



**City of Santa Barbara
PARKS AND RECREATION DEPARTMENT**

**PARKS AND RECREATION COMMISSION
Regular Monthly Meeting**

Wednesday, May 19, 2010

Minutes

CALL TO ORDER

The meeting was called to order at 5:30 p.m. at City Council Chambers.

PLEDGE OF ALLEGIANCE

Chair Longstreet

ROLL CALL

Commissioners & Staff Present

Commissioner Beebe Longstreet
Commissioner W. Scott Burns
Commissioner Chris Casebeer
Commissioner Lesley Wiscomb
Commissioner Ada Conner
Commission Intern Diego Torres-Santos
Parks & Recreation Director Nancy Rapp
Asst. Parks & Recreation Director Jill Zachary
Executive Assistant Karla Megill
Recreation Program Manager Judith McCaffrey
Parks Manager Santos Escobar, Jr.
Recreation Programs Manager Sarah Hanna
Creeks Manager Cameron Benson
Golf Course Manager Mark Reed
Administrative Analyst Nancy Woods
Sr. Recreation Supervisor Jason Bryan
Recreation Supervisor Susan Jang-Bardick
Assistant City Administrator Paul Casey
Waterfront Director John Bridley
Police Chief Cam Sanchez
Police Sergeant Riley Harwood
Assistant City Attorney Scott Vincent

Commissioners Absent

Commissioner Daraka Larimore-Hall

1. Approval of Minutes

Recommendation: That the Commission waive the reading and approve the minutes of the regular meeting of April 28, 2010.

Commissioner Lesley Wiscomb moved, seconded by Commissioner Chris Casebeer, and passed 5/0 to waive the reading and approve the minutes of the regular meeting of April 28, 2010.

2. Fiscal Year Proposed Golf Division Budget

A. Support modifications to the proposed Golf Division FY 2011 budget based on the revised budget strategy, including changes to the capital, revenue and expenditure budgets and proposed fees, and

B. Make recommendations on the FY 2011 Golf Division to the City Council.

Documents:

- Staff Report
- Staff PowerPoint Presentation

Speakers:

- Staff: Nancy L. Rapp, Parks and Recreation Director; Nancy Woods, Administrative Analyst I

Commissioner Lesley Wiscomb moved, seconded by Commissioner Ada Conner, and passed 5/0 to move forward with the recommended Golf Division Fiscal Year 2011 budget.

3. Parks and Recreation Department Proposed Fiscal Year 2011 Budget

Recommendation: That the Commission provides its recommendations on the Parks and Recreation proposed Fiscal Year (FY) 2011 budget, including:

- A. Creeks Division operating and capital budgets,
- B. General Fund operating and capital budgets: and
- C. Parks and Recreation Fees & Charges Schedule

Documents:

- Staff Report
- Speakers:
 - Staff: Nancy L. Rapp, Parks and Recreation Director; Jill Zachary, Assistant Parks and Recreation Director; Sarah Hanna, Recreation Programs Manager
 - Members of the Public: Morgan Lunt, Chloe Hunt, Theresa Pena, Maggie McDermott, Gwen Phillips, Ray Ward

Commission Comments:

Commissioner Casebeer commented that he wants to be sure that the Police Activities League (PAL) has the resources and staffing to maintain the quality of service the community has received at the Teen Center. He said he has reviewed the Police Department budget and they propose to eliminate a full-time PAL position. Commissioner Casebeer commented if they are eliminating a position and taking on a new program, he wants to be sure they are prepared to keep it going.

Ms. Rapp clarified that the proposal to eliminate the PAL position is on the options list; it is not included in the submitted budget. She said that PAL has expressed concern that it could impact their ability to provide programming. Ms. Rapp further said that if the Commission wants the presentation from PAL before they make their recommendation on the Teen Center they can formulate other budget recommendations this evening and make that recommendation after the PAL presentation on May 26th.

The Commissioners agreed they would make the recommendation regarding the Teen Center after they received the PAL presentation.

Chair Longstreet talked about the merging of the Teen Programs with the Neighborhood and Outreach Services, she asked if positions were eliminated how it would work; who would take over staffing the Youth Council?

