



CITY OF SANTA BARBARA

REGULAR MONTHLY MEETING
SANTA BARBARA ARTS AND CRAFTS SHOW
ADVISORY COMMITTEE

Thursday, June 18, 2015

Carrillo Recreation Center
100 E. Carrillo St.

(please note that this is not the location of the regular meetings)

Special Meeting: 2:00 - 4:00 p.m.

AGENDA

CALL TO ORDER

ROLL CALL

Committee

Tony Longo - Arts
Jim Hockin - Arts
Marilyn Dannehower - Crafts
Rebecca Plum - Crafts

Staff

Jason Bryan - Senior Recreation Supervisor
Xochitl Camarena – Recreation Specialist
Parks & Recreation Commission Liaison
LeeAnne French

1st Alternate Members

Charlotte Barnard – Crafts

2nd Alternate Members - Open**Member At Large - Open**

CHANGES TO AGENDA

PUBLIC COMMENT

Any member of the public may address the Committee for up to two minutes on any subject within the jurisdiction of the Committee that is not scheduled for public discussion before the Committee. The total amount of time for public comments will be 15 minutes, and no individual speaker may speak for more than 2 minutes.

NEW BUSINESS

1. Violation Hearing for Tony Longo – For Action

Staff Recommendation: Jason Bryan will present information on a notice of violation issued to Tony Longo on March 20, 2015 for a maximum of 20 minutes; Tony Longo may submit a written response or be present to address the committee for a maximum of 20 minutes; Board to discuss; ask questions of all parties and witnesses; open item to public comment; bring back to Committee for discussion and decision. If upheld, this would be the first violation within 36 months and would carry a maximum penalty of a warning.

2. Violation Review for Nadinka Szaksz – For Action

Staff Recommendation: Jason Bryan will present information on a notice of violation issued to Nadinka Szaksz on March 20, 2015 for a maximum of 20 minutes; Nadinka may submit a written response or be present to address the committee for a maximum of 20 minutes; Board to discuss; ask questions of all parties and witnesses; open item to public comment; bring back to Committee for discussion and decision. If upheld, this

Ms. Szaksz parked her car straddling two handicap parking spaces and refused to move her vehicle when another handicap show member, Richard Paluch, arrived to setup in a space he was legitimately able to use that day. After refusing to move her vehicle, Ms. Szaksz was confrontational toward Mr. Paluch and cursed at him repeatedly. Mr. Paluch provided testimony on the incident the morning of February 22, 2015. Staff monitor, Trisha Dalziel, corroborated that Ms. Szaksz was using foul language and refused to move her vehicle until after a weather day was called, even after staff asked her to move her vehicle.

The board asked questions to staff and Mr. Paluch. Staff indicated that this is the third violation against Ms. Szaksz in 36 months and the maximum penalty would be permanent revocation of show permit. Mr. Bryan recommended a penalty of no less than six months suspension from the show and that she is placed in another area upon her return.

Moved, Seconded and Carried Unanimously to uphold the Notice of Violation with a penalty of a six month suspension. If Nadinka exceeds her grace period that would expire at the end of the July, Nadinka would not be allowed to re-apply to the show until the suspension period expired.

2. Review of Draft Video Presentation from Cristy Hamilton

Cristy Hamilton presented her draft marketing video for the Arts and Crafts Show. Overall, the board and guests present were impressed with the video. Marilyn Loperfido stated she wanted a different voice for the narration, but no one else present objected to the narration. There were two minor edits suggested: one was to make a change to one of the animations to make text easier to read and the other was the change one part of the narration that referred to the show as running "50 years" to "over 50 years".

ADJOURNMENT 4:34pm



City of Santa Barbara

Parks and Recreation Department

www.sbparcsandrecreation.com

www.ci.santa-barbara.ca.us

March 20, 2015

Anthony Longo



RE: NOTICE OF VIOLATION

SENT VIA CERTIFIED MAIL

Dear Mr. Longo:

The purpose of this letter is to give you Notice of Violation after a Written Complaint was filed with the Arts and Crafts Show office on March 20, 2015.

The complainant alleges that you violated the following rule(s): J

RULES VIOLATED:

J COMPLIANCE WITH THE CODE OF CONDUCT

In order to ensure the quality and enjoyment of the Santa Barbara Arts and Crafts Show and to promote a safe and positive atmosphere in all aspects of the program, all permit holders, and other persons involved with the show shall abide by the following Code of Conduct:

- All persons shall act with respect toward other persons, their privacy and safety.
- Physical or verbal abuse of any kind will not be tolerated.
- All persons shall treat public and private property and equipment with respect.

Failure of any permit holder to abide by this Code of Conduct will result in disciplinary action. A permit holder shall be responsible for the conduct of any person assisting the permit holder or attending the show with the permit holder. Any violation of the Code of Conduct by a person assisting the permit holder or attending the show with the permit holder shall be charged to the permit holder and shall result in a Notice of Violation. The violation may result in the person being prohibited from attending the show with the permit holder.

Staff reported to me that last Sunday, May 15, 2015, you were verbally abusive and argumentative with them. Staff monitors Bruce Chavez and Trisha Danziel reported that you were unreasonably confrontational and communicating in a disrespectful tone and volume regarding sign placement and demanding that they place the signs in areas that I specifically instructed staff they should not be placed. Your demeanor and

Administration

Tel: 805.564.5431

Fax: 805.564.5480

Parks Division Office

Tel: 805.564.5433

Fax: 805.897.2524

Recreation Division

Office

Tel: 805.564.5418

Fax: 805.564.5480

Creeks Division Office

Tel: 805.897.2658

Fax: 805.897.2626

620 Laguna St.

PO Box 1990

Santa Barbara, CA

93102-1990

Golf Course

Tel: 805.564.5547

Fax: 805.897.2644

3500 McCaw Ave

PO Box 1990

Santa Barbara, CA

93102-1990

Community Services

Tel: 805.963.7567

Fax: 805.963.7569

423 W. Victoria St.

PO Box 1990

Santa Barbara, CA

93102-1990



communication with staff is considered verbally abusive and completely unacceptable. Not only did other show members witness your behavior, but members of the public did as well.

