December 12, 2013

5:00 p.m.

**Meeting Minutes for the December 9, 2013 Metro and Urban Parks Ad Hoc Committee**

**Topic:** Review of proposed legislation 2013-676 concerning sound levels at Metropolitan Park during ticketed events.

**Location:** City Council Conference Room A, 4th Floor City Hall.

**In Attendance:** CM E. Denise Lee, CM Don Redman; CM Lori Boyer; City Council President Bill Gulliford, CM Greg Anderson, At Large Group 4; Steve Pace, EQD; Mark Hartley, Parks & Recreation; Daryl Joseph, Parks & Recreation; Paige Johnston, OGC; Janice Billy, CAO; James Richardson, COJ- EPB; Sally Pettegrew, Jacksonville Symphony Orchestra; Max Marbut, Financial News & Daily Record; Ginny Myrick; Myrick Policy Group; George Kruer, citizen; Ron Littlepage, Florida Times-Union; Roy Miller, citizen; Jan Miller, citizen; Lyn Corley, citizen; Margo Klusterman, Mayor’s Office; Teresa Eichner, Mayor’s Office; Susan Stewart, Duval Legislative Delegation; Ysryl, JYOI; Mike Yokan, promoter; Danny Hayes, promoter; Jim Bailey, DIA; Kathy Moore, citizen; Jeannine Balanky, citizen; Mari Ganues, Office of Special Events; and Dan Macdonald, ECA District 8.

CM Dr. Johnny Gaffney had an excused absence.

Chair E. Denise Lee called the meeting to order at 9:18 a.m. She asked that the group come out of this meeting unified so that when the bill is voted on in Council that amendments are less likely to be made by those who haven’t been involved in the process from the beginning.

Council President Bill Gulliford expressed concerns that no matter what happens with this legislation, it doesn’t resolve the problem of needing an outdoor amphitheater in another location that doesn’t have a restriction on the number of events it can host and cause problems for residents. He said he is working on finding a suitable location.

CM Lori Boyer shared word that the Administration was likely to veto the original bill as written that included a “pull the plug.” She proposed crafting a new alternative to encourage promoters to stay within sound 105 dB limits. Both CM Gulliford and CM Lee expressed concern that they were just made aware of the Mayor’s opposition to the bill.

Paige Johnston explained the amendment that came out of the Public Health and Safety Committee. It eliminated octave band levels and set a 105 dB standard at the soundboard throughout the duration of a concert. It capped the cost to promoters for sound monitoring at $1,000 per day. It deleted the “pull the plug “option and instead imposed an additional $15,000 fine and a three-year suspension to promoters.

The committee agreed that “pull the plug” was a dangerous option that could cause a serious disturbance if a show was shutdown midway through because of excessive noise violations.

CM Don Redman wanted assurances that the 105 dB at the soundboard would eliminated the low-level frequency bass sounds that most annoy neighbors across the river. Danny Hayes, promoter of the Welcome to Rockville and The Big Ticket shows said his company has been working with the Ad Hoc committee from the beginning and they are continually working to alleviate these problems (i.e. Stages face away from the water). He asked that neighbors invite his representatives to their homes during concerts so that they can hear firsthand what is causing the complaints.

Residents reported that the December 8 Big Ticket show did not cause as many disturbances as the November 30 Soul Food Festival (operated by another promoter).

Resident George Kruer said that some shows inflict constant bass in his home. He also said that when he called the police he was told there was nothing that they could do and that he should call his city council member on Monday.

CM Lee asked the Office of Special Events to provide reasons why the Soul Food Fest caused excessive bass problems. In the future CM Lee wants the Office of Special Events to be more involved in ensuring promoters work to eliminate noise problems. CM Gulliford echoed that saying it is the administration’s responsibility to enforce laws passed by City Council.

CM Boyer proposed a fine system based on the speeding ticket model. Violations closer to the 105 dB level would be less than those that exceed it by greater amounts. This prompted discussion on the best way to measure a violation and the price of each violation. In that no consensus could be reached in this meeting, it was passed by a 4-0 vote that the Environmental Quality Office and Office of Special Events as well as with input from promoters come up with measurement standards and a price structure.

CM Redman addressed foul language, which is another neighborhood complaint. CM Gulliford asked the General Counsel Office deliver an opinion on what can be done to restrict profane language and establish community standards concerning such speech.

Resident Jeannine Balanky said that she’d like to have a number to call to get noise complaints solved when they are happening rather than waiting until after the event is over. CM Lee asked Teresa Eichner to prepare procedures in writing for the next meeting to address how complaints can be handled during performances.

CM Gulliford asked that the meeting between Environmental Quality and Special Events happen as soon as possible so that a noticed meeting of the Metropolitan Park Ad Hoc Committee can be convened before the end of 2013. He also proffered a suggestion to promoters that bands be financially rewarded for staying within sound limits and refraining from vulgarity.

The meeting was adjourned at 11:57 a.m.

Minutes compiled by Dan Macdonald, ECA District 8.

Included:

Minutes

Attendance Sheet

Meeting Notice

Agenda

Audio CD of meeting