernize Berkeley marina. In some cases, existing facilities can be kept for a few additional years to accumulate funds for replacement. In other cases, repairs are more expensive than outright reconstruction. The Master Plan of 2003 enumerated a number of projects, and estimated costs at nearly \$22 million. Some of those projects have been completed, but most of those projects, and newly identified needs, remain incomplete. In some cases, particularly dredging, those projects are essential to keeping our tenants. Costs for construction involving steel and concrete, and costs for dredging have increased, so it is likely that current costs are well about those anticipated in 2003. The budget that will be before the council shows a payout of about \$5.5 million through 2017. Only a few projects are identified within that total, and cost estimates for all projects are somewhat out of date. For example, reconstruction of H and I docks was estimated to cost \$1.7 million in the 2003 plan, but actually cost \$4.7 million. Reconstruction of A through E docks (which will result in fewer, but larger berths) was estimated to cost \$4.45 million in 2003, but is now anticipated to occur in 2009 at a cost of \$6 million. The problems with dredging are so substantial that I will deal with those in greater detail a little later.

Updating the capital budget is a substantial effort, and requires dedicated staff from the marina, the finance group and the engineering group within the City. All of these staff have other duties, and securing time to update the capital budget has been impossible. I find it impossible to recommend a further increase in marina rates without being able to tell those affected what it will pay for, and over what period of time. I strongly recommend that the Council direct City staff to make completion of a capital budget for the marina, as well as maintenance of that budget by updates, a priority. Without such a document, you really don't have a meaningful budget for the marina.

MARINA OPERATIONAL BUDGET

The maintenance of the marina is largely accomplished with 19 full time equivalent City staff. For 2007, that staff cost the City \$2.36 million, or about 63% of the annual expenses. But future increases in personnel costs and debt service to rebuild the marina are substantial. A 3% cost of living salary increase would add about \$400,000 to personnel costs by 2011. Debt service will rise to \$630,000 by 2009, and continue for the foreseen future. While I support the use of public workers at decent salaries, Berkeley marina may face difficult competitive issues if surrounding marinas opt to use operating entities that pay lower wages. I recommend that the City look at ways to increase productivity and reduce personnel costs for the marina.

DREDGING

Over a year ago, the Waterfront Commission began to receive complaints about the depth of the entrance channel of the marina. Users in the South Basin, particularly Cal Adventures and Cal Sailing Club, have identified accumulation of sediment in that basin as an impediment to teaching sailing for nearly a decade. The budget before you does not include any funds for maintenance dredging for the next few years, and only has a \$40,000 item for hydrographic surveys. That contract is anticipated to be let in July. Following survey results it will be necessary to estimate dredging quantities, develop contracts to test the material for suitability for different purposes, and eventually dredge areas that must be dredged. At the present time, there is no way to even guess what that might cost.

The 2003 master plan estimated the costs to dredge the marina channel, the main basin, and the South sailing basin to be about \$3.5 million. Since that time regulatory agencies have completed the Long Term Management Strategy for managing dredged material that has increased dredging costs. My own experience was that dredging costs have increased by 50-100%. Thus, even minimal dredging to maintain the entrance channel might easily amount to \$1,000,000 and take 18 months or more. Given the lack of substantial revenue generation in the South Basin, it may not be economically feasible to dredge any more than a small access channel to the three boat docks. This may require some long term planning for the South sailing basin. I cannot support any additional fare increases for the marina tenants who rely on the entrance channel unless I can be certain that their navigational needs are assured through a reasonable cost estimate and schedule for maintenance dredging.