It is our expectation that all show members will conduct themselves at all times at the Santa Barbara Arts and Crafts Show and at Arts and Crafts Show Advisory Committee meetings in a manner in accordance with the City of Santa Barbara's Code of Conduct. This includes being cooperative, responsive, and professional in all dealings with City staff, show members and the public. We expect everyone associated with the show, staff and show members, to interact in a professional manner.

Penalties

- N. 1 Within one (1) calendar year, the **FIRST VIOLATION** of any regulation will generate a written warning. A **SECOND VIOLATION** of the same or any other provision of Chapter 15.08 or the Show Procedures and Regulations may result in a suspension of the show permit for a period of time not to exceed six (6) months with no abatement or refund of the permit fee. The actual length of suspension shall be determined by the Violation Review Committee or the Recreation Commission on appeal. A **THIRD VIOLATION OR ADDITIONAL VIOLATION** of the same or any other provision of Chapter 15.08 or the Show Procedures and Regulations may result in the suspension or revocation of permit with no refund of the permit fee and a loss of all Show seniority. A permit holder who has had his/her permit revoked shall be prohibited from re-applying for the Show for at least one year from the date of revocation.

As this is your first violation within a calendar year, this is a written warning. Another violation of the Code of Conduct or any other rule violation within this calendar year could result in a suspension of up to 6 months.

Pursuant to M.4 b of the Arts and Crafts Show Procedures and Regulations, you have fifteen (15) days from the receipt of this letter to submit a written response to the Recreation Supervisor or request a hearing before the Violation Review Committee. Failure to do so will constitute a waiver of your right to contest the allegations contained in this Notice of Violation and acceptance of the penalty which may be imposed for the offense(s) as indicated on this notice.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason Bryan", with a long horizontal flourish extending to the right.

Jason Bryan
Senior Recreation Supervisor

Enclosures: Monitor notes from 3/15/2015
Complaint Signed 3/20/15

**Santa Barbara Arts & Crafts Show
COMPLAINT**

Day: Sunday Date: Sunday, May 15, 2015 Time: Approximately 9:45 am

Exact Location: Arts section of the show near space 40-44

Issued to: Anthony Longo

Address: On file with the Arts and Crafts Show Office

Rule(s) allegedly violated: J: Code of Conduct

Complainant's Signature: _____ Print name: Jason Bryan

Address: 100 E. Carrillo St., Santa Barbara, CA 93101 Phone #: 805-897-2519

Description of Incident: (Please state facts only) On 3-15-15, Arts section member Anthony Longo was reported by staff members Trisha Dalziel and Bruce Chavez as being verbally abusive to staff when arguing where show signs should be placed.

Witness Signature: _____ Print name: _____ Phone # _____

Witness Signature: _____ Print name: _____ Phone # _____

Return to:
Parks and Recreation
Arts and Crafts Show Office
100 East Carrillo St.
Santa Barbara, CA 93101

Office use only:

Monitor's Comments: Please note the attached monitor notes written the day of the incident. Jason Spoke with staff member Bruce Chavez who corroborated that Mr. Longo was verbally abusive toward staff.

Monitor's Signature: _____ Date: _____

Recreation Supervisor's Signature:  _____ Date: 3-20-15

Santa Barbara Arts & Crafts Show

Monitor Notes

Monitor: Josiah Date: 3/15

Checks Received:

Name: _____ Check # _____ Amount: _____

Notes

- ① Walked with Bruce down to the Arts Section to set up the signs. When we were trying to position the last 2 towards the piece we were confronted by Jerry Longo, who began berating us as to where we needed to place them. When we did not place them in the exact position he directed us to, he began yelling at me that they were not facing the right direction, or that they didn't belong where we put them. He then told us that they should be across the street on Hobson St. Bruce and I changed the direction of the signs 3 times, but nothing we did was right according to Jerry. When I told him that I didn't want to place the signs on

Santa Barbara Arts & Crafts Show

Monitor Notes

Monitor: Justie Date: 3/15

Checks Received:

Name: _____ Check # _____ Amount: _____

Notes

Helena Street, he yelled at me that he was going to call Jason to let him know that the issue with the signs is about me and my not wanting to carry them and place them where he feels is the best location. This is the 2nd week this month that I have been verbally abused in front of other artists, patrons and now my co worker. This form of communication is unacceptable and I am asking that Jay don't be addressed formally about his style of communication in a professional setting. Thank

- ② Collected Space Assignments form from
Jinda Sweatt

Santa Barbara Arts & Crafts Show
Monitor Notes

Monitor: Jessha Date: March 1

Checks Received:

Name: _____ Check # _____ Amount: _____

Notes

① Arrived to work early to be available for Richard Paulach and Nardinka issues. As I was speaking to Richard, Tony Longo drove by on his bike and started yelling at me "Does this look like a weather day? Don't call a vote because this is not a weather day and by the way you better be coming down to the nets section at 11:00 to get a vote if you're going to let Crafter's move up. ~~Just~~ 11:00 vote is in the rules so you better read them!" I am not surprised by Tony's behavior but I was insulted at how demeaning he treated me, yelling at me and telling me what to do. I asked him to stop yelling at me and he drove off. The vote starts no later than 10:20. I had Bruce remind him up