Commissioner Lesley Wiscomb moved, seconded by Commissioner Ada Conner, and passed 5/0 to approve the Creeks Division operating and capital budgets.

The Commission discussed the proposed reductions. Chair Longstreet stated that the reinstatement of the Grounds Maintenance Worker I position would be a high priority for her.

Chair Longstreet stated that the Business Manager position is a priority for reinstatement because the Department has a huge budget and a couple of enterprise type funds. She said that a Business Manager is important with the size of a budget the Department has.

Chair Longstreet expressed concern about reducing the Marketing Coordinator to half time. She asked who would handle E-registration.

Ms. Rapp said the Department has concerns about that given the need to continue to focus on revenue; however, the Department is looking for solutions, and will do it's very best to find solutions.

Commissioner Wiscomb indicated the Commission previously discussed that

reinstatement of the Business Manager position and pool maintenance is a high priority.

The Commission discussed the Additional Budget Adjustment Options.

Chair Longstreet commented that it would be ashamed to lose the Ortega Welcome House for that neighborhood, but, the Franklin Center and some other facilities in the neighborhood can take up some of the weight. Commissioner Burns said it is a great location that is centrally located for some people who could not necessarily walk to the Franklin Center.

Chair Longstreet commented that she sees some benefit of a stronger presence in Ortega Park, if the right non-profit. She said that having daily activity in the park, especially if it was youth job employment, could be beneficial.

Chair Longstreet commented that it is a very difficult decision to close the Oak Park Wading Pool. Commissioner Casebeer clarified that under the proposal there will not be a wading pool in the City at all. He concurred that it is difficult and said that the kids deserve a wading pool.

Chair Longstreet asked where Ortega Pool stands, saying there was some confusion at the Council budget hearing. Ms. Rapp replied that the Recreation Swim Program at Ortega Pool is not funded in the proposed budget because that was part of the budget reduction last year. She further said it was only operated through the donations. Ms. Rapp advised that currently, there is no funding for the Ortega Park Recreation Swim. She said Council asked how much it would cost to reinstate the program. Ms. Rapp said it would take \$2,300 dollars to restore the program, and that Council expressed that they would like to make that a priority.

Chair Longstreet said that she would like to put in a strong recommendation for the funding of the Recreation Swim at Ortega Park and the wading pool. She expressed her belief that the community would support it by dropping money into a donation box when they came to use the facilities.

Commissioner Burns suggested the Department be creative and commented that maybe someone has a naming right for that pool on a monthly basis.

Ms. McCaffrey informed the Commission that she has a couple pending grants for the funding of the wading pool.

The Commission briefly discussed the restructuring of Neighborhood and Outreach Services and elimination of an NOS position and said they would further discuss that at the May 26th meeting. Chair Longstreet acknowledged the input from the advisory committees regarding this item, and said that the

Commission needs to consider who will staff what facilities, whether they can handle all of the responsibilities, and how it will look if the position is eliminated.

Commissioner Conner asked whether the closure of Skofield Park would eliminate the caretaker in that park. Ms. Zachary said the caretaker would still live in the house at Skofield. Ms. Zachary further stated that if Skofield were to close, it would be open in the summer, there would still be a caretaker, and all basic level maintenance (mowing, high-fire hazard work) would still continue.

Commissioner Burns asked whether the schools would be able to use Skofield Park. Ms. Zachary said that most of the camping rentals occur in the summertime on the weekend, and that would still be possible.

Chair Longstreet said keeping those parks open would be a low priority for her, because the Parks Division is stretched thin.

Chair Longstreet expressed concern over the elimination of the Recreation Specialist Specialist position in Facilities and Rentals Services, saying that this would slow down the application and rental process thus reducing revenue.

Ms. Rapp said that it is a very difficult option; the impact will be felt, but there is no way around it. She said it will delay the response time for event and facility rental applications, and affect our ability to provide good customer service.

Commissioner Burns said that the Arts and Crafts Show does a great deal of good for the community and this reduction would really hurt their organization if they are not able to get new people processed in a timely manner. He expressed his desire that as the Commission prioritizes, if they can avoid cutting this position, or bring it back quickly, he would like to make that a priority.

