



**City of Santa Barbara
PARKS AND RECREATION DEPARTMENT**

**Special Meeting
Park and Recreation Commission**

Wednesday, October 19, 2006

Minutes

The Park and Recreation Commission was called to order by Chair Forsell at 4:05 p.m. at Chase Palm Park Recreation Center

ROLL CALL:	<u>Commissioners Present</u>	
	Steve Forsell	Park & Recreation Commissioner
	Ada Conner	Park & Recreation Commissioner
	Beebe Longstreet	Park & Recreation Commissioner
	Arnoldo Gonzalez	Park & Recreation Commissioner
	<u>Commissioner Absent</u>	
	Daraka Larimore-Hall	Park & Recreation Commissioner
	<u>Staff Present</u>	
	Nancy Rapp	Parks & Recreation Director
	Judith Cook	Recreation Programs Manager
	Karla Megill	Executive Assistant
	Scott Vincent	Assistant City Attorney

PUBLIC COMMENT - No one wished to speak.

1. SUBJECT: Michel Lestrade's Appeal of Arts and Crafts Show Advisory Committee Decision

Ms. Judith Cook provided background information regarding the Santa Barbara Arts and Crafts Show. She advised that the show is governed by a manual of procedures and regulations that addresses all aspects of the show including requirements for membership, acceptable items to sell, appropriate behavior for artisans, procedures for election of the Advisory Committee, handling of complaints and violations of the show rules. As part of their privilege to participate in the show, and through the purchase of their annual show permit, members agree to abide by and follow the Procedures and Regulations of the show.

Ms. Cook indicated that when a show member is suspected of violating a show rule, there are procedures in place to investigate the alleged violation, for the Advisory Committee to meet with the show member if necessary, and for the Advisory Committee to issue appropriate penalty(ies), if necessary, to the artist. She further stated that if the show member, wants to appeal the Advisory Committee's decision, the show procedures allow show members to appeal to the

Park and Recreation Commission (Commission). Ms. Cook said that the Commission's decision is final.

Ms. Cook reviewed the Arts and Crafts Show Advisory Committee's decision and provided a timeline of events surrounding the Advisory Committee's decision.

Ms. Cook advised that when each show member joins the Santa Barbara Arts and Crafts Show, they complete and sign an application where they agree to comply with the rules and regulations of the show. She stated that asking a show member to remove an item that the Advisory Committee has determined is in violation of those rules is not censorship or discrimination; rather, the show is enforcing the rules and regulations that the member agreed to abide by.

Ms. Cook stated that Mr. Lestrade has suggested that he has been asked to remove this painting because it contains nude people, and contends that many other artists display nudes in the show. Ms. Cook said that selling paintings, drawings, photographs, or sculptures of nude people is not against the rules of the art show per se, but when these pieces of art work depict certain sexual content or sexual acts as listed in Rule I.11, then they are prohibited from the show. She said that there are a number of artists in the show who display nudes that are in compliance with the rules and regulations. She further stated that there have been other artisans who have been asked to remove their paintings for the same reasons as Mr. Lestrade, and these artisans have complied with that request.

Ms. Cook said that Mr. Lestrade submitted a petition to the Advisory Committee that was signed by members of the public and some show members. The Advisory Committee reviewed the petition, but acknowledged that the public does not have a "vote" regarding the rules of the show. The rules were originally developed by the show members themselves and are promulgated by the Advisory Committee and the Show Administration.

Ms. Cook stated that substantial evidence exists to support the conclusions of the Advisory Committee, and staff recommends that the Park and Recreation Commission deny the appeal of Michel Lestrade and uphold the decision of the of the Advisory Committee regarding the removal of the painting "Body Doubles" from the Art Show.

Ms. Barbara Galloway, Arts and Crafts Show Advisory Committee member, spoke regarding the decision of the Advisory Committee. She stated that the painting is not in compliance with the guidelines and rules of the Santa Barbara Arts and Crafts Show. John LaPoint, Arts and Crafts Show Advisory Committee member concurred.

Mr. Lestrade stated that a super majority of the public and artists agree with him with respect to this matter. He further stated that he believes his right to free expression is being violated by being prohibited from displaying his painting at the

Arts and Crafts Show. Mr. Lestrade said that staff influenced the decision of the Arts and Crafts Show Advisory Committee.

Commissioner Longstreet stated that participating in the Arts and Crafts Show is a privilege, not a right. She said that Mr. Lestrade agreed to comply with the rules and regulations of the show when he signed the application. Ms. Longstreet said that Mr. Lestrade has been afforded due process.

Commissioner Conner said that she appreciates art and thanked the Artists who participate in the show. She explained that it is the responsibility of the Arts and Crafts Show Advisory Committee to uphold and enforce the rules of the show. She stressed that Mr. Lestrade signed the application agreeing to abide by the rules and regulations of the show. She said that his rights are not being violated. Finally, Ms. Conner said that she supports upholding the decision of the Arts and Crafts Show Advisory Committee.

Commissioner Gonzalez agreed with Commissioners Longstreet and Conner stating that participation in the Arts and Crafts Show is a privilege not a right, and further that when he signed the application he was agreeing to comply with the rules and regulations of the show. Mr. Gonzalez said that the rules of the show are very clear. He further stated that as the Commission liaison to the Arts and Crafts Show Advisory Committee, he has been to several meetings. He expressed his belief that the Arts and Crafts Show Advisory Committee members are honest and follow the rules.

Chair Forsell stated that he does not personally file the painting "Body Doubles" to be offensive, but there is a system in place to ensure that artists comply with the rules and regulations of the Arts and Crafts Show, and the Arts and Crafts Show Advisory Committee is charged with enforcing those rules and regulations. Mr. Forsell said he is inclined to support their decision.

Commissioner Longstreet moved, seconded by Commissioner Conner, and passed 4/0 that the Commission uphold the decision of the Arts and Crafts Show Advisory Committee and deny the appeal of Michel Lestrade.

ADJOURNMENT

At 4:30 p.m., with no further business to come before the Commission,

Commissioner Forsell moved, seconded by Commissioner Conner, and passed 4/0 that the meeting be adjourned.

Respectfully submitted,

Nancy L. Rapp
Parks and Recreation Director