Santa Barbara Arts & Crafts Show
Monitor Notes

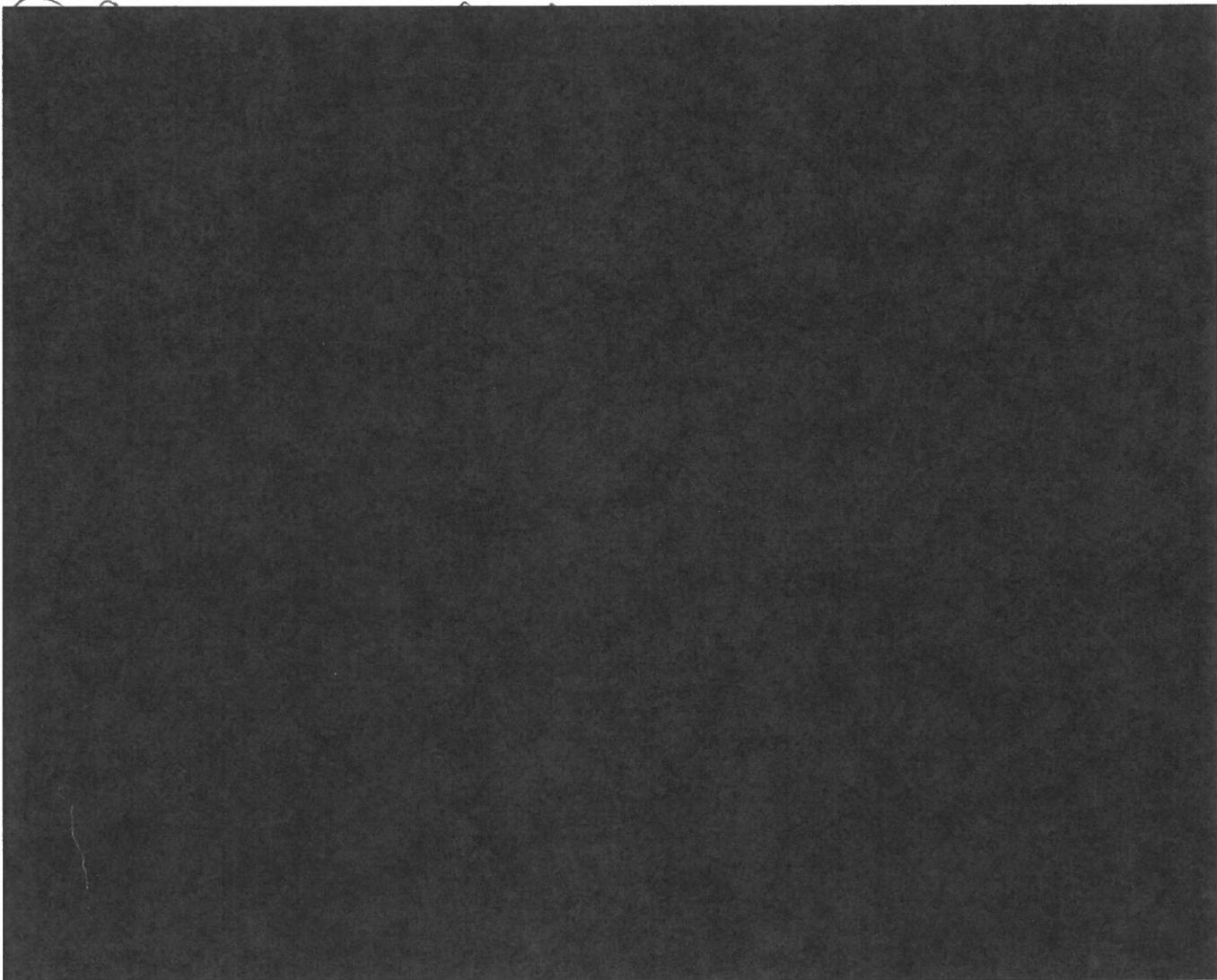
Monitor: Jessha Date: 3/1

Checks Received:

Name: _____ Check # _____ Amount: _____

Notes

the time and rule #1 when he did
sign in this morning. TY!!



Notes on research from 3-20-15 Tony Longo violation notice:

After reviewing the monitor notes from 3/15/15, Jason Bryan called both Trisha Dalziel and Bruce Chavez to research what occurred at the show relative to Tony Longo's interaction with staff. Both Trisha and Bruce shared that they were attempting to place new signs for 2nd row artists when Tony Longo instructed staff to place signs down State Street and in the Funk Zone. Staff informed Tony that they were given instructions to place the signs only along the show line. The discussion was described by staff as argumentative from with Tony raising his voice toward staff and treating both Trisha and Bruce in a way they felt was unreasonably disrespectful in front of show members and the public. Tony brought up several topics unrelated to the signs in his conversation with staff. After what Trisha estimated to be about 45 minutes of interaction with Tony where she used words describing Tony's behavior including "disrespectful", "argumentative", "berating", and in a "raised voice" ("yelling" in an incident two weeks prior), Trisha agreed to place the signs and move on.

Jason Bryan called a show member in the area who recalled Tony gravitating from topic to topic in his conversation with staff in an argumentative demeanor with a raised voice.

Jason felt there was enough evidence to issue a notice of violation based on the Parks and Recreation Department Code of Conduct.

A violation hearing was scheduled within the timeline specified in the Arts and Crafts Show Procedures and Regulations (30 calendar days from a request for a hearing), but Tony requested more time to prepare and consider legal council. Jason phoned Tony and informed Mr. Longo that the City would delay the meeting at his request, and by doing so Tony is waiving his right to have the violation hearing within the timeline specified in the show's procedures.

City Parks and Recreation Department,

I am responding to the violation I received alleging a confrontation occurred between myself and City Staff on March 15th, 2015. The violation states that "Staff reported to me...verbally abusive and argumentative with them". I believe this to be an untrue characterization of the conversation that took place.

