

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

Regular Monthly Meeting
November 19, 2009
City Council Chambers - City Hall 6:30 p.m.

ROLL CALL 6:30 p.m.

Commissioners Present

Will Anikouchine
Betsy R. Cramer
Frank Kelly
Ken Owen
Bill Spicer

Staff Present

John Bridley, Waterfront Director
Scott Riedman, 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

John Panek: Marine Protection Act – Abandoned Vessels

1. Approval of Minutes

Moved to approve the minutes from the September 17, 2009, Harbor Commission meeting. Cramer/Kelly 5-0.

DIRECTOR'S REPORT

2. Department Update

- Council Actions
- Board of Harbor Commissioners – City Charter Amendment
- Tentative Agenda Items for December

3. Facilities Management Report

- Stearns Wharf
 - Deck Fires – Pictures – reviewed damage
 - Passenger Loading Ramp
- Harbor
 - Marina 1 Replacement Project – Phase I – Landside Improvements Began today – Convene public meetings in January
 - West Beach Sand Management

4. Harbor Operations Report

- Harbor Festival Recap
- Reverse 911 Test Results
- Abandoned Vessel Bill Signed into Law
- MLPA Update
- Parade of Lights December 13th

NEW BUSINESS

5. Draft West Beach Planning Study

Harbor Commission received a presentation from Pat Saley & Associates outlining elements within the Draft West Beach Planning Study. Commissioners provided input on the recommendations and development alternatives therein.

Note: Copies of the Study are located online at www.santabarbaraca.gov/Government/Departments/Waterfront.

Public Speakers:

Paul Castleberg – Santa Barbara Sea Shells

Jim Muir – Incoming commodore of the Sea Shell Association

Eric Friedman – Representative for SB Outrigger – Nonprofit Organization

Steve Hyslop – Harbor Merchants Association

Cheryl Walker – Sea Bird Concerns

Sally Bromfield – Letter to Commission – read into the record.

Commissioners provided comments on the various elements presented in the draft West Beach Study and with certain caveats selected their preferred alternative.

Commissioner Anikouchine – Alternative B

Commissioner Cramer - Alternative A

Commissioner Kelly – Alternative A

Commissioner Owen – Alternative B

Commissioner Spicer – Alternative B

6. Six-Year Capital Improvement Plan

Karl Treiberg and Scott Riedman gave a PowerPoint presentation outlining the proposed Waterfront Department Six-Year Capital Improvement Plan for Fiscal Years 2011 through 2016.

Mr. Bridley reminded the Commission that the Capital Improvement Plan is a guideline and each project will be reviewed and decided upon later during the budget process. Currently, the City is working with a one-year budget cycle and therefore, projects will be reviewed annually.

Moved to approve the CIP program with the \$1.9 Million Unfunded Projects scenario. Owen/Anikouchine 5-0.

7. Proposed Lease Agreement with Boat Launch Mini Mart, L.L.C.

Scott Riedman gave a staff report summarizing the terms for the proposed Boat Launch Mini Mart lease agreement.

Moved to recommend to the City Council approval of a five-year lease agreement with one five-year option with Boat Launch Mini Mart, L.L.C. for the 536 square foot convenience store located at 305 West Cabrillo Boulevard, at a monthly rent of \$1,600 or 6% of gross sales, whichever is greater. Owen/Spicer 5-0

8. Letter Agreement with Santa Barbara Montessori School

Scott Riedman outlined the proposed agreement with Santa Barbara Montessori School to pick up their students in Palm Park parking lot.

Moved to recommend City Council approve a Letter Agreement with Santa Barbara Montessori School regarding a school bus stop in the Palm Park parking lot. Spicer/Cramer 5-0.

9. Proposed Lease Agreement with Jacques Bertrand dba Harbor Mail Center

Scott Riedman presented the proposed lease terms for Jacques Bertrand, dba Harbor Mail Center.

Moved to recommend to the City Council approval of a five-year lease agreement with Jacques Bertrand for a 140 square foot mail center office located at 125 Harbor Way # 6, at a monthly rent of \$425. Owen/Anikouchine 5-0.

10. Request from Commissioner Frank Kelly to Review and Discuss Waterfront Department Lease Audit Program

Commissioner Kelly wanted to revisit this issue, in order to get the cost benefit of the Lease Audit Program to where the Department is not spending more than it is

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receiving from audit findings. He believes the Department is chasing money that will never be recovered. If the results from the 1995 and 1996 audits were excluded from the program, the Waterfront Department would be losing money.

Mr. Bridley stated that the purpose of the audit program is to ensure that tenants are paying rent consistent with their leases. The audit program was never intended that it would pay for itself. Initially, before implementation, there was a lot of criticism about not having a lease audit program. And, if results for all years are included, the audit program has a net gain overall. Staff believes there is a benefit to the audit program.

Moved to reduce the number of audits being performed over the next three years from eight to no more than three audits annually, so the program has a proper cost benefit ratio. Kelly/Spicer 3-2 (Owen/Cramer Against)

COMMISSION/STAFF COMMUNICATIONS

Commissioner Owen's final meeting will be December 17, 2009. It is staff's intention to hold a meeting in December and have a small celebration in honor of Commissioner Owen's service on the Commission.

ADJOURNMENT

Moved to adjourn the meeting at 9:25 p.m. Owen/Anikouchine 5-0.

***It should be noted that Harbor Commission Meetings are televised and recorded. To view these televised recordings, please visit www.santabarbaraca.gov/government/boards_and_commissions_D-M/Harbor_Commission/Videos**