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OFFICE OF THE CITY MANAGER

276-2010


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CITY CLERK'S OFFICE

LETTER TO COMMISSION

TO: Mayor Matti Herrera Bower and Members of the City Commission

FROM: Jorge M. Gonzalez, City Manager 

DATE: October 12, 2010

SUBJECT: Progress Report on Amendment No. 1 to the Management Agreement between the City of Miami Beach and Live Nation for the Jackie Gleason Theater

This Letter to Commission is transmitted to provide you with a written report on the implementation of Amendment No. 1 to the Management Agreement between the City and Live Nation for the Fillmore Miami Beach at the Jackie Gleason Theater. As you may recall, on December 9, 2009, the City Commission authorized Amendment No. 1 to the Agreement between the City of Miami Beach and Live Nation Worldwide, Inc., Dated June 22, 2007, for the Jackie Gleason Theater of Performing Arts (The Agreement) allowing a Live Nation the ability to sell, distribute, and/or serve food and beverages, including alcohol, past 12:00 a.m. (midnight) at the Fillmore for a twelve month "trial period" from January 1, 2010 and automatically sunsetting and terminating on December 31, 2010. This approval was provided with the following conditions:

1. Any sale, distribution, and or service of food and beverages, including alcohol, at the Venue shall cease at no later than 2:00 AM;
2. The Venue will be closed to the public no later than 3:00 AM; accordingly, all patrons within the venue should also leave by 3:00 AM.
3. No DJ performances shall be allowed after midnight;
4. Live Nation shall provide the City Manager or his/her authorized designee with a written progress report halfway through the trial period;
5. Live Nation shall not sell distribute, or serve any food or beverages, including alcohol, after midnight during New Year's Eve (December 31<sup>st</sup>) and during Winter Music Conference (generally, the last week of March); these Events will not count toward the required annual number of events, as specified in Section 2.2 (b);

Pursuant to condition 4 above, Live Nation has advised the City that they have not booked any events during the trial period that had a need to sell, distribute, and/or serve food and beverages, including alcohol, past 12:00 a.m. (midnight). However, they have requested the extension of the trial period for an additional year. The Nightlife Task Force ("NITE") met on August 17, 2010 and recommended in favor of extending the trial period an additional year. Therefore, the Administration will draft another amendment to The Agreement for consideration by the Commission at the November 17, 2010 City Commission Meeting.

Additionally, I am taking the opportunity to provide you with a list of events held or scheduled at the Fillmore during 2010, which includes confirmed events through December 31, 2010. Live Nation is projecting almost a 50% increase in the number of events over 2009.

Should you have any questions, please feel free to contact me.

JMG/HMF/MAS

C: Hilda M. Fernandez, Assistant City Manager  
Max Sklar, Tourism and Cultural Development Director



