

MEASURE D – 2009

MEASURES SUBMITTED TO THE VOTERS

BOARD OF HARBOR COMMISSIONERS

<b>D</b> <b>2009</b>	Shall the City Charter be revised by amending Charter Section 811 to increase the number of Harbor Commissioners from five (5) to seven (7) members and to allow one member of the Commission to be a registered voter within Santa Barbara County and not necessarily just within the City of Santa Barbara as currently required?	<b>YES</b>
		<b>NO</b>

CITY ATTORNEY'S IMPARTIAL ANALYSIS OF MEASURE D – 2009

This ballot measure would amend section 811 of the City Charter to increase the size of the Board of Harbor Commissioners from five (5) commissioners to seven (7) commissioners. It would also authorize, but not require, the City Council to appoint one Harbor Commissioner who does not live within the City so long as the person appointed is a voter registered within Santa Barbara County at the time of his or her appointment and remains a registered Santa Barbara County voter while a member of the Board. Otherwise, existing Charter section 802 requires all persons appointed to the Board of Harbor Commissioners to be registered voters residing within the City.

The above statement is an impartial analysis of Measure D.

/s/ Stephen P. Wiley  
City Attorney

FULL TEXT OF MEASURE D - 2009

SHOWING CHANGES FROM EXISTING CHARTER LANGUAGE

DELETIONS IN STRIKE-OUT TEXT  
NEW LANGUAGE IN UNDERLINE

Section 811. Board of Harbor Commissioners. Powers and Duties.

There shall be a Board of Harbor Commissioners consisting of seven (7) ~~five (5)~~ members which shall have the power and duty to:

(a) Recommend and act in advisory capacity to the City Council in all matters pertaining to the operation of all vessels and water craft within the Harbor of the City, the use, control, operation, promotion and regulation of said Harbor, the construction, improvement, erection, dredging, maintenance and operation of the said Harbor and all navigable waters, buildings, structures, wharves, docks, piers, warehouses, railroads, appliances, utilities and facilities forming a part of or accessory to or relating to said Harbor or to water commerce, navigation or fishery in or about said Harbor, as the same may now exist or may hereafter be extended.

(b) Recommend to the City Council plans, rules and regulations pertaining to any of the matters listed in (a) above, or to the fixing of rates, tolls, fees, rents, charges or other payments to be made to or by the City in connection with the said Harbor or the use or operation thereof or of anything accessory thereto or connected therewith.

(c) Consider the annual budget for the Harbor Department during the process of its preparation and make recommendations with respect thereto to the City Council and City Administrator.

(d) Make recommendations to the City Council regarding the desirable qualifications and duties of the Harbor Manager or other head of the Harbor Department.

(e) Make recommendations to the City Council concerning the acquisition, disposition or repair of equipment, facilities, materials and supplies relating to the Harbor Department.

(f) Perform such other functions or duties, not inconsistent with this Charter, as may be prescribed by ordinance.

Notwithstanding Charter section 802, one member of the Harbor Commission need not be a qualified elector of the City so long as he or she is, at the time of appointment, a qualified elector of Santa Barbara County and remains so qualified while a Commissioner.

**ARGUMENT IN FAVOR OF MEASURE D**

The City Charter sets the membership of the Harbor Commission to five members and requires all members to be residents of the City. This measure expands the Commission to seven members and allows a non-city resident to serve in one of those positions.

Expanding the Commission to seven members will greatly increase its ability to advise the Council on the operation of the Waterfront Department. Several other City boards and commissions have seven or more members. They operate effectively and efficiently.

The expansion of the Commission to seven members and allowing one non-city resident makes sense because:

To be effective, the Commission forms subcommittees to work on issues such as parking, dredging, slip assignment, chartering, business permits, budget, leases, to name a few. The work of these subcommittees would be greatly facilitated if there were more commissioners to serve on the subcommittees, spreading the workload;

The responsibility of the Commission has increased over time to include not just the harbor itself, but also Stearns Wharf, the waterfront and waterfront parking. More commissioners will help meet this increased responsibility;

With a membership of five, State law prohibits a commissioner from talking outside the meeting to more than one other commissioner. With seven on the Commission, two others can be consulted to increase the quality of their decision making; and

Allowing non-city residents to apply for one seat on the Commission would increase the breadth of perspective on the Commission. Since the harbor is the only port in the County, it is reasonable to allow individuals from neighboring communities the right to have a voice in its administration. The Charter allows nonresidents on other commissions such as the Airport Commission which is the only airport on the South Coast, and that works well.

Vote YES on Measure D.

/s/ Mayor Marty Blum

**ARGUMENT AGAINST MEASURE D**

(None Filed)