

**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: Sheriff, Fire, Public
Health, Parks
Department No.: 032, 031, 041, 052
For Agenda Of: May 5, 2009
Placement: Departmental
Estimated Time: 1 hour
Continued Item: Yes
If Yes, date from:
Vote Required: 4/5

TO: Board of Supervisors
FROM: Department Directors
Bill Brown, Sheriff/Coroner 681-4290 *BB*
Tom Franklin, Fire Chief 681-5507 *TF*
Elliot Schulman, Director of Public Health 681-5105 *ES*
Daniel Hernandez, Director of Parks 568-2475 *DH*
SUBJECT: Urgency Ordinance Prohibiting Use of Alcohol on Parks, Beaches, Recreational Areas and Beach Access Ways for Public Safety Purposes in the Community of Isla Vista

County Counsel Concurrence

As to form: Yes

Other Concurrence: N/A

Auditor-Controller Concurrence

As to form:

Recommended Actions:

That the Board of Supervisors considers:

- a) Adoption of an urgency ordinance restricting use of alcohol in certain parks, beaches, access ways and recreation areas located in the community of Isla Vista.
- b) Conducting review of urgency ordinance, in six months, to ascertain impacts, outcomes and ongoing need for ordinance.

Summary Text:

This item is before the Boards of Supervisors to take immediate action to address a public health and safety issue which has come to the attention of the County. On April 4, 2009 in the community of Isla Vista an event known as "Floatopia" occurred. This unsanctioned / unsponsored event attracted over 12,000 individuals to the community of Isla Vista beaches, parks and beach access ways and resulted in significant impacts to public health and safety, environmental conditions and the overall quality of life.

Background:

On April 4, 2009 the event known as “Floatopia” occurred in the community of Isla Vista. Based on data collected from Santa Barbara County Sheriff, Fire and Public Health Departments, this event attracted over 12,000 individuals to the community of Isla Vista and had significant public safety, health and environmental impacts to Isla Vista and surrounding region.

The initial data gathered from the aforementioned departments indicates the following:

- 78 citations for alcohol related offenses and public urination
- 13 arrests for throwing bottles from the bluffs at the crowds on the beach, public intoxication, and other alcohol related offense.
- 2 individuals falling from bluff taken to Cottage Trauma Center
- 33 people taken to hospitals for treatment (head injury via thrown bottles, alcohol poisoning, lacerations)

Emergency Medical Services (EMS) transported 20 patients, and Goleta Valley Cottage Hospital treated 33 patients as a direct result of the “Floatopia” event. The normal flow of anticipated EMS calls for this area during this time frame is 4. Most of the calls were for alcohol related incidents and the two fall calls which required the activation of the trauma team at Santa Barbara Cottage Hospital. The magnitude of this event diverted ambulances away from their designated response locations and required the hospital to call in additional personnel and open overflow areas.

The Fire Department responded to the event with 5 engine companies, the Water Rescue Team, Helicopter 308 with 2 paramedic rescue swimmers on board, and one Battalion Chief. In addition, the Dispatch Duty Officer was fully engaged with this event for 4 hours. Overall, the Fire Department responded to 10 calls for emergency assistance and handled 30 swimmer assists (which involved assisting intoxicated individuals back to shore). In addition, the Water Rescue Team kept privately owned boats and personal watercraft from intruding unsafely close to individuals.

In summary the event consumed multiple County resources including, but not limited to:

- 12 deputies
- 25 firefighters (5 engine companies)
- Helicopter and jet skis
- Multiple ambulances
- Deputies from other Sheriff Stations and University of California Police Departments
- Goleta and Santa Barbara Cottage Hospital Personnel
- Volunteer Clean up of beaches and access ways (not complete as of this date)

Immediate costs associated with the mobilization of these resources total approximately \$20,000 for this event.

“Floatopia 2”, noticed widely on Facebook and other internet broadcast sites, is scheduled to occur on May 9, 2009. Given the amount of Facebook and additional internet broadcasts of this event, it is not likely that this event can be curbed substantially to avoid the outcomes experienced on April 4th. As of the date of the preparation of this letter, the Sheriff’s Department has detected there are over 12,000 confirmed attendees with nearly 25,000 total Facebook invitations having been sent with more being added daily. Therefore, a team has been assembled to develop a strategy to address the matter and provide recommendations to manage the event to the greatest degree possible, avoid harm and ensure the safety of participants, non participants, agencies and the environment.