Ms. Rapp reminded the Commission about the 7:00 p.m. time certain item. She recommended that they think about their priorities and the items they would like reinstated and be prepared to talk about those at the May 26th meeting. Ms. Rapp further recommended that the Commission formulate their recommendation to City Council at the May 26th Commission meeting. The Commission concurred.

4. Twiin Productions Appeal of Parks and Recreation Department Denial of a Permit for the 2010 West Beach Music and Arts Festival

Recommendation: That the Commission deny the appeal of Twiin Productions, and uphold the decision of the Parks and Recreation Department to deny a park permit for the 2010 West Beach Music and Arts Festival.

Documents:

- Staff Report

- Staff PowerPoint Speakers
- Staff: Nancy L. Rapp, Parks & Recreation Director, Susan Jang-Bardick, Recreation Supervisor, Riley Harwood, Police Sergeant, John Bridley, Waterfront Director; Police Chief Cam Sanchez
- Members of the Public:
 - o For Twiin Productions: Jeremy & Joshua Pemberton; Grant McGregor; Bob Montgomery
 - o Public At Large: Magda Arroyo, Scott England, Tony Pighetti, Paul Burns, Steve Mead, Tyler Dobson, Bill Redding, David Boire, William Boyce, Neil Ablet, Brianna Case, Carla Chavez, Diana Sandovol, Phillip Martonay; Grant McGregor, Terrance Briggs; Brett Leigh Dicks, Nicholas Dulong; Craig Cody, Peter Doctors; Steve Cushman, Paul Bullock, Tony Romasanta, Mark Romasanta, Jeannette Weber, Theresa Stiff

Mr. Jeremy Pemberton stated that Twiin Productions is willing to provide a portable office building with functioning utilities located centrally at the event as a command center. He further said Twiin Productions is willing to pay the cost of City senior level management in order to have management on site knowing what is going on. Mr. Jeremy Pemberton said the command center will give constant and direct access to the organizers and decision-makers enabling adjustments to be made immediately.

Mr. Jeremy Pemberton said that sound management can be done. He said Twiin Productions is willing to initiate compliance contracts with financial consequences that will help insure visiting sound engineers are compliant. Mr. Grant McGregor of Luners Pro Sound and Lighting, a local sound company, spoke in support of Twiin Productions and talked about sound issues and said that he has referred Twiin Productions to an acoustic consultant and recommended that they work with the consultant in the redesign of the event for compliance with all City regulations. Mr. McGregor said his company wants to work with the City to get quantifiable guidelines that will help them through the series of events they are working on. Mr. Jeremy Pemberton addressed curfew, profanity, and marijuana use, saying that the issues are not excusable, but not unique to the West Beach Music and Arts Festival. Mr. Jeremy Pemberton talked about the calls for service. He said that although there was a 70 percent increase in the number of citations issues, there was a 600 percent increase in the number of police officers paid to do that. Mr. Pemberton addressed the issues with security. He said that Twiin Productions is tripling their security budget, they have a more qualified firm, and as a minimum, double the personnel.

Regarding alcohol management, Mr. Jeremy Pemberton stated that Twiin Productions performed due diligence; negligence is not a factor. He said that the post event meeting minutes reflects that the Facility Supervisor acknowledged that the security was not responsible for some of the underage drinking; there was speculation that one of the volunteers or staff procured wrist bands and

distributed them. Mr. Pemberton indicated that all staff are trained by the Santa Barbara Police Department and Alcohol Beverage Control.

Mr. Jeremy Pemberton accepted responsibility for the counterfeit parking permits, and expressed sincere apologies; but said, at the end of the day, when there are 2,000 people working, and the show has to go on, people are going to make decisions that are not necessarily the best decisions for the company, but are best for the show at the time. Mr. Pemberton explained the motive behind the counterfeit parking permits was not to obtain free parking, but that the West Beach Pedestrian Project blocked their entrance closest to the park and access point to the beach.