The violation language then went on to repeat the allegation stating "Staff Monitor Trisha claims I was speaking in a disrespectful and tone and volume regarding sign placement" I had no intent to be disrespectful, I don't believe this to be true and appreciate staff's efforts and contributions to the show. This statement then goes further and states that I was "demanding that they place... I specifically instructed staff that they should be placed." I made no demands of the staff as to where they were to place the signs. In the conversation I did question them on placement as I feel this is part of my job because I am on the Art and Craft Show committee and have received questions and complaints weekly on the signs placement from the artists I represent. I did make suggestions as to where I felt the signs would be better placed when questioned by the staff for this information. I had no knowledge of where staff had been directed, or not directed, to specifically, or even generally, place the signs.

The violation writer then continues by personalizing these accusations with a verdict stating that "Your Demeanor ... and completely unacceptable." This attack on myself is unwarranted and clearly defies due process. There is a voice message implying the violation has already been determined, and that my guilt is confirmed. This message has been saved and can be submitted at any time if requested. My understanding is that this "condemningly written wording" has, or will be given to all committee members that will sit in judgement of the validity of this accusation of a violation. It has clearly made a prejudiced decision on what the the violation writer expects from city staff, and those who will determine the hearing outcome with my guilt pre confirmed, while only hearing one side of the story.

Before conclusion with a paragraph of expected behavior which I wholeheartedly agree with, the violation writer then alleges with this statement "Not only did ... public did as well" that witness's both Artists and the general public have come forward to support these allegations. I see no attached witness statements, nor do I see signatures of any city monitor staff on any complaint form. When I received notice I spoke with some of the artists that were nearby and their recollection of this conversation did not support an action as severe as writing a violation.

To conclude I would like to have this violation dismissed. I am happy to discuss this event further with staff and I very interested in promoting and preserving this relationship, and supporting the Sunday Arts and Crafts show that means so much to me both financially and personally.

Regards,

Tony Longo
SBACS
Artist 40-45

Bryan, Jason

From: amlongo [amlongo.com@gmail.com]
Sent: Friday, May 15, 2015 5:28 PM
To: Bryan, Jason; McCaffrey, Judith; Rapp, Nancy
Subject: Re: Violation Hearing
Attachments: Complaint Responce to Judith and Jason May 15th 2015.pdf

Nancy, Janon and Judith,

I can not make this "special meeting for the "violation hearing" for Nadinka on Thursday, May 21" from 2:30-4:30pm at the Carrillo Recreation Center, date due to work, so we will have to reschedule. I am a board member, and one of the people who will be hearing the Nadinka hearing. Please send all information to me pertaining to her volition.

Also, I may have to hire an attorney and this will cost me money, so I am saving for the service now. This hearing is unwarranted and again I am asking the city staff and Jason to drop the citation. This is clearly not a code violation. I will inform you when I have an attorney if you still believe that this is really worth a code violation hearing. Please make sure that you speak to the City staff member that was also yelling at me, and lost her temper, and all the witnesses that do not believe that any code of ethics were broken, and they were there on the day of, not reading the note of a staff member.

I believe this issue has already been proven to be without merit and the Monitor Trisha has admitted that she lost her temper, and was yelling at me, and did not say this in her notes, but would be doing so after talking to me. If not she knows what she said, and has the integrity to speak the truth and tell you she was also participating in loud speech. There are 2 people who have been in the show for years, both will submit statements that this was not worthy of a code violation and from what I understand this matter has only been brought fourth by Jason, and maybe Judith, who has known and not stopped the violation hearing proceedings.

Everything in the violation that has been accused of me, goes also for the city employee Trisha, who was yelling at me. The city staff could have initiated this hearing, but did not. They did not ask for a citation for a code violation, and yet Jason did. He accused me of wrong doing, left a message on my voice mail (which could be used as proof of harassment), that I was wrong and he personally was going to create a citation, after reading the notes of the monitor. Notes do not mean this is the truth, or the whole story, and he acted prematurely in moving forward. He wrote the citation without including that staff was yelling at me, and concludes that I am guilty in writing, and I was never spoken to before he made these claims. This is a "bulling action" and or "rail roading", and is not acceptable.

Jason has been asked 3 times to drop the matter, and I feel that the wording that states "abusive tone" is slanderous and defaming of my character, and there is a list of other items that Jason has done that now look like a pattern of discrimination and possible reason for a complaint to be filled with the city.

There have been 2 rain days recently, and Jason was given proof of people setting up early, he then stated in a committee meeting that citations would be given out as warnings the next time it happened, and it happened again the next rain day, yet no one got a citation, a clear violation of the show rules, photos sent, yet none were given out. None are ever given to people from the crafts section that set up early. This is a pattern of choosing when to enforce the rules, and whom will have to follow them. It is a clear form of discrimination, and must stop. The vast interpretation of "tone" in a person's voice is all the more reason to drop this matter. The lack of enforcement of people that set up early on rain days is just one of many things done that prove that this seems to be personal, and not professional.

On March 15th, Jason asked his staff to do something that made no sense, to them or other show members, and is a case where his sign placements would have been detrimental to the show, and so a sign was placed where it was actually working at directing traffic towards to show members. I did not move any signs, and I never told any city staff to do anything, only after staff requested my advise was it given, and so the signs directed traffic to the show, and because of this, there is a citation made by Jason.

From the fear Trisha had that I was going to report what happened to Jason, Trisha crafted her note for the day. She even states she was fearful I was going to call and complain about her, so this is not hear say, but fact as per the notes she wrote. I was going to tell Jason that she was not interested in taking signs in and out Sundays, and that they were heavy, and that even with my dolly she was using too much time doing this task. I said I would call Jason, she wrote her comments in the monitor's log.

