

CITY OF SANTA BARBARA

City Administrator

P.O. Drawer P-P 93102
Telephone (805) 963-0611

April 29, 1982

CALIFORNIA

Mr. James F. Trout
 Assistant Executive Officer
 State Lands Commission
 1807 13th Street
 Sacramento, CA 95814

55/4

Dear Mr. Trout:

SUBJECT: DRAFT REPORT ON SANTA BARBARA TRUST LANDS

The above draft report has been received and reviewed by me. I appreciate the opportunity of meeting with members of your staff on April 25, 1982 for the purpose of discussing this report. My understanding of the report and your intent is much clearer as a result of this meeting.

My comments on the report are as follows:

- 1) As soon as your final report is received, it will be presented to the Santa Barbara City Council with my recommendation to enter into continuing discussions and negotiations with the Lands Commission for the purpose of developing a mutually acceptable settlement agreement concerning the issues raised in said report.
- 2) All actions of the City of Santa Barbara in the administration of the Trust have been taken in good faith and in accord with our best understanding of the requirements of the Trust. We have, to the best of my knowledge, complied with all reporting requirements concerning our administration of the Trust. Consequently, it is my opinion that any corrective steps to be considered at this time should be prospective rather than retroactive.

I look forward to the opportunity of working with you and your staff in the development of a mutually beneficial program for the administration of the Santa Barbara Trust Lands.

Sincerely,

Richard D. Thomas
 City Administrator

c.c. Mayor and City Council
 City Attorney
 Harbor Director
 Director of Finance

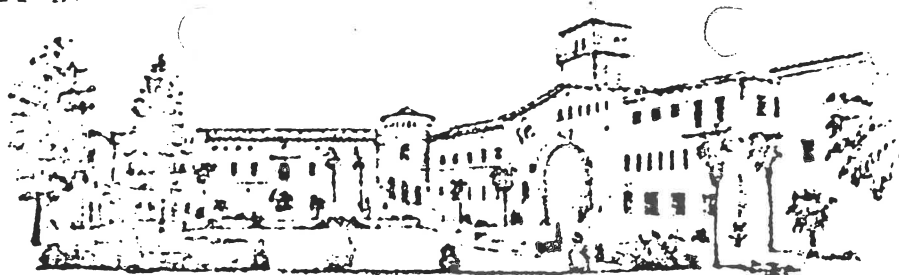
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Date	by

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STATE LANDS COMMISSION

MAILING ADDRESS
OFFICE OF SUPERIOR
COURT ADMINISTRATOR
COUNTY COURTHOUSE
SANTA BARBARA, CA 93101



TELEPHONE: (805) 966-1100
(Ext.) 473

GRAND JURY
SANTA BARBARA COUNTY

April 16, 1982

AS 4/23

FILE:	<i>East SB Courts</i>
X-REF:	

Mr. James Trout
Assistant Executive Officer
State Lands Commission
1807 13th Street
Sacramento, CA 95814

Dear Mr. Trout:

The Santa Barbara County Grand Jury wishes to express thanks for the comprehensive review of the administration of the Santa Barbara Trust Lands and, in particular, the harbor. The five specific areas studied cover the scope of public complaints as well as evidence received by interview of a broad range of boat owners, businessmen, harbor commissioners, responsible officials and others. The auditing work done by the State Lands Commission, together with the tracing of legislative action leading to a current description of what the Trust Lands include and the restrictions that apply to them, in particular saved much time for the Grand Jury and permitted the committee concerned to concentrate on the details of day-to-day administration that are the most irritating to the public. Of interest concerning trust funds is the fact that the overwhelming number of interested citizens interviewed had the perception that revenue realized in the harbor area "left the area and went to the General Fund." True or not, this image indicates poor contact between the City administration and those immediately interested in waterfront affairs. It is noted that Stearn's Wharf and the commercial enterprises involved have not been considered in the current review. Possibly it might also be an agenda item in the forthcoming discussions between the Attorney General's Office, the State Lands Commission, and the City of Santa Barbara.

