

**BOARD OF HARBOR COMMISSIONERS
CITY OF SANTA BARBARA
MINUTES**

Regular Monthly Meeting

April 16, 2009

City Council Chambers - City Hall 6:30 p.m.

ROLL CALL 6:30 p.m.

Commissioners Present

Betsy R. Cramer
Frank Kelly
Ken Owen
Charles Watson

Staff Present

John Bridley, Waterfront Director
Scott Riedman, Waterfront Business Manager
Karl Treiberg, Facilities Manager
Mick Kronman, Harbor Operations Manager
Mary Adams, Harbor Commission Secretary

Councilmembers Present

None

CHANGES TO THE AGENDA

None

PUBLIC COMMENT

Bob Kieding – He would like to see Commission work toward having the USS Stockdale come to Santa Barbara.

HARBOR COMMISSION MATTERS

1. Approval of Minutes

Moved to approve the minutes from the April 16, 2009, Harbor Commission meeting. Watson/Cramer 3-0 (Owen abstained).

DIRECTOR'S REPORT

2. Department Update

- West Beach Feasibility Report
- Tentative Agenda Items for May

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3. Business Services Report

- Palm Park Parking
- NBCC Safe Parking Program
- Slip Transfers
- Restaurant Gross Sales 2008/2009

Palm Park Program costs – Owen – SR did not have number - \$70,000.

4. Facilities Management Report

- Breakwater Cap Repair Project—Phase 3
- Harbor Dredging
- Marina 2 Redecking Project

5. Harbor Operations Report

- Operation Clean Sweep May 9th
- Cruise Ship Visit May 10th
 - Commissioner Kelly Commissioner Kelly inquired about cruise ship revenues. Waterfront will be charging \$5/passenger to disembark in Santa Barbara Harbor.
- Harbor Swap Meet and Hazmat Turn-In Day May 16th
 - “Entry Tickets” will be in May’s slip bills including auto-payees.

HARBOR COMMISSION MATTER

6. Request from Commissioner Cramer to Review and Discuss the California Political Reform Act and Related Fair Political Practice Commission Issues Related to Potential Conflict of Interests Involving Harbor Commissioners

Commissioner Cramer put this item on the agenda for clarification of the Fair Political Practices Commission regulations as it applies to the conflict of interest of Harbor Commissioners who also have slips in the Santa Barbara Harbor. This issue was prompted by a notice that was distributed on boats throughout the marinas. When Commissioner Cramer was appointed to the Board of Harbor Commissioners, she was told that they wanted non-slip permittees because slip permittees are not allowed to vote on slip matters. She referred to a legal opinion on this issue prepared by City Attorney Steve Wiley. Her concern stems from any appearances of fairness and/or impartiality.

Commissioners Watson and Kelly felt as slip holders they did not have a conflict of interest voting on slip fees because of the minimal financial impact. As outlined in a memo from City Attorney Michele Montez on this matter. However, they did acquiesce to a potential conflict of interest voting on transfer fee issues.

Commissioner Owen said he would feel more comfortable if slip permittees did not vote on slip issues.

NEW BUSINESS

7. Fiscal Year 2010 Operating Budget Recommendation

Staff gave a PowerPoint presentation on the Waterfront Department's proposed FY 2010 Budget submittal, including various budget scenarios requested by the Commission at the March 2009 meeting.

Public Speakers:

David Turpin: Informed Commission that DBAW may be closing, so there may not be any grant funds. Slip increase is not that much money, however it is not appropriate to pay for things waterfront doesn't use.

Gary Longaberger: Most boat owners are not rich and have been impacted by the economic downturn. There has been a major increase in boats in slips for sale. It's the same old tax and spend. Funding shift should not be put on backs of boaters.

Steve Young: Questioned rationale for funding shift. General fund programs should not be taken care of by the Waterfront Department without receiving the revenue. Don't raise fees to cover costs.

Karen Novak: Asked Commission to vote no on City Council's proposal to shift funds from the Waterfront to Parks and Recreation.

Marilyn Kelly: Do not put the burden of these proposed shifts on the slip holders who already pay high fees. Council's mismanagement of money needs to stop.

Commissioners discussed staff cuts, funding shift options, nexus of program shifts, burden of shifting funds to a small user group, needed funds for waterfront projects and emergencies, use of reserves, revenue reductions, tourist versus local resident impacts and continuation of raiding waterfront funds.

Moved to Strongly recommend to the City Council that funding /program shifts to the Waterfront Dept. Enterprise not be used as a budget balancing strategy due to the negative impact on visitors, residents, and harbor users. Watson/Cramer. 4-0.

Moved to recommend an alternative to the proposed Funding Shift as follows:

- Allow the Waterfront to privatize landscaping services
- Assume responsibility for 3 additional restrooms' maintenance and repair

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- Pay 50% of 4th of July Costs – Exploring cost offsets such as a parking event surcharge, funding participation by both Wharf and Harbor Merchants Associations and explore other options as available.
- Decline Waterfront Department funding of seasonal beach lifeguard program Watson/Owen 3-0. (Cramer abstained)

Moved to adopt the base line budget presented by staff. Owen/Watson 4-0.

COMMISSION/STAFF COMMUNICATIONS

ADJOURNMENT

Moved to adjourn the meeting at 9:05 p.m. Owen/Kelly 4-0.