



CITY OF SANTA BARBARA

COUNCIL AGENDA REPORT

AGENDA DATE: June 21, 2011

TO: Mayor and Councilmembers

FROM: Airport Department

SUBJECT: Airport Ordinance Update And Security Program Resolution

RECOMMENDATION: That Council:

- A. Introduce and subsequently adopt, by reading of title only, An Ordinance of the Council of the City of Santa Barbara Amending Title 18 of the Santa Barbara Municipal Code Pertaining to Operations at the Santa Barbara Airport; and
- B. Adopt, by reading of title only, A Resolution of the Council of the City of Santa Barbara Adopting Rules and Regulations Pertaining to Restricted Areas in the Santa Barbara Airport.

DISCUSSION:

Events since 2001, including heightened Airport security requirements and pending completion of the Airline Terminal, make it necessary to update many chapters of Title 18 of the Santa Barbara Municipal Code (SBMC), which pertains to operations at the Santa Barbara Municipal Airport. Proposed revisions to Title 18 of the Santa Barbara Municipal Code include additions, deletions, and rewrites to all Chapters. Additionally, staff has prepared and recommends adoption of a resolution providing rules and regulations related to Airport security. Significant revisions to Title 18 are proposed in the following subject areas:

Security

SBMC Title 18 Chapter 8 currently contains a number of outdated airport security measures. To update and implement the requirements of the federal Departments of Homeland Security (DHS) and Aviation Administration (FAA), staff has drafted a new chapter to add to Title 18 that pertains to Airport security measures that affect the general public and a new Resolution that pertains to activity by those granted access to the restricted areas of the Airport.

SBMC Chapter 18.10 establishes Airport security requirements applicable to the public. These proposed ordinances build on existing requirements in an effort to codify the basic, more robust security framework at the Airport.

The proposed Resolution creates rules and regulations applicable to individuals granted access to Airport restricted areas. The Resolution would establish standards for conduct within Airport restricted areas, use of personnel identification media, and reporting security violations. The resolution also details specific procedures and an appeal process for confiscation, suspension, and revocation of personnel identification media.

Santa Barbara Airport Commercial Ground Transportation Program

SBMC Section 18.08.065 was rewritten to establish a framework for a future Santa Barbara Airport Commercial Ground Transportation Program. Proposed language in this section provides for the establishment of program rules and regulations. This section requires that such a program be adopted by Council and updated, as needed, by the Airport Commission. Additionally, the proposed section allows the Commercial Ground Transportation Program to contain a permit requirement, including the establishment of permit fees. The proposed language also grants the Airport Director authority to enforce the program.

Solicitation on Airport Property

After many years of litigation, the California Supreme Court held that Los Angeles World Airports' ban on solicitation in the non-secure airport terminal areas for the immediate receipt of funds was a reasonable time, place, and manner restriction on the protections of expression guaranteed under the federal and state constitutions. The City's ordinance (SBMC Section 18.08.020) has been amended to reflect the language approved by the Court.

Advertising and Camping

SBMC Sections 18.08.040 and 18.08.150.D have been amended to provide consistency with other provisions of the Santa Barbara Municipal Code.

Firearms

After consultation with the Chief of Police, SBMC Section 18.40.040 has been amended to eliminate specific reference to periodic firearms competency testing by the Airport Patrol Supervisor and Airport Patrol Officers. These requirements are more appropriately included in departmental policies. Proposed language also clarifies the "purpose and intent" of Airport Patrol Officers carrying firearms to include both self-defense and defense of others.

Airport Commission Approval of Aeronautical Permits

SBMC Section 18.44.075 has been amended to more effectively deal with the issuance of short-term aeronautical permits.

Unenforceable Aviation Regulations

Certain existing provisions in Title 18 of the Santa Barbara Municipal Code pertaining to aviation activities that are regulated and enforced solely by the FAA are proposed for deletion. These provisions include:

- Section 18.08.200 Noise Abatement,

- Chapter 18.12 Flight Pattern,
- Section 18.16.040 Clearance of Base Leg and Final Approach.

Other Title 18 revisions are more clerical in nature. Staff is available to answer any questions that may arise pertaining to all suggested revisions.

Airport Commission Review and Recommendation

On May 18, 2011, the Airport Commission, by a vote of five (5) yes and one (1) abstention, recommended that City Council approve an ordinance amending Title 18 of the Santa Barbara Municipal Code pertaining to operations at the Santa Barbara Airport and a resolution adopting rules and regulations pertaining to restricted areas in the Santa Barbara Airport.

City Council Ordinance Committee

On June 7, 2011, Ordinance Committee received a presentation from staff regarding the proposed resolution and ordinance amendments. The Committee unanimously forwarded the recommendations to Council for introduction and adoption.

ENVIRONMENTAL REVIEW:

The Environmental Analyst reviewed the Airport Ordinance update for consistency with the California Environmental Quality Act (CEQA). The security, firearm, solicitation, and camping changes are procedural and address responsibilities of the Airport Patrol Division. The Commercial Ground Transportation Program will be reviewed by Council once a draft is prepared. Authorization to prepare a draft Program will not create a significant environmental effect. Aeronautics Permit changes are procedural and do not change regulation. The deletion of unenforceable aviation regulations is exclusively administrative as the City of Santa Barbara does not have authority to enforce them. Furthermore, these regulations are redundant to the Federal Aviation Regulations (Code of Federal Regulations Title 14) which appropriately address noise, flight patterns, and clearance. Therefore, the Airport Ordinance update is exempt from CEQA as it does not have the potential for causing a significant effect on the environment (CEQA Guidelines §15061(b)(3)).

PREPARED BY: Jeffrey S. McKee, Maintenance Superintendent

SUBMITTED BY: Karen Ramsdell, Airport Director

APPROVED BY: City Administrator's Office