



CITY OF SANTA BARBARA
PARKS AND RECREATION COMMISSION REPORT

AGENDA DATE: December 2, 2015

TO: Parks and Recreation Commission

FROM: Recreation Division, Parks and Recreation Department

SUBJECT: Santa Barbara Arts and Crafts Show Appeal

RECOMMENDATION: That the Commission deny the appeal of Tony Longo and uphold the decision of the Arts and Crafts Show Advisory Committee regarding the issuance of a written warning to Mr. Longo for violating the Code of Conduct.

DISCUSSION:

Background

The Santa Barbara Arts and Crafts Show, a program of the Parks and Recreation Department since 1965, currently has 192 members and is held every Sunday along Cabrillo Blvd. A five-member Arts and Crafts Show Advisory Committee (Committee), consisting of four elected members of the show and a community member assists Recreation staff in the administration of the show and the screening of new applicants. A Parks and Recreation Commission (Commission) liaison is also assigned to the Committee.

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 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.

When a show member is suspected of violating a show rule, there are procedures in place to investigate the alleged violation, for the Committee to meet with the show member, if necessary, and for the Committee to issue the appropriate penalty(ies) to the show member. If the show member wishes to appeal the Committee's decision, the show procedures allow members to appeal to the Commission. The Commission's decision is final.

Incident Review

Parks and Recreation Department employee Trisha Dalziel documented incidents involving show member and Committee member Tony Longo on March 1, 2015 and March 15, 2015. Ms. Dalziel alleged that Mr. Longo treated staff inappropriately, and with a lack of respect and dignity when staff were performing their duties as monitors for the Santa Barbara Arts and Crafts Show.

Per the Arts and Crafts Show Procedures and Regulations, “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”. After reviewing the written reports and interviewing staff and witnesses, Recreation Supervisor Jason Bryan determined there was sufficient evidence to proceed with a Notice of Violation letter based on the following information:

- On March 1, 2015, Ms. Dalziel documented a situation where a weather day vote was conducted in accordance with the show’s procedures and regulations. Ms. Dalziel reported that Mr. Longo began yelling at her because he did not agree with the decision to hold a vote.
- On March 15, 2015, Ms. Dalziel documented another situation where she and another monitor were tasked with placing new sandwich-board signs along the show line, helping direct the public to artists which were relocated to a second row due to the Cabrillo Boulevard bridge construction project. Ms. Dalziel stated that Mr. Longo berated her and fellow staff member, Bruce Chavez, for more than 30 minutes over where to place these new signs. Ms. Dalziel reported that Mr. Longo was yelling at staff and communicating in a demeaning and abusive manner.

Attachment 1 includes staff notes from these two dates.

As this was Mr. Longo’s first cited violation of any regulation within the last 36 months, a Notice of Violation letter was issued to Tony Longo on March 20, 2015 indicating that the Recreation Supervisor determined that there was sufficient evidence to give him a written warning for violating the Parks and Recreation Department Code of Conduct. Mr. Longo was instructed that he could respond to the notice in writing and/or request a hearing with Committee. Mr. Longo requested a hearing with the Committee.

Decision by the Committee Concerning Tony Longo

A meeting of the Committee was convened on June 18, 2015 to review the Notice of Violation and provide Mr. Longo an opportunity to respond. The Committee heard from staff including Jason Bryan, Trisha Dalziel and Bruce Chavez as well as from Mr. Longo. There was also public comment. Committee members asked questions of staff and Mr. Longo before voting 2 to 1 to issue Mr. Longo a written warning for violating the Code of Conduct. (Attachments 1-3)

Appeal by Tony Longo

The show rules allow a show member to appeal the decision of the Committee to the Commission by filing an appeal with the Parks and Recreation Director within ten days after the receipt of the Committee's written decision. The Department received Mr. Longo's appeal on July 10, 2015, which was within the ten-day period. The basis of Mr. Longo's appeal is that he believes that the citation is wrong, and was not done properly and issued due to personal bias. (Attachment 4)

Code of Conduct

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 show's procedures and regulations. The Parks and Recreation Department's Code of Conduct is specifically included in the show's procedures and regulations and requires appropriate conduct between show members and with staff to maintain a safe and positive atmosphere at the show. The conduct of each individual in the show reflects on the City organization, the Parks and Recreation Department, and the show as a whole. (Attachment 5)

RECOMMENDATION:

Substantial evidence exists to support the Committee's decisions to issue a written warning to Tony Longo. Staff recommends that the Commission deny the appeal of Tony Longo and uphold the decision of the Committee.

ATTACHMENTS:

1. 6/18/15- Committee Hearing packet including agenda, Notice of Violation, staff notes and Mr. Longo's written response.
2. 6/18/15- Minutes from Committee Hearing
3. 7/1/15- letter to Mr. Longo stating that the Committee was issuing him a warning.
4. 7/10/15- letter from Mr. Longo appealing the decision of the Committee.
5. Santa Barbara Arts and Crafts Show Procedures and Regulations
 - a. Compliance with the Code of Conduct
 - b. Violation Notice and Procedure
 - c. Penalties

PREPARED BY: Jason Bryan, Senior Recreation Supervisor
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APPROVED BY: Jill E. Zachary, Acting Parks and Recreation Director