Beyond the details and recommendations concerning accounting procedures and fund administration, which appear necessary and adequate, but are beyond the competence of the Grand Jury Committee, the following comments and recommendations are provided:

Copy forwarded to:	<i>A. [unclear]</i>
Date:	<i>25</i> by <i>[unclear]</i>

A. Live Aboard Vessels. The committee, in its interviews found that 424 individuals living on board is probably a very low estimate. Numbers as high as 800 (during good weather) were expressed. Particularly alarming was a complete lack of any inventory or accurate count and the evidence of many illegal residents (not in the immediate family of the owner). Renting of space on boats was known to have happened and newspaper advertisements offering "low cost" rental space were seen. Further, the generally filthy condition of walkways, lavatory-showers, and the water in the boundaries of the Marina were clear evidence of overcrowding of all the facilities. The committee has requested water sample tests of the Marina I area (which lacks lavatory and toilet facilities) from the County Health Department in order to determine the actual health hazards in the area. It was very evident that the dog and cat population was excessive with feces in evidence everywhere. Many complaints were heard regarding damage to sails and sail covers by cats' elimination processes.

Recommendation:

1) That an immediate survey of health conditions be conducted leading to a top limit on permissible live aboards in the harbor.

2) That pets be eliminated from the area.

3) That rental of space or commune-type living arrangements be prevented and that live aboard permission be strictly limited to owner and immediate family with frequent and regular renewal required.

4) That simple written regulations on cleanliness and policing of slip areas be posted and/or distributed to all concerned and that enforcement be consistent and continuous.

5) Since the Marinas have been slowly drifting in the direction of a low rent housing area (some used the word "slum"), a rental charge or progressively higher fee for living on board should be instituted to help cover added costs of sanitation, utilities, and security.

6) There are indications that much of the theft and vandalizing of boats and equipment is done from within the harbor population. Immediate steps should be taken to tighten security and provide a regular frequent patrol of the entire area. Casual inspection by committee members on many occasions showed at least 75% of the gates to be open or easily passed and that card-type doors to the toilet/shower facilities were broken or locked open. Casual visitors and/or tourists were evident throughout the float and slip area.

7) The intermixture of commercial fishing craft among the yachts cannot but contribute to noise problems during the night and frequent disputes over space. Steps should be taken to provide for separation of the two for the mutual benefit of both.

8) The continual presence of derelicts in the area has occasionally created problems due to drinking, drug abuse, and verbal harrassment of both boat oriented people and tourists. Continuing efforts by police and harbor patrol personnel will be necessary to preserve the ambiance and scenic beauty of one of the most enjoyable small boat harbors in Southern California.

B. Slip Transfers. The committee found substantial evidence of loopholes in the slip transfer procedure including dummy partnerships, forfeited options to buy, reversal of sales contracts after submission of evidence of sale to the Harbor Master's Office, and other means invented as fast as the need arose. In fact, testimony was heard that an actual price (in the area of \$7,500 for a 35' slip) was better and more easily understood than the under-the-table or add-on price system otherwise operating. Ads in the paper were seen directly offering a slip for sale.

Recommendation:

1) Either eliminate the transfer altogether, requiring the sold boat to vacate and the slip to pass to the top name on the waiting list, or require, as suggested by the State Lands Commission, a deposit similar to the going value on the black market. Since this would be refunded upon vacating the slip, it might remove the amount as an add-on to the boat price. This deposit would be in the name of the actual owner of record who pays the property tax on the boat.

C. Brokerages. There is no reason why a brokerage should not pay the same fees (and deposit) as any other occupant. Such investment would be a cost of doing business and would be treated as a tax deduction. Brokers should only be issued such slips as needed - empty space being considered as a temporary or visitor's slip.

Since it would appear that a rather major reorganization will necessarily result when the State Lands Commission, the Attorney General, and the City of Santa Barbara resolve all the corrective requirements and recommendations cited, this may be an ideal time to consider a shift to a special district form of administration under County supervision. Such a change would provide for real authority and responsibility by the Governing Board, put policy control in their hands, and simplify the whole administrative process.

Mr. James Trout

April 16, 1982
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Again, thanking all those concerned in the State
Lands Commission for the time and interest spent in the review,
we remain

Very truly yours,

GRAND JURY

By

Sandra S. Morgan

Sandra S. Morgan
Chairman, Special Districts Committee

SSM:ms
cc Jane Mochon

Helene Beaver

Helene Beaver
Foreman