Mr. Joshua Pemberton said the solution to the parking permit issue is to develop a comprehensive plan in accordance with the Waterfront Department, and work together to figure it out. He said that had the access point been available, he does not believe the issue would have arisen. Mr. Pemberton said Twiin Productions is willing to do whatever it takes—perhaps even charging a per vehicle fee.

Mr. Joshua Pemberton addressed neighborhood concerns saying that for the 2010 event, a specific neighborhood impact plan and traffic plan has been prepared. He said that research has indicated that a straight forward residential and hotel access plan is appropriate: barricades manned by event staff; signage; and parking, residential permits; driver's licenses with appropriate addresses, and hotel credentials will be required to enter access areas of the neighborhood.

Mr. Jeremy Pemberton talked about the City's Policy relating to special events held in the City's waterfront, beaches, and beachfront parks, Section IV relating to food and beverage concessions states that event organizers may be required to pay 10 percent of gross sales from their concessions. He said the Department has left tens of thousands of dollars on the table. Mr. Pemberton asked the Commission to focus on financial opportunity, embrace what is best for the City, and not allow personal feeling to govern what is best for the City.

Mr. Jeremy Pemberton stated regarding the question of venue that it is not a matter of can it be done, it has already been done and will continue to improve. He said that Twiin Productions is willing to negotiate the curfew for Sundays.

Mr. Jeremy Pemberton said Twiin Productions is willing to continue working with the City to establish a facility fee revenue option. He said that instituting a \$4 facility fee to their ticket prices would provide potentially \$100,000 or more based on the 2009 Festival model with a capacity of 15,000. Mr. Pemberton clarified that the variance in the earning potential is depends upon the capacity of the event and the number of three-day passes purchased versus single-day passes. He said that on average 70 percent of the passes are single-day passes and 30 percent are three-day passes.

Mr. Jeremy Pemberton highlighted other community involvement and positive effects of the event. He said the event facilitated on-site voter registration and non-profit awareness; Notes-for-Notes benefited financially; the Lions Club was on site collecting for Senior National; the Unity Shoppe was a benefactor; Firefighters Quest for Burn Survivors; and they also provided discount food space for other non-profit groups. Mr. Pemberton said they collaborated with the Santa Barbara County Beach Cleanup and were recipients of the Greener Festival Award for meeting standards on eco-friendly practices in waste diversion.

Mr. Jeremy Pemberton indicated that Twiin Productions brings positive exposure to the City of Santa Barbara outside of the County. He said they spend \$182,000 advertising the City of Santa Barbara and the Festival in radio, on-line, television, print, street team, and public relations, 46 percent of which is spent outside the County to bring people in.

Mr. Jeremy Pemberton stated that there is far too much economic advantage, community involvement, and people who have invested themselves into the event for the permit to be denied.

Commission Comments and Questions:

Commission Intern Torres-Santos expressed concern about whether there is enough time to plan the event in a way to ensure public safety and the need for policies to be put in place.

Commissioner Wiscomb asked how the number of violations and citations issued during the 2009 event compares to the previous week or other weekends. Sergeant Harwood said the enforcement was undertaken by officers specifically working the event; there was no event the previous weekend, so there is nothing to compare it to. Sergeant Harwood said he does have statistics regarding calls for services for the waterfront beat, which includes the venue. He said that during the weekend of the Festival, the waterfront beat logged 257 calls for service, which is a 74 percent increase over the previous weekend during which there was no event.

Commissioner Wiscomb asked for clarification on why there was a change in the number of security guards, from 55 to 31, before the event. Sergeant Harwood replied that Twiin Productions initially indicated they would provide 55 security guards. He suggested that the licensing issue and money could have impacted their ability to provide the additional security guards.

Commissioner Wiscomb asked whether 31 security guards met the permit conditions. Sergeant Harwood said that was the minimum required. He further said that in addition to the 31 security guards, there were a number of event staff and ushers.

Commissioner Wiscomb asked what the on-site command center would entail if Twiin Productions were granted a permit for 2010. She asked specifically, what will it address and what will it do to improve conditions from 2009?