As stated, I have requested Jason dropping the matter due to this being an interpretation of a person's "tone of voice" and this "tone" maybe offensive to one person but not another.... and also nothing that was recorded or every implied as insulting, or demeaning in the notes, just general statements. Nothing happened that was out of the ordinary when someone is placing signs redirecting traffic away from the show and its members. If this is about the signs being moved to a place where they did some good for the show, then make sure that is why you write the citation for.

Please read my request again to stop the complaint from proceeding, and make sure you tell Nancy Rapp that I have been asking you to stop harassing me. I know that the failure to do so is looking more and more like a personal harassment case against, Jason, a man who has done many things that are and were **against** the show rules, always **against me** when the rules were in my favor. But just like this interpretation of my tone of voice, maybe city staff will see his actions are normal. It is NOT normal to side against a show member when the rules are in their favor, several times, in several different incidents, over less than a 3 year period, yet that is what Jason has done to me as the show's manager.

Jason claims that staff wants to pursue this, but when I asked Trisha last Sunday, she stated that she was fine with our discussion of the matter last, and that the matter could be concluded. Does this mean that due to city staff disobeying Jason, that some how I persuaded his employees to move a sign, when they should not have? And that was not the case, and Jason feels I need a citation for being a persuasive speaker? Because the rest of the citation is all bases on hear say and non-fact.

FACTS: 1. The signs were moved, 2nd Fact, they were pointing to no one and redirecting traffic away from the show, 3rd Fact, I was asked by city staff where to point signs in a way that would help the show, 4th fact, I was asked where I would put the signs, 5th Fact, city staff moved one sign to where I suggested, 6th fact. City staff was yelling at me and an equal in verbal abuse if anything like that happened. Those are facts... the rest is very subjective to a person's personal life and can not be used against another show member.

I have a 1st amendment right to free speech, and the right to express my views and not be stopped by a claim of a "Tone of Voice" that was offensive to a staff member. Mine is a request to drop the slander that is not true, and burden of proof is on the city staff to prove with a recording or video that I was speaking in a derogatory manner, which I insist I was not, yet the city claims I am guilty and have to defend my good name because of hear say. I am very sorry they felt that way about my tone of voice.

In Summery, on March 15, the issue was sign placement, and that Trisha of the city staff complaining about the signs, and the conversation of the city staff and my self was loud, but it was not just me, Trisha lost her temper and was yelling. The signs were being placed directing traffic away from the show and show members, complaints were made to me, by Trisha that the signs were taking up too much time to move in and out on Sundays, they were heavy, and that people were complaining about the lack of foot traffic and signs were places

on State Street. All this was talked about and then staff was yelling ant me, the city staff asked where I would but signs to direct traffic, and I made suggestions.

There are witnesses to the conversation on March 15th,2015, and when Jason called one, and Jason asked if he thought this should proceed as a code violation he was told "NO" by David a photographer in the show, then Jason told David that he was going to proceed and make this a warning anyway, (no matter what he was told), and he had already decided I was guilty and getting a warning before the hearing, so no matter what happens at this hearing, Jason wants me to have a citation, and to use the words "Abusive" in it, when the words were never spoken, and none were said, and there's no description given of such words in the Monitor's notes... because they were never said, is a very troubling thing for me, and the public. We, the public and all citizens of the USA, are not controlled by one city staff person's perception of what is an "abusive tone", and the mere fact that this citation has going this far makes the case that this is discriminatory, when clear violation of people setting up early Weather day after Weather day are not enforced, yet occur on a regular basis.

A show member named David, who was less that 20 feet away told Jason that the issue was not worthy of a citation, yet he was told by Jason, I was going to get a citation anyway, like it was already done, and I had no choice. As per Jason, I am guilty, I would have to try to defend my self at a hearing, with him and the people he has already told I am guilty presiding over the hearing.

All this, and proof of discrimination could be brought forward in a formal complaint if Jason will not stop, and because this is also a case of slander, and not the first time a city employee Jason, has allowed name calling with no recourse.

In conclusion, please, remember that Trisha, the city staff monitor admits that she lost her temper, and raised her voice, she was just as loud! She was just as Abusive in her tone, if that's what you want to call it...and all done towards me, in the public, embarrassing me, in front of my peers, just as loud as I was to her, in my booth.

The issue on March 15th,2015 was with staff and signs and the poor decision to redirect traffic away from the show. Jason "needs a talking" to by Nancy Rapp & Judith McCaffrey so we can find out why this is being allowed. And if I need to file a complaint against him to stop the harassment and discrimination. If you and you staff feel that there is nothing you can or will do to stop this hearing without my taking action, then please say so, otherwise I feel that this matter be dropped and closed. I have documented many different times and things done by Jason that are discriminatory, derogatory towards me, and have **negatively** effected my ability to sell art in the show. I see this as part of a pattern that has been going on for over 2 years and this needs to stop.

With respect and concern,

Tony Longo

On May 14, 2015, at 10:09 AM, Bryan, Jason <JBryan@SantaBarbaraCA.gov> wrote:

Hello Tony,

I'd like to schedule a special meeting for the violation hearings for you and Nadinka on Thursday, May 21st from 2:30-4:30pm at the Carrillo Recreation Center. As we discussed, you will have the opportunity to state why you feel the violation notice should be vacated ? you can do that either in person or in writing. Please contact me or Judith if you have any questions.

Thank you,

Jason Bryan

Senior Recreation Supervisor

Active Adults and Classes

PARKS AND RECREATION, CITY OF SANTA BARBARA

(805) 560-7550 jbryan@santabarbaraca.gov

<image001.jpg>

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CITY OF SANTA BARBARA

**SPECIAL MEETING
SANTA BARBARA ARTS AND CRAFTS SHOW
ADVISORY COMMITTEE**

Thursday, June 18, 2015

**Carrillo Recreation Center
100 E. Carrillo St.**

Special Meeting: 2:00 - 4:00 p.m.