**Confirmed Events**

09/20/2010

**Event**

<i>Date</i>	<i>Event</i>	<i>Type 1</i>	<i>Type 2</i>
Thursday, January 14, 2010	La Quinta Estacion	Ticketed Rental	Latin Pop
Friday, January 16, 2009	Miami Contemporary Dance Company's 10th Anniversary	Ticketed Rental	Fine Arts/Dance
Thursday, January 21, 2010	Gabriel Iglesias	Promoted	Comedy
Friday, January 22, 2010	Kevin Hart	Promoted	Comedy
Saturday, January 23, 2010	Brian Regan	Promoted	Comedy
Saturday, January 23, 2010	The Daily Show Correspondents Tour	Promoted	Comedy
Saturday, January 30, 2010	Jencarlos Canela	Promoted	Latin Pop
Sunday, January 31, 2010	Chabad SW Broward Rental-Cantorial Extravaganza	Ticketed Rental	Fine Arts/Dance
Tuesday, February 02, 2010	RASG Hebrew Academy presents Alan Dershowitz	Private Event	Community Event
Thursday, February 04, 2010	Furthur Rehearsals	Rehearsal	Rehearsal
Thursday, February 11, 2010	Chico Castillo	Promoted	Latin Pop
Friday, February 12, 2010	Yachts Rock	Private Event	Other
Saturday, February 13, 2010	Willy Chirino	Promoted	Latin Pop
Friday, February 19, 2010	Univision Radio/Nelly Furtado	Private Event	Latin Pop
Wednesday, March 03, 2010	American Academy of Dermatology-Private Event-Load-in Day	Private Event	Convention/Conference
Thursday, March 04, 2010	American Academy of Dermatology-Private Event-Load-in Day	Private Event	Convention/Conference
Friday, March 05, 2010	American Academy of Dermatology-Private Event	Private Event	Convention/Conference
Saturday, March 06, 2010	American Academy of Dermatology-Private Event	Private Event	Convention/Conference
Sunday, March 07, 2010	American Academy of Dermatology-Private Event	Private Event	Convention/Conference
Monday, March 08, 2010	American Academy of Dermatology-Private Event	Private Event	Convention/Conference
Saturday, March 13, 2010	American Academy of Dermatology-Private Event	Private Event	Convention/Conference
Saturday, March 20, 2010	Air	Ticketed Rental	World
Monday, March 22, 2010	Rodrigo y Gabriela	Promoted	Indie Rock
Wednesday, March 24, 2010	Wilco	Private Event	Convention/Conference
Thursday, March 25, 2010	Winter Music Conference Awards-Load-in Day	Private Event	Convention/Conference
Friday, March 26, 2010	Winter Music Conference Awards-Event Day	Promoted	Comedy
Saturday, March 27, 2010	Chelsea Handler (2 Shows)	Promoted	Latin Pop
Thursday, April 01, 2010	Mocedades	Promoted	Indie Rock
Wednesday, April 07, 2010	Arctic Monkeys	Private Event	Latin Pop
Friday, April 09, 2010	CMN Entertainment presents Billboard en Concierto of Montreal	Promoted	Indie Rock
Saturday, April 10, 2010	Pat Metheny	Promoted	Jazz
Wednesday, April 14, 2010	David Gray	Promoted	Adult Contemporary
Saturday, April 17, 2010	Stephen Stills	Promoted	Adult Contemporary
Sunday, April 18, 2010	The Black Keys	Promoted	Indie Rock
Monday, April 19, 2010	Chita Rivera	Ticketed Rental	Broadway
Tuesday, April 20, 2010	Caetano Veloso	Ticketed Rental	World
Saturday, April 24, 2010	Porcupine Tree	Promoted	Indie Rock
Tuesday, April 27, 2010	30 Seconds to Mars	Promoted	Rock
Wednesday, April 28, 2010	Band of Horses	Promoted	Indie Rock
Thursday, May 13, 2010	New Kids on the Block	Promoted	Comedy
Friday, May 14, 2010	Michael Franti and Spearhead	Promoted	Indie Rock
Sunday, May 16, 2010	Enrique Bunbury	Promoted	Latin Rock
Wednesday, May 19, 2010	Hombres G	Ticketed Rental	Latin Rock
Thursday, May 20, 2010	Cuban Classical Ballet's Don Quixote-Load-in Day	Ticketed Rental	Fine Arts/Dance
Friday, May 21, 2010	Cuban Classical Ballet's Don Quixote-Load-in Day	Ticketed Rental	Fine Arts/Dance
Saturday, May 22, 2010	Cuban Classical Ballet's Don Quixote	Ticketed Rental	Fine Arts/Dance
Sunday, May 23, 2010	Cuban Classical Ballet's Don Quixote	Ticketed Rental	Fine Arts/Dance
Monday, May 24, 2010	The Swell Season	Promoted	Indie Rock
Wednesday, June 02, 2010	Imogen Heap	Promoted	Indie Rock
Friday, June 04, 2010	Miami Beach High School Graduation	Private Event	Community Event
Saturday, June 05, 2010	Citizen Cope	Concert	Indie Rock
Sunday, June 06, 2010	Fellowship Church	Private Event	Convention/Conference
Monday, June 07, 2010	American Institute of Architects Load-in Day	Private Event	Convention/Conference
Tuesday, June 08, 2010	American Institute of Architects Load-in Day	Private Event	Convention/Conference
Wednesday, June 09, 2010	American Institute of Architects-Rehearsal day/Reception	Private Event	Convention/Conference
Thursday, June 10, 2010	American Institute of Architects	Private Event	Convention/Conference
Friday, June 11, 2010	American Institute of Architects	Private Event	Convention/Conference
Saturday, June 12, 2010	American Institute of Architects	Private Event	Convention/Conference
Sunday, June 13, 2010	Passion Pit	Private Event	Convention/Conference
Tuesday, June 15, 2010	50 Cent	Promoted	Indie Rock
Saturday, June 19, 2010	Paulina and Friends	Promoted	Urban
Sunday, June 20, 2010	Fellowship Church	Ticketed Rental	Latin Pop
Friday, July 02, 2010	Hole	Private Event	Convention/Conference
Monday, July 05, 2010	Jamie Cullum	Promoted	Rock
Saturday, July 10, 2010	Kassav	Promoted	Indie Rock
Wednesday, July 14, 2010	Playground Review-Load-in Day	Ticketed Rental	World
Thursday, July 15, 2010	Playground Review	Private Event	Community Event
Friday, July 23, 2010	Seu Jorge	Private Event	Community Event
Sunday, July 25, 2010	Fellowship Church	Ticketed Rental	World
		Private Event	Convention/Conference