Jeremy Pemberton said that City staff expressed concern about accessibility to event organizers. He explained that the on-site command center would be an on-site portable office building with functioning utilities that would give City staff the ability to know what is going on, have direct access to event organizers, and transparency about everything occurring at the event so they can feel confident Twiin Productions is working with the City to try to produce a safe event and meet compliance items.

Commissioner Wiscomb asked whether the on-site command center would be staffed by City personnel and Twiin Productions staff. Mr. Jeremy Pemberton said the site has eight portable office buildings; it could either be in an office that is shared with Twiin Productions or a separate office. He said they just want to provide an on-site location.

Commissioner Wiscomb asked how many people Twiin Productions expects to attend the 2010 event, and would they be willing to lower their capacity.

Mr. Jeremy Pemberton said yes, Twiin Productions is willing to work with what is best for the City. He said that in 2009, the Sunday capacity of 13,000 was sold out five days in advance. Mr. Pemberton said Twiin Productions can protect the integrity of the capacity and are willing to do so.

With respect to the sound system, Commissioner Wiscomb commented that there is obviously a maximum decibel limit when obtaining a permit. She asked Twiin Productions whether they did not properly plan last year which created the noise pollution in the surrounding area. She asked how it happened and what would be done to correct it this year. Ms. Wiscomb asked if there is a regulator on the systems that can prevent sound from going beyond a certain level.

Mr. Jeremy Pemberton said that there is. He said three things contributed to the sound issues last year: one of the stages was facing towards Montecito/Summerland and fog rolled in; sound travels four and half times faster in water, so it traveled further than planned. Mr. Pemberton said the new plan has the stage facing directly to the ocean. He said that another problem they have is they are dealing with 60 bands and 60 sound engineers. Mr. Pemberton said they are developing a compliance contract that either fines the artist or adds the technology (a limiter) to make sure that the decibel level does not go past a certain volume ever during the event.

Commissioner Burns asked if there were any issues related to people per square-foot. Ms. Rapp said no there were no issues related to that.

Commissioner Burns commented that the City has no policy in place that works. He said Twiin Productions seems to want to work with staff, but in the past they have seemed to want to work with staff, but have not done so. Commissioner Burns said that it was stated that the stage was facing towards Montecito and Summerland, however, guidelines dictate the stage is supposed to be facing towards the ocean, and it that is true, why. He said it appears that Twiin Productions says things, but there is no follow-through.

Ms. Jang-Bardick said the stage was facing towards the ocean, but it was angled towards Montecito and Summerland. She said that because of the weather conditions, the loud noise and base sounds it traveled over the water in that area.

Ms. Rapp interjected that the site plan was approved by City staff. She said she does not want to imply that there was something major in the site plan that was not followed. Ms. Rapp said there were issues with the Beer Garden not being managed as it was supposed to be on the site plan and according to the plan, but this very different from changing how a stage was positioned.

Commission Burns commented that Twiin Productions expressed appreciation to the Pembertons for attending the Event Management Training in San Diego. He said the West Beach Music and Arts Festival is potentially a great event. Mr. Burns said he would put it in the perspective as many start up companies – as they get bigger, they realize that the founder of the company really shouldn't be handling the day-to-day management; they hire someone else to be the Chief Executive Officer. Commissioner Burns said he thinks that what has happened is that for this large an event, the management experience that was required by the City did not happen, and many details were missed, which is where all the issues came from. He further expressed that it seems the position of Twiin Productions is *we made a mistake, we will fix it next year*, but he stressed that pre-planning is necessary to avoid mistakes.

Commissioner Burns asked what the parking issues are if there are 15,000 people on West Beach; where and how they are going to park.

Jeremy Pemberton said Twiin Productions has advertised on their website that all visitors should park in lots 7 & 8 at the top of State Street so they walk down past the businesses. He further said they provided \$5,000 worth of bus transportation for students from Isla Vista.

Commissioner Burns asked if that worked. Mr. Pemberton said yes, they feel it did work. He said in the West Beach community directly they have an impact plan that can address those citizens and hoteliers, but as far as the rest of the parking, in the same way as with many other public events, the parking adequacy is not there, so they partnered with Santa Barbara Car Free.

