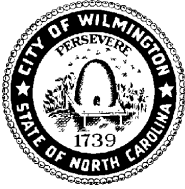


# ADDENDUM 1 – SUBSTITUTE POLICY – Item O5b



## ADMINISTRATIVE POLICY

### *City of Wilmington*

<b>EFFECTIVE DATE:</b> July 20, 2021	<b>APPROVED BY:</b> CITY COUNCIL	<b>POLICY NUMBER:</b> 502
<b>SUBJECT:</b> <i>Ticket Distribution Policy</i>		

#### **PURPOSE**

The purpose of this policy is to set forth procedures governing the use of the City's season box/table at the Riverfront Park Amphitheater ("RPA"), and the distribution of reserved tickets at the RPA and the Hugh Morton Amphitheater at Greenfield Lake ("GLA").

#### **ELIGIBILITY/ APPLICABILITY**

This policy applies to all elected City officials, all appointed City staff, and all other City employees who may apply for or be given tickets to either the RPA or GLA, or who may be allowed access to the City's season box/table at the RPA. This policy also applies to any other member of the public who is given the same opportunity or access to either concert venue.

#### **DEFINITIONS**

**Economic Development:** Ongoing activities determined by the City to increase the population, taxable property, agricultural industries, employment, industrial output, or business prospects of the City, and to encourage revitalization of low-income communities and job development.

**Tickets:** All individual tickets allocated to the City by its venue performance management company or otherwise paid for by the City through the use of public funds.

**City Manager:** For the purpose of this policy, unless specifically stated otherwise, reference to the City Manager includes the City Manager, and any designee appointed by the City Manager to be responsible for any duty covered under this policy.

**Recipient:** Any individual who receives any ticket from the City to one of its concert or performance venues.

**Full Value:** For individual Tickets from the RPA or GLA, the Full Value is determined by the actual face value of those individual Tickets for the specific event in question. For a Ticket at the City's season box/table, the Full Value of those Tickets is determined by dividing the annual fee paid by the City for the box/table in the specific fiscal year by an amount equal to the number of concerts allowed for at the beginning of the fiscal year multiplied by 4 Tickets per concert. For example, in a year when 20 concerts are allocated at the beginning of the fiscal year, then the Full Value for each

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Ticket will be the annual cost of the box paid by the City that year, divided by 80, which represents 4 Tickets for each of 20 concerts allowed that year at the box/table. Each Ticket for the season box/table will have this same price for the entire fiscal year, even if additional concerts are added at some point during the concert season.

### **POLICY**

In order to promote transparency to the public about how the public resources of the RPA and GLA are being used by the City, and to ensure that those uses are for a public purpose, the following procedures will apply to any Tickets to those venues that are allocated to the City by the City's venue performance management company, or otherwise paid for by the City with public funds.

#### **1.0 GENERAL POLICY CONSIDERATIONS:**

1.1 The only allowable public uses for which the City can allocate Tickets are for economic development, as that term is specifically defined in this policy. The primary focus shall be job creation, expansion, or retention. Any use of these resources for any other purpose, specifically including but not limited to any purely personal gain, is strictly prohibited.

1.2 The City's concert and event venues are important public resources, and it is always in the best interest of the City and the Wilmington community to promote the use, enjoyment, and desirability of both the RPA and GLA, with the intent that no available seat for any performance should ever go unfilled.

1.3 No Tickets that are distributed under this policy shall be resold, and any individual or organization receiving Tickets under this policy will be required to attest in writing that they will not sell, trade, barter, or raffle for fundraising purposes for cash or other monetary or non-monetary consideration, any Tickets they are allotted.

1.4 Once Tickets are allocated, they cannot be exchanged for a different event, and any lost or stolen Tickets cannot be replaced.

#### **2.0 PROCEDURE/PROCESS:**

2.1 Any City Council member or City Executive Staff member who is aware of an appropriate economic development use for the Tickets shall contact the City Manager and provide the information concerning the prospective economic development activity.

2.2 The City Manager is responsible for obtaining and reviewing any relevant information regarding the potential use of the Tickets in order to determine whether the use is appropriate under this policy.

2.3 If, in the City Manager's sole discretion, a use is determined to be appropriate under this policy, the City Manager shall notify the requesting City Council or Executive Staff member of such approval, and shall also inform that individual of the details regarding the approval, including the date on which the Tickets may be used, the number of Tickets that

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will be provided, the event venue at which the Tickets are to be used, and specifically which City Council, City staff, and other Recipients are allowed to use the Tickets for the event.

2.3.1 It is not required that the City Manager allow the individual who provided the initial information regarding the economic development activity to be a Recipient of the Tickets.

2.3.2 Regardless of any public purpose or benefit, City Council members shall be required to pay Full Value for any Ticket they are allocated.

2.4 Only the specific Recipients identified and approved by the City Manager are eligible to receive Tickets from the City. If any designated Recipient would like to bring any other individuals, including family members of either the City Council member or the Recipient, then, upon approval by the City Manager, those Tickets will be required to be purchased through payment to the City for the Full Value of those Tickets.

2.5 If no appropriate economic development request is made for any specific event at any venue covered by this policy, Tickets for any such event are determined to be surplus, and the City Manager shall make those Tickets available for resale in any appropriate manner, as allowed by all applicable state laws.

### **3.0 RESPONSIBILITIES:**

3.1 The cost of any Tickets purchased by the City and subject to this policy shall be covered by the amount of revenue collected from the City's venue performance management agreements.

3.2 The City Manager is responsible for designation of City staff members to be responsible for receipt of all Ticket requests and the fulfillment of any other duties required of the City Manager or the City Manager's Office under this policy.