Thursday, July 29, 2010	Crowded House	Concert	Adult Contemporary
Thursday, August 12, 2010	The Wiggles	Ticketed Rental	Family
Thursday, August 12, 2010	The Wiggles	Ticketed Rental	Family
Friday, August 20, 2010	Demetri Martin	Promoted	Comedy
Saturday, August 21, 2010	Interpol	Promoted	Indie Rock
Sunday, August 22, 2010	Fellowship Church	Private Event	Convention/Conference
Wednesday, August 25, 2010	The Deftones	Promoted	Rock
Friday, September 10, 2010	International Ballet Festival-Load-in Day	Ticketed Rental	Fine Arts/Dance
Saturday, September 11, 2010	International Ballet Festival	Ticketed Rental	Fine Arts/Dance
Sunday, September 12, 2010	International Ballet Festival	Ticketed Rental	Fine Arts/Dance
Saturday, September 18, 2010	Bassnectar	Promoter	Electronic
Thursday, September 30, 2010	Widespread Panic	Promoted	Indie Rock
Tuesday, October 05, 2010	Yeasayer	Promoted	Indie Rock
Wednesday, October 06, 2010	LCD Soundsystem	Promoted	Indie Rock
Friday, October 08, 2010	The Comedians of Chelsea Lately	Comedy	Comedy
Wednesday, October 13, 2010	Vampire Weekend	Promoted	Indie Rock
Friday, October 15, 2010	Miriam Hernandez	Promoted	Indie Rock
Saturday, October 16, 2010	Daniel Tosh	Promoted	Comedy
Tuesday, October 26, 2010	MGMT	Promoted	Indie Rock
Wednesday, October 27, 2010	Phoenix	Promoted	Indie Rock
Friday, October 29, 2010	Djavan	Ticketed Rental	World
Friday, November 05, 2010	Robyn		
Saturday, November 06, 2010	Lisa Lampanelli	Promoted	Comedy
Wednesday, November 10, 2010	Wolf Parade	Promoted	Indie Rock
Saturday, November 13, 2010	Social Distortion	Promoted	Indie Rock
Thursday, November 18, 2010	Iron and Wine		
Saturday, November 27, 2010	Gilberto Santa Rosa		
Friday, December 10, 2010	Louis CK	Promoted	Comedy
Saturday, December 11, 2010	Margaret Cho	Promoted	Comedy