FUTURE OF THE SOUTH BASIN

Currently, many of the activities that provide access for those that don't own a boat are located in the South Basin. Cal Sailing Club has provided sailing and windsurfing lessons, and is an affordable club that extends access to those who can't afford, or don't choose to own a boat. Cal Adventures operates a teaching operation just east of Cal Sailing Club and reaches a large number of Berkeley youth every year in a camp setting. The Shorebird Center provides marine environmental education within Shorebird Park. Many young Berkeleyans also enjoy Adventure Playground, although it doesn't really require a waterfront setting. To the east, there is a dock funded by the Coastal Conservancy and heavily used by windsurfers and kayakers, and another small park with picnic and viewing benches.

The sailing activities of Cal Adventures and Cal Sailing Club require enough water depth for boats to reach the docks. For nearly a decade, extreme low tides have halted sailing activities for a small part of the tide cycle. But as the basin gradually fills with sediment, those periods are lasting longer, and are beginning to affect windsurfers and other hand-launched boats. While this problem is not immediate, it is clear that the South Basin cannot continue to function in the same way for the next two decades without dredging. This problem is exacerbated by the age of the three docks in the South Basin, which are now needing replacement or frequent repairs. If dredging and dock replacement are not affordable,

the City needs to consider how it will meet its responsibilities to provide facilities for all, not just for boat owners.

INCREASING THE NUMBER OF USERS

Marinas are granted to cities like Berkeley to provide for the broadest possible range of users, not merely for those who own boats and keep them in slips. Berkeley has a number of facilities, such as a launch ramp, Shorebird Center and its educational programs, restaurants, and parks, which provide for non-boaters. But if we are going to make the marina a meaningful public place for the people of Berkeley, we need to continue to maintain those areas, and add additional facilities, most particularly complete the Bay Trail into the marina. Projects to complete the Bay Trail and even maintenance have lagged because of the lack of funding.

For many years, leaseholds at the marina provided revenue in excess of what those leaseholds required in services. Since the marina is public trust land, the revenue had to stay within the marina, that revenue provided a source of funding to encourage non-boat owners to use the area. But the leaseholds have been established with lengthy terms, and the revenue to the marina fund from those leases has not kept up with inflation. Revenue anticipated in 2010 is only about \$200,000 more than revenue realized in 2006. This increase will not substantially offset increased maintenance costs within the marina, much less pay for any new facilities that may be needed. In fact, revenue increases before 2006 were well below the rate of inflation, and commercial facilities such as restaurants and hotels are very sensitive to economic downturns. There is a very good chance that less revenue will be realized from these lease holds than projected. In other words, the financial picture for non-boat owners looks even worse than for boat owners.

ADDITIONAL CHALLENGES

The decline of habitat in the Bay and rising seal levels pose additional challenges that simply cannot be ignored. The closing of the salmon season this year has received a lot of press attention, but declines in recreational fishing have put increasing pressure on the party boats that use the marina for years. The public is becoming aware of rising sea level, one of the consequences of global warming, but awareness is not enough. Berkeley's facilities need to be assessed, and fiscally responsible plans for dealing with sea level change need to be developed. All of these challenges mean that the status quo simply cannot continue. In addition, over the next ten years, most of the leases within the marina will end, providing an opportunity for rethinking the layout and nature of improvements within the marina.

REINVENTING THE MARINA

It is inevitable that slip rentals will increase over time. But those increases will be constrained by market forces. This will put particular pressure on Berkeley if it wants to maintain a public workforce in a market increasingly dominated by marinas that have private management and lower wage structures. To survive in this competitive market, the Berkeley Marina needs to be reinvented both fiscally and politically. It needs to adapt to changes in the boating public, and it needs to deepen its political support within the communities it serves. This will not be simple, but here are some of the things that should be considered:

- Increase the number of slips for larger boats (over 50 feet) and charge the higher rates commensurate with such slips.

- Increase the facilities for storing and launching smaller craft which will abandon wet storage as rates increase. We have seen a sharp decline in occupancy of smaller slips, particularly those under 25 feet.
- Increase amenities within the marina, particularly parking security. Institute annual parking fees for regular users, including windsurfers and kayakers, to pay for such improvements.
- Reconsider the configuration and uses of underperforming leaseholds such as Hs. Lordships.
- Look at ways to make the Marina staff more efficient and user oriented.