Meeting Minutes

CALL TO ORDER 2:30pm

ROLL CALL

Committee

Mr. Longo - Arts – Present
Jim Hockin – Arts - Present
Marilyn Dannehower – Crafts - Present
Rebecca Plum – Crafts - Present

Staff

Jason Bryan - Senior Recreation Supervisor
Xochitl Camarena – Recreation Specialist
Parks & Recreation Commission Liaison
LeeAnne French – Not Present

1st Alternate Members

Charlotte Barnard – Crafts - Present

2nd Alternate Members - Open

Member At Large - Open

CHANGES TO AGENDA None

PUBLIC COMMENT

Richard Paluch suggested a chalk-painting activity be integrated into the show somehow to attract families. Richard Paluch also requested that someone be assigned next to him in the future.

Marilyn Loperfido recommended a different voice for the video that's being prepared to promote the show.

Charlotte Barnard suggested that the show participate in the I Madonnari event by recruiting show members to paint a square to market the show.

New Business

1. Violation Hearing for Tony Longo

For this agenda item, Tony Longo stepped down from the board as required by the show's procedures and regulations.

Jason Bryan presented information on the Notice of Violation he issued to Mr. Longo on March 20, 2015. Mr. Bryan stated that he reviewed monitor notes from March 15, 2015 that suggested Mr. Longo was verbally abusive to show monitors when monitors attempted to place temporary signs for artists setup in the 2nd row due to the bridge construction project. Mr. Bryan contacted both show monitors, Trisha Dalziel and Bruce Chavez, to investigate what occurred that day; both monitors indicated that Mr. Longo raised his voice and argued with them in an unprofessional and demeaning manner in front of other show members and the public. Ms. Dalziel's notes referred to a similar situation on March 1, 2015 where Mr. Longo yelled at her because Mr. Longo did not

feel a weather day vote should have occurred that day. Both monitors indicated that Mr. Longo argued about the placement of the signs, then brought up other topics of complaint against the city that were not related to the signs nor within the monitors' areas of responsibility. The incident continued for what Ms. Dalziel estimated to be more than a half hour. Ms. Dalziel did state that she raised her voice at Mr. Longo at the end of the conversation out of frustration for begin berated for over a half hour. Ms. Dalziel and Mr. Chavez were both present at the hearing and stated that they felt harassed and berated by Mr. Longo's behavior on March 15, 2015. Mr. Bryan contacted show member David Hieter who was in the area during the incident. Mr. Hieter told Mr. Bryan that he observed part of the interaction and recalled Mr. Longo raising his voice and changing between several topics. Mr. Bryan concluded that he felt a Notice of Violation was justified in this case, but the Advisory Committee must weigh the evidence and determine if Mr. Longo is guilty of violating the Code of Conduct. The maximum penalty is a warning.

Tony Longo addressed the Committee stating that he felt a violation was unwarranted in this case. Although Mr. Longo admitted to raising his voice on March 15, 2015, he stated that he was equally embarrassed by Ms. Dalziel when she raised her voice. Mr. Longo explained that he is Italian and Italian people talk very loud. Mr. Longo also stated that he did not feel that a weather day should have been called on March 1st because of a forecast. Mr. Longo objected to Crafts section members not getting violations on March 15th who moved into the Arts section before the designated time. Mr. Longo played an audio recording from David Hieter who confirmed that Mr. Longo was loud in his conversation with staff on March 15th, but Mr. Hieter did not feel the interaction warranted a violation. Mr. Longo also played an audio recording from James Siebert who didn't feel the incident was a "big deal" and didn't feel that Mr. Longo's tone of voice was abusive. Mr. Longo then played voicemail from Jason Bryan asking him to not repeat the behavior reported on March 15th and stated this is evidence of a systemic bias against him. Mr. Longo addressed his email to Adam Hendel, claiming that his opinion was warranted and there should not have been any possibility for a code of conduct matter in that communication. Mr. Longo closed stating that he did not feel this notice of violation should be upheld.

The board asked questions to staff and Mr. Longo.

Rebecca Plum stated that she has maintained a professional relationship with Mr. Longo and was concerned about any potential impact to Mr. Longo's livelihood.

Marilyn Dannehower recalled Mr. Longo yelling during meetings and does not find staff's report of Mr. Longo's behavior to be out of character.

Jim Hockin stated that he viewed this hearing as an opportunity to appeal to Mr. Longo to be more respectful in his future interactions with show members and staff.

Charlotte Barnard stated that she has felt bullied and disparaged by Mr. Longo in her interactions with him working on developing a logo for the show.

Motioned, Seconded and Carried with Rebecca Plum objecting to uphold the Notice of Violation against Tony Longo with a penalty of a warning.

2. Violation Review for Nadinka Szaksz

Jason Bryan reviewed Nadinka Szaksz's violation notice including Nadinka's written response that she claimed she was injured while parking that morning. Mr. Bryan stated that neither the staff monitor nor the Police Officer on scene made any mention to an injury being reported that morning. The Notice of Violation was issued because



City of Santa Barbara

Parks and Recreation Department

www.sbparksandrecreation.com

www.ci.santa-barbara.ca.us

July 1, 2015

Administration

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Community Services

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423 W. Victoria St.

PO Box 1990

Santa Barbara, CA

93102-1990

Tony Longo
1305 Cacique St.
Santa Barbara, CA 93103

RE: OUTCOME OF VIOLATION REVIEW HEARING

Dear Mr. Longo:

The purpose of this letter is to confirm the outcome of the June 18, 2015 violation review meeting you attended. The Santa Barbara Arts and Crafts Show Advisory Committee, who also serves as the Violation Review Committee, voted 2 to 1 to uphold the Notice of Violation with a penalty of a warning. A future violation may result in a penalty ranging from another warning to a six-month suspension from the show.