Commissioner Burns stated that the hotel owners across the street from West Beach bring income into the City, and he would expect that Twiin Productions and the hotel owners would be working together.

Commissioner Conner commented that neither side can control what people do when they are intoxicated after they leave the event. She said that a huge crowd becomes more uncontrollable. She asked Twiin Productions how they propose to protect the people in the neighborhoods from people trudging through and vomiting on their cars, trampling their landscape, etc.

Jeremy Pemberton said they have a West Beach Resident and Hotel Protection Plan in place for this year that addresses those concerns. He said they will either work with the utility company or issue resident passes directly; there will be barricades closing the roads, but allowing residents access, and allow accessibility to all hotels without impacting their traffic.

Commissioner Casebeer said that the sound issue is a major problem which is not new, and in 2009, the sound was out of control. He said there is a trust issue. Commissioner Casebeer said a plan to control the sound is imperative. He asked why if there is technology to direct the sound, it was not implemented last year. Commissioner Casebeer further said it is incredible that Twiin Productions, as the promoter does not have control of the sound; it is irresponsible.

Commissioner Casebeer asked how many service calls might there typically be for the 4th of July in the West Beach area. Sergeant Harwood said that he does not have the information available, nor can he speculate. He said his budget for this 4th of July is \$66,000. Sergeant Harwood commented that the 4th of July event is a City co-sponsored event which is why that is possible; there are no private events that can provide the degree of resources a 4th of July or Fiesta event is able to muster.

Commissioner Casebeer commented that communications seemed to be an issue and asked if there was a radio frequency set up so the parties could communicate with each other.

Jeremy Pemberton said that their safety team leader coordinates communication with the first responders and emergency personnel and they did have communications directly through their radios.

Commissioner Casebeer asked if it could have improved. Mr. Jeremy Pemberton said yes; that is why Twiin Productions wants to have a command post, more centralized communications.

Sergeant Harwood advised the Commission that the officers had cell phone contact with Jeremy Pemberton during the event.

Commissioner Casebeer commented that the fee schedule for the use of the West Beach facility is grossly inadequate and strongly recommended that it be revisited. He stated that the West Beach Music and Arts Festival is a multi-million dollar event. Mr. Casebeer asked Ms. Rapp how much the City receive in revenue from the event, to which Ms. Jang-Bardick responded, a total of \$6,815 for the entire event.

Ms. Rapp advised that the proposal by Twiin Productions to add a venue charge to their ticket is something that other cities do in some of their larger events to generate revenue on top of the facility use fee. Ms. Rapp said the City has never done it before, because 98 percent of the events put on in parks and beaches are put on by non-profit organizations that are largely working with volunteers and generating revenue to go back to non-profit organizations. She said the Commission could recommend it for larger events that have a greater impact on the City.

Chair Longstreet commented that she doesn't see 13,000 people on West Beach for three days. She said the music could be heard at Gibraltar; profanity was an issue. Ms. Longstreet said that violations of the permit once brought to management's attention, should be rectified and not have to be readdressed during the event. She expressed frustration that the City is being asked to permit an event that has some public safety and public impact concerns, and the City has no way to control it once it starts. Ms. Longstreet stated that the issues need to be addressed in a serious policy discussion before another large event occurs.

Chair Longstreet advised Twiin Productions that they are in charge of what occurs in their venue once the event starts and bad decisions are their responsibility.

Chair Longstreet expressed concern about the fact that the event was a family friendly environment, and the number of complaints about profanity. She also expressed concern about with the controls for the under-aged drinking; no improvements were made over the weekend. Ms. Longstreet stated that it would not have been difficult for event staff to move the fence. She said that the City can't afford to practice with 13,000 people at West Beach. Ms. Longstreet suggested an event with 4,500 people per day event/two-day event.

Chair Longstreet commented that the City policies regarding sound and size, etc., need to be in place before the City moves forward with another event.

Chair Longstreet acknowledged the package Twiin Productions submitted, but said that she is unsure that there is enough time or enough staff to work with them to put on the event.