This is not intended to be an exhaustive list, or to be overly critical of the existing marina staff. Rather, it is a call for action and policy direction at the Council level to empower the new manager to develop an action plan that can be adopted as part of your budget in 2009 that will begin to address these issues. The marina simply cannot drift along, and a new round of rate increases that are not part of a more comprehensive solution simply won't work.

I would be happy to meet with you, or appear before the Council, to provide an opportunity for further discussion of these ideas.

Very truly yours,

Jim McGrath



Community for a Cultural Civic Center

John Aronovici

REVISED December 2, 2022

Tom Bates

Dear Landmarks Preservation, Civic Arts, Parks Recreation & Waterfront Commissioners,

Lisa Bullwinkel

We understand that designs for the Turtle Island Fountain, a monument to the Indigenous community located at the landmarked fountain in Martin Luther King Jr in Civic Center Park, are being presented to City commissions for review on December 1, 7 and 14 respectively.

Winston Burton

Ryan Call

After 30 years of effort, this project at long last has been fully funded through City and community volunteer fundraising efforts from 2017 to 2022 totaling close to \$1,000,000, from numerous grants and other funding sources (see below). The project is being managed by Parks, Recreation & Waterfront and the Civic Arts Commission, in concert with the City-contracted design firm of PGA Landscape Design.

John Caner

Wyndy Knox Carr

Karen Chapman

Erin Diehm

WE ARE CONCERNED that a design proposal without a fully funded monument may be presented-- a design lacking its central features, which will get pushed off into 'later phases'. We are concerned that the city contract design team may be prioritizing the surrounding features-- namely, replacing the surrounding flagstone terrace pavers and restoring the Berkeley Peace Wall.

Deb Durant

Claire Greensfelder

Loni Hancock

We strongly urge the commissions to support a design that includes a fully finished monument on time and on budget--using the substantial funds that have been raised, in the time frame designated by the grant funded parameters.

Ann Harlow

Kelly Hammargren

Deborah Matthews

With funding close to \$1,000,000--**money intended to *primarily* be spent on creating a monument to the Indigenous Community and *secondarily* to repairing its surrounding features--** we urge you to support a design that COMPLETES the monument AND requires no additional phases (or years of additional fundraising).

Sergio Mazariegos

Leila Moncharsh

George Petty

As per the attached rendering, a viable alternative was designed in collaboration with eminent landscape designer Walter Hood in 2019, along with a subsequent alternative design alteration. These designs can be built with funding available and respects the integrity of the landmarked fountain. Moreover, the design was vetted with scores of indigenous community members and included in all prior grant applications and community meetings.

Mark Rhoades

Arlene Silk

David Snippen

Marc Steyer

The monument will become a newly recognized historic monument, honoring the Indigenous people and communities, located at the landmarked site of the already historically significant fountain. We support your approval of this well-vetted complete design to acknowledge Berkeley's original inhabitants who have lived on this land for thousands of years.