You have 10 days from today's date to appeal the decision of the Santa Barbara Arts and Crafts Show Advisory Committee as outlined by show rule M.4.10 (listed below).

The permit holder may appeal the decision of the Violation Review Committee to the Recreation Commission by filing an appeal with the Parks and Recreation Director within ten (10) days after the day the Committee's written decision is issued.

Please contact the Arts and Crafts Show office at 897-2519 if you have any questions.

Sincerely,

Jason Bryan
Senior Recreation Supervisor

Marilyn Dannehower
Arts and Crafts Show
Advisory Committee Chair

/jsb



7/10/2015

Dear Parks and Recreation Director and Commission,

The purpose of this letter is to dispute the outcome of the June 18th, 2015 violation review meeting. 2 of the 3 Santa Barbara Arts and Crafts Show Advisory Committee members who were descending votes on the outcome, are biased and stated they have personal issues regarding their decision, yet did not abstain from voting. As for the charges there were 2 eye witnesses and myself, that all agreed that this was not a matter of any severity, and not worthy of a citation, yet Jason would not let it go. He made this personal. He was told by a witness David a photographer that it was not something that supported there being a citation, yet did not disclose this for anyone nor let that have any bearing on his decision. Instead he twisted this man's words, and choose to use only the parts of the interview that supported him false claim. He also kept this information about what Davis said out of the report, nor did the monitor Trisha, disclose that she was yelling at the time of the incident herself. This incident was about putting signs out that re-directed the public away from show members, and when the monitors were asked why they would do this, they did not know, their response was "we were told to do this", and they asked a show member where he thought he would put them, and then moved a sign to a place that helped the show. This action was not approved by Jason, and he decided that because his staff was questioned, was asked why, and even more upset that his own staff, the monitors listened to reason, and not him. I am the person that questioned the staff, that is not breaking the show's codes. This was all freedom of speech, and not unprofessional. There was never any foul or derogatory language used by me, nor anything said that was abusive. Yet the monitor who wrote the notes was personally offended that I could state that the city's management was less than effective by redirecting the public away from the show. She also conveniently omitted that she was yelling at me in her report. All as the construction was beginning. Trisha also states that I was going to report her, and acted out of fear in making the report. All this information was withheld from the committee until the day of the hearing, and Jason had made it clear to everyone, including myself that "He thought it was a violation" and he pushed through. He has a pattern of discrimination against me, and I will disclose that in a further complaint against him later.

Both Committee members that voted in favor of Jason, did so for personal reasons not because of the facts presented. Jim H. has admitted to show members that he had lied to me about walking up and down the show before elections soliciting show participants to prevent my being on the Art and Craft Show Committee. Lying to another show member in itself is not against the law, but it is against the show's code. So, this is a violation, yet Jason has done nothing about it. Jim's adamant stance against the artists being able to photo duplicate 20% of their art in their booth display, with self created photos, just as the approved process is being done for photographers in the show, is his sole reason for being on the board at this time. I supported this and got a 66% approval from a petition signed by show members, and was not allowed to present these to the Recreation Director due to his actions. Jim only shows one painting in his booth, and is only at the show for attendance, he leaves after 12 noon almost every week, and has not sold or painted in years. When asked about his lack of participation for the entire time he has been apart of this show, he became aggressive. He now states he is "Uncomfortable" with me, but his past and current actions bring into question his true motives. If he does not sell art, and he is only there for 2 hours a weekend, then why is he determining the actions for over 65 people who do not agree with him?

Marilynn D. is the committee chair. She is a show participant who I asked Jason to have her items reviewed after it was clear that she is selling items not allowed in the show. I was told she is allowed and I questioned why... and there is no proof that they ever were approved. Marilyn claims she is "Grandfathered" into the show with these items. After requesting my information about this "non-rule" called "Grandfathering" and also requesting that she have these items removed until it could be determined if they were allowed, by Jason Bryan, she has been hostile towards me. She discriminates in meetings allowing her friends to speak out of turn, but publicly chastising me for doing the same thing.

The citation is wrong, and was not done properly. The people involved are biased and have personal issues with myself, and the group of people that sell art in the show I represent.

I am requesting that you speak to all the witnesses and myself, and then determine if this was really a violation.

Sincerely,

Tony Longo

Recurring Complaints:

Recurring complaints against an individual permit holder will be reviewed by the Santa Barbara Arts & Crafts Advisory Committee and may result in a Notice of Violation.

J.

COMPLIANCE WITH THE CODE OF CONDUCT

In order to ensure the quality and enjoyment of the Santa Barbara Arts and Crafts Show and to promote a safe and positive atmosphere in all aspects of the program, all permit holders, and other persons involved with the show shall abide by the following Code of Conduct:

- All persons shall act with respect toward other persons, their privacy and safety.
- Physical or verbal abuse of any kind will not be tolerated.
- All persons shall treat public and private property and equipment with respect.

Failure of any permit holder to abide by this Code of Conduct will result in disciplinary action. A permit holder shall be responsible for the conduct of any person assisting the permit holder or attending the show with the permit holder. Any violation of the Code of Conduct by a person assisting the permit holder or attending the show with the permit holder shall be charged to the permit holder and shall result in a Notice of Violation. The violation may result in the person being prohibited from attending the show with the permit holder.

K. COMPLIANCE WITH THE LAW

- K.1 Permit holders shall abide by all applicable City, State, and Federal Laws including those pertaining to drug paraphernalia and erotica. Violations could result in permit suspension or revocation, and/or possible legal prosecution.
- K.2 Show members must keep pets within the confines of their display area. City ordinance allows animal leashes no longer than six feet, and owners must clean up after their animals.

