



**CITY OF SANTA BARBARA
HARBOR COMMISSION**

SPECIAL MEETING MINUTES

**August 19, 2021 at 6:30 p.m.
Waterfront Administration Office
132-A Harbor Way, Santa Barbara, CA 93109
www.SantaBarbaraCA.gov**

CALL TO ORDER

Chair Sligh called the meeting to order at 6:31 p.m.

ROLL CALL

Commissioners Present:

- Lang Sligh, Chair
- Merit McCrea, Vice Chair
- Betsy Cramer
- Michael Nelson
- Jim Sloan
- Adam Stanowick
- John Stedman

Commissioners Absent:

- None

Staff Present:

- Mike Wiltshire, Waterfront Director
- Sarah Knecht, Assistant City Attorney
- Dan Hentschke, Assistant City Administrator
- Brian Bosse, Waterfront Business Manager
- Erik Engebretson, Harbor Operations Manager
- Brian Adair, Waterfront Facilities Manager
- Jeanette Prusinski, Administrative Supervisor
- Angela Rodriguez, Administrative Assistant

CHANGES TO THE AGENDA

There were no changes to the Agenda

GENERAL PUBLIC COMMENT

There were no members of the public who wished to speak

HARBOR COMMISSION MATTERS

1. **Election Of Chairperson And Vice Chairperson, And Commission Committee Assignments**

Recommendation: That Harbor Commission:

- A. Nominate and elect the Harbor Commission Chairperson and Vice Chairperson for Fiscal Year 2021-2022, per the City Charter Section 804 and the Board of Harbor Commission Rules adopted September 16, 2010; and
- B. Review and update, as necessary, membership on various Harbor Commission Committees.

Nominee for Harbor Commission Chairperson:

- Commissioners Sloan/Stedman for Merit McCrea

Nominees for Harbor Commission Vice Chairperson:

- Commissioners Sloan/Stedman for Lang Sligh
- Chair Sligh/Commissioner Stanowick for Betsy Cramer

Chair Sligh withdrew his nomination for Harbor Commission Vice Chairperson due to him having an extended absence for a portion of Fiscal Year 2021-2022.

Motion:

- Commissioners Sloan/Stanowick to elect by acclamation Merit McCrea as Harbor Commission Chairperson, and Betsy Cramer as Harbor Commission Vice Chairperson for Fiscal Year 2021-2022, per the City Charter Section 804 and the Board of Harbor Commission Rules adopted September 16, 2010.

Vote:

- Unanimous vote

Exiting Chair Sligh thanked the Commission for giving him the honor of being Chair over the past year.

Commissioners thanked exiting Chair Sligh for chairing during the past year, even with the challenges of remote meetings during the COVID pandemic.

Incoming Chair McCrea resumed the chairing duties for the remainder of the meeting, and for Item No. 1, Recommendation B, to review and update, as necessary, membership on various Harbor Commission Committees.

Speakers:

- Staff: Waterfront Director Mike Wiltshire, Assistant City Attorney Dan Hentschke

Motion:

- Commissioners Sloan/Cramer to accept the current list of Harbor Commission Subcommittee Assignments with the addition of Commission Sligh to the Request for Proposal Selection Committee.

Vote:

- Unanimous vote

The current Harbor Commission Committee Assignments are as follows:

BUDGET

- Betsy Cramer
- Jim Sloan
- Adam Stanowick

CHARTERING & BUSINESS ACTIVITY PERMITS

- Merit McCrea
- Michael Nelson

COMMERCIAL FISHING

- Betsy Cramer
- Lang Sligh
- John Stedman

REQUEST FOR PROPOSAL SELECTION

- Merit McCrea
- Michael Nelson
- Lang Sligh

SEA LEVEL RISE ADAPTATION PLAN

- Betsy Cramer
- Jim Sloan

SLIP ASSIGNMENT POLICY

- John Stedman, Chair
- Michael Nelson
- Jim Sloan

CONSENT CALENDAR

2. Approval Of The Minutes

Recommendation: That Harbor Commission waive further reading and approve the Minutes from the Special Meeting of June 17, 2021.

Motion:

- Commissioners Sloan/Nelson to approve Minutes

Vote:

- Unanimous roll call vote

DEPARTMENT UPDATE

3. Director's Report

- COVID Update
- Sidewalk Vending Ordinance Update
- West Beach Canoe Permit – Tomol Canoe Discussion
- Tentative Agenda Items For Future Meetings

Documents:

- PowerPoint presentation prepared by staff
- August 19, 2021 report prepared by the Waterfront Director
- August 19, 2021 letter from Reggie Pagalin, Steve Villa, Marcus V.O. Lopez, and Marcus Lopez Sr.

Speakers:

- Staff: Waterfront Director Mike Wiltshire, Assistant City Attorney Dan Hentschke
- Members of the public: Reginald Pagalin, Marcus Lopez

Motion:

- Commissioner Stanowick/Chair McCrea to add a Chumash Tomol Canoe item to the September 16, 2021 Harbor Commission Agenda for Commissioners to be able to discuss and vote on a recommendation to forward to City Council.