Many thanks for your attention,

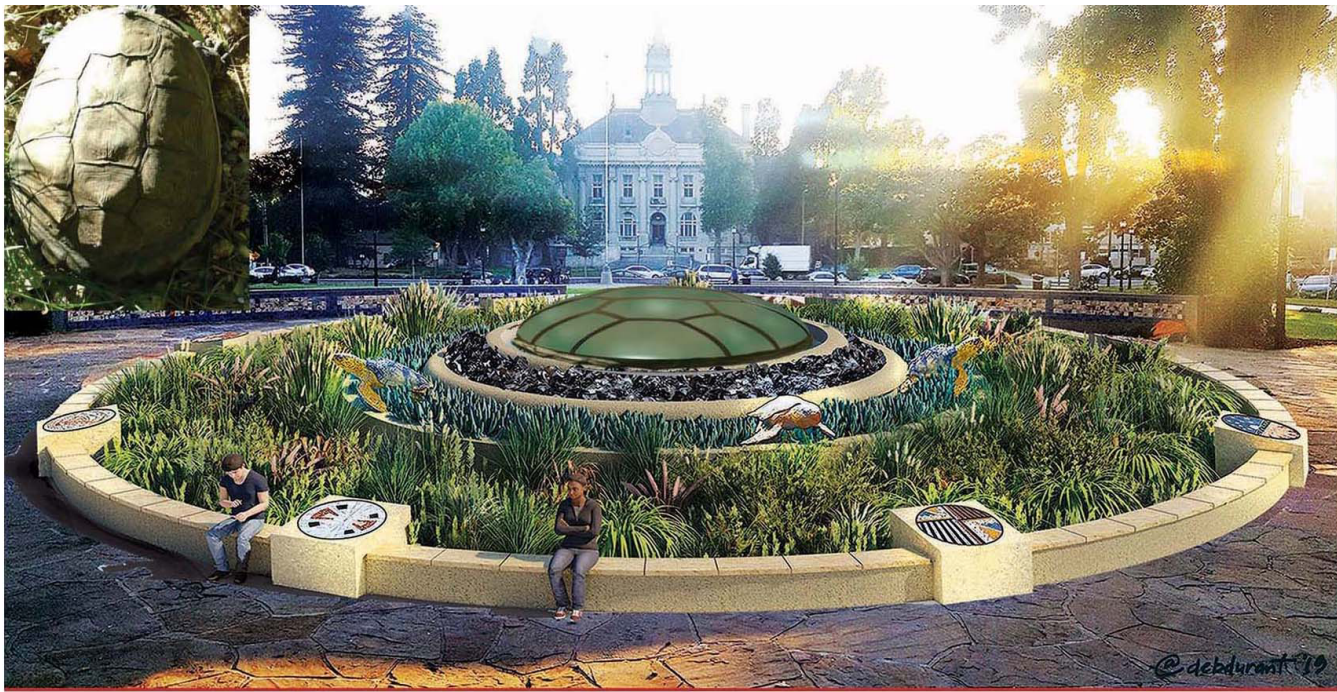
John Caner
Convener, [Community for a Cultural Civic Center](#)

Cc: Mayor Jesse Arreguin, Vice-Mayor Kate Harrison, Turtle Island Monument Project Committee Attachment

TURTLE ISLAND MONUMENT PROJECT DESIGNED IN COLLABORATION WITH WALTER HOOD



ALTERNATIVE DESIGN ALTERATION



FUNDS RAISED TO DATE FOR TURTLE ISLAND MONUMENT PROJECT: Totaling approximately \$946,666

On March 1, 2022, CA Governor Gavin Newsom posted a [press release](#) announcing the City had been awarded a Clean California Grant thru Caltrans for underserved communities for **\$591,666**.

On January 20, 2022 the Civic Arts Commission confirmed that there is **\$25,000** being held in the Public Art funds dedicated to conserving and installing the medallions and turtles.

In January 2022 the Parks, Recreation & Waterfront Commission indicated committing **\$20,000-\$30,000** to the project.

In December 2020, the Berkeley City Council passed a resolution approving a list of final projects for the T1 Phase II Bond including funding **\$300,000** for the Civic Center Park Turtle Garden.

In 2019, the Turtle Island Fountain project was awarded a **\$5,000** UC Berkeley Chancellor's Community Partnership Fund Grant in collaboration with University Partner, recent MacArthur Fellowship awardee and Gish Prize winner, Walter Hood, College of Environmental Design professor of Landscape Architecture and Environmental Planning and Urban Design; alongside the project's Community Partner, Berkeley Partners for Parks.

(Additional in-progress grant from EBMUD, initially green-lighting potentially **\$15,000** - pending additional info from PR&W)