Commissioner Wiscomb concurred with Chair Longstreet's comments and said that because it is a public safety and welfare issue, there is a big gap between

inside the fence and outside the fence spilling into the neighborhoods affecting the residents and visitors to the City that are not attending the festival. She said those areas, parking, hotels, etc., were not addressed and need to be. Ms. Wiscomb also commented that policies need to be in place that regulate the number of participants at the events and the number of days they go on.

Chair Longstreet commented about the venue fee and the state of the budget, saying that if the number of people goes down, revenue goes down, but, she said the public safety comes first.

Commissioner Burns asked Mr. McGregor if his company did the sound on the event. Mr. McGregor said that his company did the lighting not the sound. Commissioner Burns asked Mr. McGregor whether if he were involved in the event would he be able to deal with the sound issues. Mr. McGregor said he thinks it could be dealt with. He further said he recommended an acoustic consultant for the design of this event. Mr. McGregor said it is difficult working with the City sound policies, because they do not really exist.

Ms. Rapp commented that the City does need to rework the City's noise ordinance as it relates to events, because it is not written to help manage events, particularly music focused events needs. She further said that a scientific study of each of the major event venues needs to be conducted in order to have events work more effectively at managing their sound.

Chair Longstreet said that is true, but there is a big difference in many of the events that are a couple of hours, or an evening, or day. She said it is the intensity of the use that is difficult for the neighborhood. Ms. Longstreet said she does not believe there would have been nearly the number of complaints if the event was only one day.

Commissioner Burns suggested the event be a two-day maximum, 10,000 people, as long as the issues brought up are resolved.

Ms. Rapp said that staff had a discussion about West Beach as a venue. There were a lot of comments from people who live and work in the beachfront area who made a lot of comparisons to AVP as a right size event, which is 4,000 people. She said that in 2008, the West Beach Music Festival had an attendance of 8,500 people and there were some complaints, but not the level of complaints as this year. Ms. Rapp said that in discussions, the Police Department indicated they believe that an 8,500 person event is manageable. She said, however, one factor that significantly affects an event is the band lineup; in 2008 the band lineup was completely different than in 2009. Ms. Rapp said another factor is public tolerance. She said that many people who complained about the event liked the idea of having the event, they simply felt that a three-day event was just too much, particularly going into the evening all three days. Ms. Rapp said the public might tolerate a two-day event, or maybe a three-day event, if it does not go into the evening all three days.

Chair Longstreet asked if there is time to resolve any of the policy issues. Ms. Rapp said she is concerned about the policies; staff know the general parameters that need to be put in place, but time is needed to do that. Ms. Rapp further said she believes the policies will need to go through the public process. She expressed concern that moving forward without policies or before policies are vetted, we could be right back in this position in the future or have another poor experience for the community.

Chair Longstreet expressed concern that the event is in the waterfront and the Harbor Commission has not weighed in.

Mr. Bridley advised that the Harbor Commission does not have purview over permitting for West Beach. He said they would have an opinion, and if the Parks and Recreation Commission would like their input, he is sure they would provide it. Mr. Bridley said the jurisdiction rests with the Parks and Recreation Commission.

Chair Longstreet acknowledged that, but said they need to work together on it because it affects both staffs and budgets.

Ms. Rapp added that there have been two other inquiries for similar events, saying it is important to remember that they are not talking about just one event.

Ms. Rapp indicated that the Department permits events so that the criteria is fair and equitable and applies to everyone the same way; however, there are very specific policies adopted by City Council for the use of Storke Placita and the number of events that can take place in De la Guerra Plaza in a year. She said there are limitations set for some of the facilities for the types of activities that may be held. Ms. Rapp said that staff has determined that policies are needed identifying where these types of events are appropriate and how frequently they can be permitted, so consideration is given to the surrounding neighborhoods.

Chair Longstreet said that opens another policy issue regarding how to be fair in distributing them if only one or two events are going to be permitted a year.

Commissioner Casebeer stated that the Commission needs to take action on the item because Twiin Productions has an economic enterprise on the line and property owners have a lot on the line. He said he agrees the Parks and Recreation Department needs to revisit the policy and fees issue. Mr. Casebeer said that will not occur during this meeting, and it is unfair to submit Twiin Productions to that process.

