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CITY CLERK'S OFFICE
SANTA BARBARA, CA

Date: May 28, 2010
To: Santa Barbara City Council
Re: West Beach Music Festival
Appeal: Decision by Santa Barbara Parks and Recreation Commission on Wednesday May 19, 2010.

Dear Santa Barbara City Council,

I respectfully request an appeal of the May 19 2010 decision by the Santa Barbara Parks and Recreation Commission to overturn the well-researched and educated decision by Santa Barbara City Parks and Recreation Department staff to deny an event permit to Twiin Productions for another West Beach Music Festival. I request that the Santa Barbara City Council grants an appeal of the Parks and Recreation Commission to grant Twiin Productions a permit for their West Beach Music Festival. There is ample evidence and concern raised from community members, business owners, and City of Santa Barbara staff including the Parks and Recreation Department, Santa Barbara Police Department and the department of the Harbor that demonstrates that Twiin Productions should not be allowed to continue with their music festival in the West Beach location. As a resident of the West Beach area of Santa Barbara, I witnessed and experienced many of the concerns raised by residents, city staff and business owners.

Reasons for the Appeal:

- City Staff provided ample evidence to support their decision in denying the permit, including reports from Parks and Recreation and the Police Department.
- There was a huge impact on local residents and hotels in the area, yet very little public input requested by the City.
- West Beach residents and business owners didn't receive adequate notice about the appeal so many were unable to participate in the public process.
- There were hundreds of complaints from last year's event by residents and business owners – as far away as Summerland related to noise, parking (263 parking citations), excessive traffic, urination on streets and property as well as property damage.
- There were numerous safety concerns including lack of security pat-downs, security officers without proper underage drinking and excessive drug use, alcohol wristbands "stolen" and lack of enough security for the event type (SBPD had to hold over or call in an additional eighteen (18) officers on the Sunday of the festival. They wrote 67 citations and made 2 arrests.
- There were violations of the noise plan – including exceeding the decibel allotment each night.
- Twiin Productions has done this event 3 years in a row, yet they continue to disregard City policy.

- The City of Santa Barbara is liable for the safety of its citizens and the potential liability outweighs any potential fiscal benefit.
- There is no proof of any fiscal benefit to the City of Santa Barbara. Staff reported that last year's event permit for all three days was less than $7,000. The target audience of the West Beach Music Festival is not spending money in local hotels and restaurants and local hotels and restaurants can attest to that fact.

City staff reviewed documentation from the event, Santa Barbara Police Department, the Harbor and members of the business and residential community and concluded that they should not allow another large music event at this time. This is the most intelligent and prudent decision as there is an incredible amount of documentation proving that the previous West Beach Music Festivals put on by Twiin Productions violated City policy and created a public safety issue. Twiin Productions requested and was given an opportunity to appeal to the Parks and Recreation Commission. I don't believe there was sufficient notice to the community impacted by this large and unruly event. I request that an appeal be made to the Santa Barbara City Council to review the documentation from the residents, hotel owners, Santa Barbara Police Department and other interested parties.

Specifically, the concerns with the West Beach Music Festival are two-fold. First, the city was and continues to be woefully unprepared to create oversight for an event of this scale. There were many concerns brought forth by residents and business owners prior to the event last year including safety, noise and policy. During the event, it was apparent that the city did not have strong enough policies in place and was unable to hold Twiin Productions accountable to the policies that existed. As a result, there were numerous safety concerns and the production company ignored the policies particularly in relation to safety, noise and parking. Secondly, since Twiin Productions has a history of deliberately disregarding city policy and the concerns of the nearby residents and businesses, they should not be allowed to continue to do business with the City of Santa Barbara. They have asked for a "second chance" but there have already proven in the last two festivals that they have no respect for the city policies. They ignored the sound plan – as weak as it was, provided minimal security and they even admitted to forging City of Santa Barbara documents.

I believe the Parks and Recreation Commission was woefully irresponsible in voting to allow Twiin Productions a permit when it goes against the wisdom of the City of Santa Barbara staff – particularly the Parks and Recreation staff and the Santa Barbara Police Department that have had to respond in the past. In addition to city residents and businesses having a right to quiet enjoyment of their property, there is a liability concern for the city. Why should the City of Santa Barbara allow the city's residents and city coffers to be at risk for a "for-profit" entity that has a strong record of ignoring city policy?

I absolutely believe the city needs to research the implications of allowing large festivals to occur in a residential area with very limited parking before allowing any further events to happen – beginning immediately. I'm alarmed that the commission has voted to allow 8,500 people a day and says that there are 3 other permit requests in for events of this size.

I strongly believe Twiin Productions has had enough chances and enough is enough. I strongly advocate that the staff denial be upheld by the City Council members and they overturn the narrow approval by the parks commissioners. I strongly advocate that the city assigns staff to research all of the concerns that have risen from this event and insist that strong policy is put in place prior to any permits being issued to events of this size and nature. The City Council has a responsibility to the residents of the city of Santa Barbara – not to a private production company.

The city was unable to handle the oversight last year and until there are proper and strong policies in place, there should be no further events of this type and size. Additionally, Twiin Productions has a history of ignoring city policy over the last 3 years and should not be given any further "chances". I urge you to recognize that public safety should be put above all else and that it would be unwise to allow any further events until the city can create strong policy and a mechanism for accountability and enforcement.

Sincerely,

Hilary Kleger
Resident of Santa Barbara, West Beach area
P.O. BOX 2584
Santa Barbara, CA 93120

Attached: Letter to Nancy Rapp and Susan Jang-Bardick, Parks and Recreation Department.

P.S. Due to concerns for my personal safety as a result of this appeal, I would appreciate that my personal address and phone number not be made public to the extent that the law provides.