Primary to ensuring public health and safety is the need to manage the consumption of alcohol. Therefore, the attached urgency ordinance is set forth for the Board's consideration. This ordinance provides for the restriction on the consumption of alcohol in the following specific locations:

On the West, the boundary of the University of California at Santa Barbara ("UCSB") separating unincorporated Isla Vista and UCSB, beginning at the 6885 Del Playa Drive and extending the UCSB boundary to a point 100 yards South of the Mean High Tide Line of the Pacific Ocean;

On the North, the coastal bluffs at the southerly end of the properties fronting Del Playa Drive in the 6500, 6600, 6700 and 6800 blocks;

On the East, the property boundary separating unincorporated Isla Vista and UCSB, beginning at the 6500 block of Del Playa Drive and extending the UCSB boundary to a point 100 yards South of the Mean High Tide Line of the Pacific Ocean;

On the South, a line 100 yards South of the Mean High Tide Line of the Pacific Ocean at that location;

Additionally, the following beach access leading from Del Playa Drive, to the area described above are included:

"Escondido Pass," located between 6773 and 6769 Del Playa Dr.

Unnamed beach access at Camino Del Sur, located between 6697 and 6701 Del Playa Drive

Unnamed beach access at Camino Pescadero, located between 6599 and 6607 Del Playa Drive

Unnamed beach access at El Embarcadero, located between 6551 and 6549 Del Playa Dr.

Unnamed beach access at Camino Majorca, located at Camino Majorca and Del Playa Drive

Section 36-2 (c) of the proposed urgency ordinance does however provide for issuance of permits for possession and consumption of alcohol via procedures and criteria established by the County Parks Department.

The penalty for violating the provisions of Chapter 36 are as follows:

Sec. 36-5. Penalty.

Any violation of this chapter is an infraction punishable by (a) a fine not exceeding one hundred dollars for a first violation; (b) a fine not exceeding two hundred dollars for the second violation of this chapter within one year; (c) a fine not exceeding five hundred dollars for each additional violation of this same section within one year. (Ord. No. 4055, § 1; Ord. No. 4122, § 1)

The County of Santa Barbara has previously instituted restrictions on the use of alcohol in several other recreational venues including all parks within the community Isla Vista, Butterfly Beach and Hammonds Meadow in the community of Montecito. The County Parks Commission also has recommended that such action also be taken for the recently opened Orcutt Community Park. Multiple municipalities throughout the State have maintained restrictions or banned the use of alcohol on beaches for a number of years. The municipalities include but are not limited to Laguna Beach, Newport Beach, San Diego,

Dana Point, Malibu, Santa Monica, Carpinteria , City of Santa Barbara and Carpinteria State Beach (day use area).

In addition to the public safety concerns inherent with “Floatopia”, agencies and the community at large have expressed outrage regarding the amount of trash and other debris which impacted the beaches and ocean following the event. While volunteers attempted clean up, as a result of the magnitude of the debris, nominal results were achieved, and much of the waste was swept into the ocean at the first high tide. As of this date, the beaches have not been fully cleaned of all remaining debris and costs for full clean up have not been determined.

Logistically, the Sheriff’s Department will open their Departmental Operations Center to coordinate the potential public safety incident anticipated with “Floatopia 2”. Further, County EMS, Fire, Parks and City of Goleta and University of California have been engaged in planning for the response to the event.

Performance Measure:

Fiscal and Facilities Impacts:

Not budgeted

This item is not budgeted. Costs associates with this event are directly paid from the general fund thus impacting already strained general fund resources used for critical public safety and health and human service needs. Costs for “Floatopia 1” were estimated at \$20,000. Given the potential increased crowds for “Floatopia 2” costs are estimated at \$50,000 for a total unanticipated and unbudgeted general fund impact of \$70,000 in FY 2008/09.

The cost of environmental impacts and clean up has not been determined at this timeFiscal 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	\$20,000 Floatopia 1		\$20,000 Floatopia1
General Fund	\$50,000 Floatopia 2		\$50,000 Floatopia 2
Federal			
Fees			
Other:			
Total	\$ 70,000.00	\$ -	\$ 70,000.00

Staffing Impacts:

The Sheriff’s Department has assembled a major events planning team. The actual number of Law Enforcement resources required for this event has not been finalized. The department is planning on staffing a boat enforcement team, increased dispatch staffing, field teams dedicated to the beach and bluff area that could number up to approximately 40, and increased custody staff. The number of staff deployed on May 9th will depend on the actual size of the incident.

In addition Santa Barbara County Fire has assigned 2 paramedic foot patrol teams (total 4 personnel) on the beach, 2 personal watercraft with a pilot and rescue swimmer per craft (total 4 personnel), as well as one Captain as Task Force Leader and one Captain as Duty Officer in Dispatch.

Emergency Medical Services has also been engaged and will provide 4 Medical Reserve Corps volunteers. AMR will add 3 additional dedicated ambulance units staffed with 3 paramedics and 3 EMT's. Two paramedics and one supervisor will also be continuously present at the EMS staging area.

Legal Positions: **FTEs:**

Special Instructions:

Attachments:

Map of Urgency Ordinance Boundary

Urgency Ordinance

Authored by:

Terri Nisich, Assistant CEO x 3412 in collaboration with sponsoring departments

CC:

Bill Brown, Sheriff/Coroner

Tom Franklin, Fire Chief

Dr. Elliot Schulman, Public Health Director

Daniel Hernandez, Parks Director