Commissioner Wiscomb expressed that Twiin Productions did a fine job submitting solutions for mitigation of what happened during the last event; however, this event, and perhaps the other two events that have come before the

Parks and Recreation Department for the same venue, dictate that the Department needs to implement new policies. She stated she does not think it is fair to approve Twiin Productions' permit and put the Department in the position of saying no to someone else.

Commissioner W. Scott Burns moved, seconded by Commissioner Chris Casebeer to allow Twiin Productions to have an event with the maximum of 8,500 people, have it for Friday and Saturday ending at 10:00 p.m., and ending at 7:00 p.m. on Sunday; realizing that there are other issues that need to be worked out and that they would get worked out with staff.

Commissioner Wiscomb asked for clarification as to whether Mr. Burns meant 8,500 people per day. Commissioner Burns responded, yes.

Chair Longstreet asked Mr. Burns what time the event would start.

Commissioner Burns said Friday 4:00 p.m. until 10:00 p.m.; Saturday Noon until 10:00 p.m.; and Sunday Noon until 7:00 p.m.

Commissioner Burns said he would like Grant McGregor to handle the sound. Chair Longstreet asked Commissioner Burns if that was a condition of his motion. Commissioner Burns said that it was.

Assistant City Attorney Scott Vincent interjected that while he encourages the bringing on of a professional to perform the services, it is not appropriate for the Commission to identify a particular individual to perform those services.

Amendment to the motion:

Commissioner Burns said he would like the motion to also reflect that the sound issues experienced over the past couple of years would be handled in such a way that there would not be many sound issues.

Commissioner Casebeer concurred with the amendment to the motion.

Discussion of amendment to motion:

Commissioner Conner asked whether acoustic professionals are required to have a license. She stated that the Commission expects that a professional of high caliber is hired to perform the job.

Mr. Jeremy Pemberton stated that it would be Twiin Production's intention to use Mr. Grant McGregor if the event were permitted, but the response to Commissioner Conner's question is, yes, there are other qualified candidates they can present. Commissioner Conner said that she just wanted to make sure

the person would be someone of high caliber. Mr. Jeremy Pemberton said, that it would be Mr. McGregor.

Commissioner Wiscomb asked whether parking, traffic, and hotel and resident protection, would be a part of his motion. Commissioner Burns said that Twiin Productions provided the Commission with handouts outlining what they are planning to do in response to what happened last year; he doesn't know if his motion needs to reflect that they will do what the handouts reflect.

Commissioner Casebeer expressed concern about safety. He asked whether Twiin Productions could make it an economically viable event and still provide the adequate protection for the property and surrounding neighborhoods. Chair Longstreet interjected that is a good question, but it can't be answered right now. She said she has the concern also, but Twiin Productions can't provide all the information needed at this point. Chair Longstreet expressed concern about all of the items the Commission is not addressing. She said she will not support the motion.

Final motion:

Commissioner W. Scott Burns moved, seconded by Commissioner Chris Casebeer, and passed 3/2 to allow Twiin Productions to have the 2010 West Beach Music and Arts Festival with a maximum of 8,500 people per day; beginning at 4:00 p.m. and ending at 10:00 p.m. on Friday; beginning at Noon and ending at 10:00 p.m. on Saturday; and beginning at Noon and ending at 7:00 p.m. on Sunday; realizing there are other issues that need to be worked out and that they would get worked out with staff; and, further that the condition be added that Twiin Productions hire a professional acoustical consultant so that the sound issues experienced over the last few years will be handled in such a way that sound issues will be minimal.

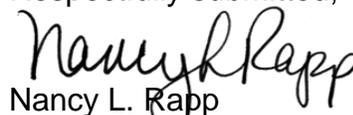
**Burns/Casebeer/Conner – Yea
Longstreet/Wiscomb - Nay**

ADJOURNMENT

At 9:50 p.m., with no further business to be addressed by the Commission,

Commissioner W. Scott Burns moved, seconded by Commissioner Beebe Longstreet, and passed 5/0 to adjourn.

Respectfully submitted,



Nancy L. Rapp
Parks and Recreation Director