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| **OFFICE OF THE CITY COUNCIL** |
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**Meeting Minutes for the August 7, 2013, Metro Park Subcommittee to Research and Define Various Events**

**Topic:** Research and Define Various Events for Met Park

**Location:** City Council Offices, Conference Room A

**In Attendance:** (Sign-in sheet attached) Council President, Bill Gulliford; C/M Lori Boyer, District 5; C/M Don Redman, District 4; Janice Billy, Council Auditors; Paige Johnston, OGC; Tonisha Landry-Gaines, Special Events; Allison Adams, ECA District 5; Dan MacDonald, ECA District 8; Kelley Boree, Director of Parks and Rec; Jeff Clements, Council Research; Mike Yokan, Promoter representative; Steve Pace, EQD.

**Meeting Convened:** 3:06 p.m.

The meeting was called to order at 3:06 p.m. Introductions were made. C/M Boyer began with the charge of the subcommittee to discuss the 12-event limitation of Met Park, the Department of Interior Standards, Conversion, Ticketed/Non-Ticketed Distinction, Public, Private and Non-Profit Events, and Duration of Events (see attached agenda).

Paige Johnston discussed the memo from Gwen Smith from the National Park Service dated May 16, 2013, about the limitation on the number of events set by the Land and Water Conservation Fund. Ms. Smith’s memo recaps the letter signed by a National Park Service Official from February 4, 1986, to Richard McMekin, General Manager for the Florida National Pavilion (which at the time managed Met Park). NPS did not specify in a formal contract about how many events Met Park could hold, but these letters were in response to requests for clarification.

The letter only noted an “occasional” use of 5 or 6 ticketed events, and that was Ms. Smith’s current interpretation based on documents in her file. Paige Johnston also discussed another letter dated February 10th, 1986, from the Department of Florida Recreation and Public Affairs, Office of Recreation and Parks, Tallahassee, to the City of Jacksonville stating that it was their understanding that Met Park would not exceed 12 paid events per year. Paige also reviewed former Mayor Jake Godbold’s letter to the National Park Service in Atlanta stating that WJCT and the City would be able to produce 5 or 6 ticketed events, and the City would produce 5 or 6 free events. This was agreed upon by both parties. It was noted that the federal government transfers authority to the state to enforce regulations, thus it is reasonable to rely upon this later correspondence from the state. (See attached letters.)

The question was raised about terminating any type of agreement with the National Park Service, but Paige Johnston noted that the agreement does not terminate. It is a restriction on use in perpetuity. (See attached Notice of Limitation of Use/Site Dedication and Legal Protection for Grant-Assisted Recreation Sites Section 6 (f)(3) of the LWCF Act.)

Paige Johnston discussed the process of conversion, which is the federal process for removing a park from the use restrictions, which we could pursue if we would like to increase the number of events. (See attached conversion documents.) Basically conversion requires the substitution of an alternate property (or an alternate public recreation use on this property) of equal fair market value to the entire park and its improvements. Kelley Boree mentioned alternates that had been offered and rejected. Based on this information, the committee abandoned the idea of conversion to another site to free up use of Met Park. Council President Gulliford suggested confirming the 12 event permission with the state and the National Park Service. After discussion, it was agreed the best course was to simply continue on that assumption without expressly asking for confirmation, relying on the state letter and our history of past use.

C/M Boyer asked about the grant application and original funding agreement as well as the designated Park boundary map at the time. Those documents establish our obligations in perpetuity. Kelley Boree noted that she will retrieve the documents. Tonisha Landry-Gaines also said she would check her Met Park file.

Council President Gulliford asked about how much money was given for Met Park. C/M Boyer replied that the federal grant was approximately $1.7 million.

Council President Gulliford asked how ticketed events are defined. C/M Boyer replied that a ticketed event is any event that restricts the park from public use. Anytime an event restricts total access to the facility, this would be considered a ticketed event.

It was discussed that since there is no formal contract definition, than the City of Jacksonville would propose its own resolution about the definition of ticketed events for Met Park regulations.

Public, private, and non-profit events were discussed. The Rate Sheet for Met Park makes distinctions between rates for those categories. (See attached document.) A ticketed event will cover the entire park at the rate of $4,000 per event. It was decided that the $2500 “Park Only” category on the Met Park Rate Sheet will be scratched. A “Free Public Event” can be in the “Entire Park, Pavilion only, and Park Only.” The only “Private Event” category is the “Pavilion Only.” Ticketed events will be defined as any event which restricts access to the entire park. Non-Profit 501c3 and Free to Public will be categories.

Private events were discussed. For example, a wedding, small church event, or family reunion in the pavilion is still open to the public because the public is not restricted. We will need to define a size area in the rental agreement for private events. It was discussed that Tonisha Landry-Gaines and Kelly Boree would find the original map that sets the geographical boundaries of what area was included in the original boundary and then the committee can set a reasonable size limit on what can be restricted without constituting a restriction on public access to the Park. If a larger area is restricted, the event becomes a ticketed event. It was discussed that a reasonable user fee could be charged for a private event (such as World of Nations) where the public is allowed to attend and a donation or user fee could be charged. This would not constitute a ticketed, restrictive event. It was discussed that non-profit events can apply for a fee waiver on the Met Park charges.

The duration of ticketed events was discussed. It was agreed that a single ticketed event could last no more than 2 consecutive days. The committee discussed how many of the 12 events should be 2 day and C/M Boyer explained that question was the basis for her total hour limitation in the park rules. The committee agreed that total number of hours per year be included in the directions to Special Events to provide support for our argument that the 12 events do not unreasonably restrict public areas.

The $10,000 sound waiver deposit was discussed for all events in Met Park. Tonisha Landry-Gaines agreed that the deposit could be given 7-10 days in advance of the event. The question was raised if this is too costly for a non-profit. The question was raised, if it does not qualify as a ticketed event, but the organization is still using the soundboard, how do we charge for sound violations? We will need a reasonable user fee or “donation” to cover any sound violation costs.

**Meeting Adjourned:** 4:00 p.m.

**Minutes:** Minutes completed by Allison Adams, ECA District 5, on Friday, August 9th.

cc: Council Members/Staff

Cheryl Brown, Director/CouncilSecretary

Dana Farris, Chief, Legislative Services Division

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