



BOARD OF SUPERVISORS
AGENDA LETTER

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: County Counsel
/Sheriff's Office
Department No.: 0710/032
For Agenda Of: 02/10/2015
Placement: Departmental
Estimated Tme: 15 minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Michael Ghizzoni, County Counsel,
Director(s) (805) 568-2950
Contact Info: Kevin E. Ready, Sr., Senior Deputy County Counsel
(805) 568-2950

SUBJECT: Ordinance Amendment to County Code Chapter 6

County Counsel Concurrence

As to form: Yes

Other Concurrence: Sheriff

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Recommended Actions: On February 10, 2015, to:

1. Introduce Ordinance Amendment (first reading) amending Article VI of Chapter 6 of the Santa Barbara County Code to control unauthorized outdoor music performances in Isla Vista, Third District.
2. Read the title and waive the reading of the Ordinance in full;
3. Continue to the administrative agenda on February 17, 2015 to:
Consider adoption of Ordinance Amendment (second reading) amending Article VI of Chapter 6 of the Santa Barbara County Code to control unauthorized outdoor music performances in Isla Vista, Third District.

Summary Text: The Office of the Sheriff-Coroner has requested that County Counsel bring to your Board ordinance amendments which provide enhanced tools to prevent lawlessness during events like "Deltopia" in Isla Vista. In past years events have resulted in significant damage, hazard to public safety and criminal activity, including riots, assaults and fighting. The Sheriff's Office reports that one of the significant contributing factors in the past have been activities which attract large groups of people, such as music performances, which are regulated by Article VI of Chapter 6 of the County Code. Hence, the recommended ordinance changes in this item enhance and clarify the existing Outdoor Festival code

Ordinance Amendment to County Code Chapter 6

Page 2 of 4

provisions in Article VI or Chapter 6 of the County Code, including expected 2015 “Deltopia” dates to the periods where unauthorized music performances are proscribed.

Background:

For the past several years, the “Deltopia” event, associated with the university spring break period, has resulted in the amassing of huge crowds and significant lawlessness, personal injury and damage to public and private property in the Isla Vista community. This Deltopia event has become increasingly large and county and university officials are seeking new tools to control and deal with the problems.

Deltopia 2014 (April 5, 2014)

The Deltopia 2014 event deteriorated into a major civil unrest incident. The table below shows the number of arrests, citations, medical transports, and calls for service. As a comparison, included are the arrest numbers from 2013. The crowd at Deltopia 2013 was estimated to be 15,000 to 18,000 people and Deltopia 2014 was estimated at **20,000 to 25,000 people**.

<u>2013</u>	<u>2014</u>
138 Arrests and citations	470 Arrests and Citations
44 Medical Transports	50 Medical Transports
340 Law Enforcement Calls for Service	520 Law Enforcement Calls for Service (Plus 108 Fire Calls for Service & 108 Medical Calls for Service)



Deltopia Crowds in Isla Vista, CA, April 5, 2014

In 2014, total of 470 people were arrested or cited in connection with the Deltopia event, including 457 adults and 13 juveniles. Of the 457 adult offenders, 141 (30%) were identified (either through self-disclosure or investigation) as being affiliated with 66 different educational institutions, including 64

Ordinance Amendment to County Code Chapter 6

Page 3 of 4

from California and 2 from out-of-state. Of these 141, 43 (30%) were local: 21 (15%) from UCSB and 22 (15%) from Santa Barbara City College. The remaining, 96 (68%) were from out-of-area colleges and universities, and 2 (1%) were out-of-area high school students of adult age (eighteen or older).

Of the 470 people arrested or cited, at least 17 were related to the civil disturbance. Seventeen year old Desmond Louis Edwards from the Los Angeles area was arrested for hitting a UCSBPD officer in the head with a backpack containing glass liquor bottles causing a significant head injury. The DA's Office charged Edwards as an adult on charges of assaulting and resisting a police officer and numerous additional charges. The others who were arrested during the civil disturbance were booked on charges of participating in an unlawful assembly and refusing to disperse, both misdemeanors.

A total of 50 civilians were transported to area hospitals during the Deltopia event. 26 of those sustained injuries following the eruption of civil unrest.

The Sheriff's office reports that a major part of the draw for outsiders to come into the community were numerous advertised and spontaneous musical performances, many of which were promoted on social media. It was felt by law enforcement officers that application of the Outdoor Festival code section used for the Halloween event in Isla Vista would be beneficial to control problems during Deltopia.

In addition to adding expected dates for "Deltopia" in 2015, the proposed ordinance: further clarifies what conduct is prohibited; explains the public interest in controlling this activity; and would treat violations as infractions adjudicated by the courts, instead of as administrative fines imposed by County employees.

If the Board ordains these ordinance amendments on second reading on February 17th, 2015, the amendments will be adopted as part of the County Code in thirty days and will be effective for the pending Deltopia event in April 2015.

Performance Measure:

Fiscal and Facilities Impacts:

Budgeted: Yes

Fiscal Analysis:

<u>Funding Sources</u>	<u>Current FY Cost:</u>	<u>Annualized On-going Cost:</u>	<u>Total One-Time Project Cost</u>
General Fund			
State			
Federal			
Fees			
Other:			
Total	\$ -	\$ -	\$ -

Narrative:

Costs for the preparation of this report and the associated amendments are budgeted in the General Fund/County Counsel for the FY 2014-2015 adopted budget.

Ordinance Amendment to County Code Chapter 6

Page 4 of 4

Ongoing costs associated with the law enforcement functions are budgeted in the General Fund/Sheriff for the FY 2014-2015 adopted budget.

Staffing Impacts: Existing

Legal Positions:

FTEs:

Special Instructions: 1. Clerk of the Board shall fulfill noticing requirements and publish a legal notice at least 10 days prior to the hearing on February 17, 2015. The notice shall appear in the Santa Barbara News Press.

Attachments:

- A. Ordinance amending Chapter 6 (Strikethrough and Underline)
- B. Ordinance amending Chapter 6 (Clean Copy)

Authored by: Kevin E. Ready, Sr., Senior Deputy County Counsel

cc: District Attorney
Sheriff

G:\CC\WINWORD\KER\Sheriff\Ordinances\Board Agenda Letter_Isla_Vista_Festival_Ord_ver002.docx