

Attachment 8: Draft March 23 Downtown Commission Minutes (Excerpt)

Minutes are unofficial until approved by the Commission.

Call to Order *Chair Shattuck called the meeting to order at 8:42 a.m.*

Roll Call ***Chair Julie Shattuck, Commissioners Bisbee, Ferrara, Coonerty, Mandel, and Hoffman***

Absent with notification: Commissioner Brown

Staff: M. Farrell, H. Sawyer, G. Salinas, L. Waldren, Asst. Chief K. Vogel; J.

Hendee, K. Stagneros, M. Dettle

Public: Approximately 20

Statements of Disqualification

General Business

2. Use of Downtown Parking Lots and Garages * This item continued from the 3-16-06 meeting.

- Public comment was closed at 10:36 a.m. on March 16, 2006. No additional public comments will be heard.
- Commission deliberation and action

Recommendation: That the Downtown Commission recommend that the City Council adopt an ordinance defining the proper use of parking lots and garages, specifically for the purpose of parking vehicles and bicycles.

Matt Farrell presented the staff report. Signage wouldn't outline the ordinance. Enforcement would be through maintenance staff, complaint or police officers. Intent is to deter criminal behavior.

Commissioner Coonerty: Asked that discussion of garages and surface lots be addressed separately.

John Barisone, City Attorney: In answer to a question from the Commission noted that there may be some necessity for addressing the issue of City liability for criminal activity in the garages. There are cases that hold that under certain circumstances, when a public entity is aware of dangerous conditions and has not acted in a timely fashion, the entity can be held responsible for criminal activity.

There are three types of forums: 1) traditional public forums are considered to be streets and sidewalks, 2) limited public forums, commission meetings for example; 3) non public forums, i.e. publicly held property where public access is limited, the Civic Auditorium and parking lots and garages for example. This ordinance wouldn't make any forum interpretation regarding lots and garages.

If you are in the garage for over ten minutes, in or out of a vehicle, you would be in violation. The Santa Barbara ordinance appears to be vague. The proposed ordinance lends itself to easy understandable signage at the entrance of each lot.

Asst. Chief Vogel: There are 94 positions in the Police Dept. and there are approximately 82 officers working. There are three officers assigned to Downtown each shift. There is also a Community Service Office assigned for the "B" side of the week, i.e. Wednesday through Saturday. Police Department is budgeted for a 4th patrol officer position which is currently not filled. Downtown officers patrol an area