L. COMPLIANCE WITH MONITOR'S DIRECTIVE

- L.1 The Parks and Recreation Director, the Director's designee and Show Monitors shall have the authority to direct permit holders to immediately cease any violation of these procedures and regulations and may issue reasonable directives to maintain order during the show. Failure or refusal to comply with such directives is prohibited and constitute a violation of this provision. The first violation of this regulation shall be a one week suspension, not a written warning.

M

VIOLATION NOTICE AND PROCEDURE

The Parks and Recreation Director or the Director's designee may issue a Notice of Violation for a violation of the provisions of Chapter 15.08 of the Municipal Code and these Show Procedures and Regulations.

- M.1 Complaints of violations may be referred to the Show Monitors during the show or the Recreation Supervisor at the Carrillo Recreation Center located at 100 E. Carrillo St., Santa Barbara, CA, 93101. Office hours are Monday through Friday from 9 a.m. to 5 p.m. Phone: 805-897-2519 and Fax: 805-897-2520.

M.2

All complaints of violations shall be submitted in writing. The statement must be signed and include specific accusation(s) and substantiating evidence or cause. The Recreation Supervisor will review the submitted statement and evidence and conduct an investigation into the complaint. This investigation could take the form of, but is not limited to, the following:

1. Contacting the accused for response to allegation(s)
2. Verification of substantiating evidence
3. Advice/Counsel from unbiased expert in respective field
4. Visitation of facility
5. Request a demonstration

M.3

The Recreation Supervisor may exercise discretion in determining whether to issue a Notice of Violation based upon the evidence presented in the complaint and results of the Supervisor's investigation.

M.4

The following constitutes the notice/hearing/appeal procedure of the Violation Review Committee:

1. Notices of Violation shall be delivered in person to the permit holder or by certified mail to the most current address on the permit holder's Show application. The Notice of Violation shall specifically state the rule(s) allegedly violated and the circumstance (s) of the alleged violation(s). The Notice of Violation shall also specifically state the potential penalty for each offense.
2. If the permit holder wishes to contest the Notice of Violation, the permit holder must submit a written response or a request for a hearing before the Violation Review Committee with the Recreation Supervisor within 15 days of receipt or mailing of the Notice of Violation. Failure to do so will constitute a waiver of the right to contest the allegations contained in the Notice of Violation and acceptance of the penalty which may be imposed for the offense(s) as indicated on the Notice of Violation.
3. If the permit holder does not request a hearing, a hearing will not be held and the Violation Review Committee shall determine the penalty for the alleged violation(s) based on the information contained in the Notice of Violation and any written response submitted by the permit holder.
4. If the permit holder requests a hearing before the Violation Review Committee, a hearing shall be scheduled no sooner than five working days and no later than 30 calendar days from the date the permit holder's written request for a hearing is filed with the Recreation Supervisor.
5. At the hearing, unless waived by the permit holder, the alleged violation(s) shall be read from the Notice of Violation as well as any written response of the permit holder.
6. Summary minutes or tape recording of the hearing shall be kept for one year.
7. No alleged violator, complainant or victim(s) of the alleged violation may sit as a member of the Violation Review Committee concerning the particular case. 4/2011
8. At the time and place of the hearing, the Violation Review Committee shall hear and receive any relevant information and documents, which may include hearsay or other evidence which ordinary persons could be expected to consider in the conduct of business affairs.

9. Following the hearing, the Violation Review Committee shall issue a written decision stating finding of fact and conclusions of law and announcing the penalty (if any). The written decision shall be signed and approved by the chairperson and the Recreation Supervisor and shall be considered final on the day it is issued.
10. The permit holder may appeal the decision of the Violation Review Committee to the Recreation Commission by filing an appeal with the Parks and Recreation Director within ten (10) days after the day the Committee's written decision is issued.
11. Upon receipt of a written appeal of the Violation Review Committee decision, the Parks and Recreation Director or the Director's designee shall place a recommendation upon the next available Recreation Commission agenda for the Recreation Commission to set a date for a hearing on the appeal.
12. At the time and place of the appeal hearing, the decision of the Violation Review Committee, as well as any written response from the permit holder, shall be read unless waived by the permit holder. The Recreation Commission shall then hear and receive any relevant information and documents, which may include hearsay or other evidence which ordinary persons could be expected to consider in the conduct of business affairs.
13. The Recreation Commission may continue the hearing from time to time as may be required, or may grant or deny the appeal, in whole or in part.
14. The Recreation Commission shall issue a written decision stating findings of fact and conclusion of law and announcing the penalty (if any), which shall be signed and approved by the chairperson. The decision of the Recreation Commission shall be considered final on the day that it is issued. The decision of the Recreation Commission shall be final with no further appeal.
15. No suspensions or revocation of a show permit shall take effect until the ten (10) day appeal time has passed or the Recreation Commission has issued its decision.
16. All Violation Review Hearings are open to the public and will be posted pursuant with the requirements of the Brown Act. 9/2010

N. PENALTIES

- N.1 Within 36 months, the **first violation** of any regulation will generate a written warning. A **second violation** of the same or any other provision of Chapter 15.08 or the Show Procedures and Regulations may result in a suspension of the show permit for a period of time not to exceed six months with no abatement or refund of the permit fee. The actual length of suspension shall be determined by the Violation Review Committee or the Recreation Commission on appeal. A **third violation or additional violation** of the same or any other provision of Chapter 15.08 or the Show Procedures and Regulations may result in the suspension or revocation of permit with no refund of the permit fee and a loss of all Show seniority. A permit holder who has had his/her permit revoked shall be prohibited from re-applying for the show for at least one year from the date of revocation. (6/2012)

EXCEPTIONS:

- 1 Rule B.2 Regulation Pertaining to Individual Production of Work
The penalty for violation of this regulation is automatic revocation of permit without refund of fee, and no opportunity to re-apply to the show.