Vote:

- Unanimous roll call vote

4. Business Services Report

- Fiscal Year 2022 Budget Approved
- Community Emergency Response Team Training For Waterfront Tenants

Documents:

- PowerPoint presentation prepared by staff
- August 19, 2021 report prepared by the Waterfront Business Manager

Speakers:

- Staff: Waterfront Business Manager Brian Bosse

5. Facilities Management Report

- United Way – Work For Good Pilot Program

Documents:

- PowerPoint presentation prepared by staff
- August 19, 2021 report prepared by the Waterfront Facilities Manager

Speakers:

- Staff: Waterfront Facilities Manager Brian Adair

6. Harbor Operations Report

- 2021 Clean Air Grants Marine Diesel Engine Repower Program
- East Beach Mooring Permit Renewal Update
- 20-Foot Slip Lottery Update

Documents:

- PowerPoint presentation prepared by staff
- August 19, 2021 report prepared by the Harbor Operations Manager

Speakers:

- Staff: Harbor Operations Manager Erik Engebretson

NEW BUSINESS

7. Proposed Office Lease Agreement With Santa Barbara Fish Market

Recommendation: That Harbor Commission review and recommend City Council approval of a five-year lease agreement with Santa Barbara Fish Market, Inc., at an average initial base rent of \$2,862.60 per month, for the 734 square foot office space located at 132 Harbor Way, Suite B, which is located about the West Marine store.

Documents:

- PowerPoint presentation prepared by staff
- August 19, 2021 report prepared by the Waterfront Business Manager

Speakers:

- Staff: Waterfront Business Manager Brain Bosse

Motion:

- Commissioners Sloan/Stanowick to approve the staff recommendation

Vote:

- Unanimous roll call vote

8. Proposed Lease Agreement With Sushi Go Go

Recommendation: That Harbor Commission review and recommend City Council approval of a five-year lease agreement with one, five-year option with Mr. Chris Kim, doing business as Sushi Go Go, for a 198 square foot restaurant space located at 119-B Harbor Way.

Documents:

- PowerPoint presentation prepared by staff
- August 19, 2021 report prepared by the Waterfront Business Manager

Speakers:

- Staff: Waterfront Business Manager Brain Bosse

Motion:

- Commissioners Stanowick/Sloan to approve the staff recommendation

Vote:

- Unanimous roll call vote

REQUESTS FROM THE PUBLIC

9. Appeal Of Denial Of Waiver Of Termination Of Slip Permit 1Q001, Mr. Jerry Borisy

Recommendation: That Harbor Commission consider the Appeal of the Waterfront Director's denial of the Appellant, Mr. Jerry Borisy's request for waiver of termination of Slip Permit 1Q001 in the Santa Barbara Harbor; and take action to either:

- A. Uphold the Waterfront Director's denial of waiver of termination of Slip Permit 1Q001 and reject the appeal; or
- B. Overturn the Waterfront Director's denial of waiver of termination of Slip Permit 1Q001 and grant the appeal.

Hearing opened at 7:56 p.m.

Ex Parte Communications:

- None to report.

Documents:

- PowerPoint presentation prepared by Staff.
- August 19, 2021 report prepared by the Waterfront Director.

Speakers:

- Staff: Assistant City Attorney Dan Hentschke, Waterfront Director Mike Wiltshire, Assistant City Attorney Sarah Knecht, Administrative Supervisor Jeanette Prusinski
- Appellant: Michael B. Damen, Attorney for Appellant Jerry Borisy
- Members of the Public: Maura Gallagher, Jeff Escola

Hearing closed at 9:36 p.m.

1st Motion:

- Commissioner Sloan to uphold the Waterfront Director's denial of waiver of termination of Slip Permit 1Q001
- Motion failed for lack of a second

2nd Motion:

- Commissioners Cramer/Stedman to overturn the Waterfront Director's denial of waiver of termination of Slip Permit 1Q001 and grant the appeal

Vote:

- Motion failed by roll call vote (Ayes: Commissioners Cramer, Sligh, and Stedman; Noes: Commissioners Nelson, Sloan, Stanowick, and Chair McCrea)

3rd Motion:

- Commissioners Sloan/Nelson to uphold the Waterfront Director's denial of waiver of termination of Slip Permit 1Q001

Vote:

- Majority roll call vote (Ayes: Commissioners Nelson, Sloan, Stanowick, and Chair McCrea; Noes: Commissioners Cramer, Sligh, Stedman)

COMMISSION AND STAFF COMMUNICATIONS

Commissioner Cramer inquired about the Harbor & Seafood Festival held in October. Director Wiltshire confirmed that staff is attempting to move forward with the planning of a modified festival with the understanding that, due to Santa Barbara County Health Orders regarding COVID, the Waterfront Department may not be able to have the festival this year. Director Wiltshire also stated he would be reporting more on the status of festival at the September 16, 2021 Harbor Commission meeting.

ADJOURNMENT

Motion:

- Commissioners Sloan/Nelson to adjourn the meeting at 9:56 p.m.

Vote:

- Unanimous roll call vote