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**From:** William Adler  
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## Performing Arts Home Company Review

My name is Bill Adler. I am a retired general counsel of a public telecommunications company where I specialized in, among other things, federal, state and local regulatory matters. My wife, Marsha, and I have resided at the same address in MV for nearly 29 years. Marsha served on the city's Performing Arts Committee (PAC) shortly after we moved to Mountain View. For 14 years I was a member of the TheatreWorks board of trustees, during which period I participated in presentations to members of this council and in negotiations with the then-manager of the CPA, Scott Whisler, and his staff regarding Home Company occupancy of the CPA. For the last eleven years I have been a member of the board of directors of the San Francisco Playhouse. I am currently the chair of that board. I am well-versed in non-profit theatre operations.

I am not here to represent TheatreWorks but rather to comment on the Performing Arts Committee's PAC's Council Report. The Report indicates that the PAC and TheatreWorks are in discussions about TheatreWorks's future production needs (page 7).

When I attended the meeting of the Performing Arts Committee on October 3, I was, frankly, shocked. The changes proposed to the operation of the CPA are a radical departure from 30 years of relatively consistent, consensus management policies. The PAC formulated these radical changes prior to hearing from the affected companies or, as far as I can tell, members of the public and with little or no regard for the economics of staging professional theater. At that October 3 meeting, the PAC heard presentations from TheatreWorks and PYT and then, with no discussion of the merits, confirmed its existing recommendations. Frankly, my immediate reaction to the October recommendations was, "they want to force TheatreWorks out of the CPA by undermining its economic viability."

While the current version of the PAC's Council Report modifies some of the recommendations contained in the original October draft, it still strikes the reader as largely arbitrary. This is not how citizens should expect their local government to function. Specifically, there is no rational basis presented in the Council Report for:

- 1: Limiting Resident Companies to 13 weeks of Main Stage use per season.

This is entirely arbitrary. To the extent that this limit relies on perceived demand by other organizations to use the mainstage, there is no attempt to quantify that demand or to show that it cannot be met in the 175 days a year that TheatreWorks and PYT are not using the Mainstage. The Report asserts that the recommended changes "may result in additional revenue of up to approximately \$103,000 annually." Even accepting this guess, there is no analysis or quantification of the countervailing loss of ticket revenue that will likely occur when TheatreWorks reduces its mainstage productions.

Before the pandemic, TheatreWorks booked the CPA for 36 weeks a year: six productions of six weeks each. The company single-handedly kept the CPA from falling deeper into negative returns. Post-pandemic, TheatreWorks reduced its performances to four per year and five weeks each, about one week for loading in a show and technical rehearsal and about four weeks of performances. That being the

standard, 13 weeks becomes an odd number as TheatreWorks can produce only two shows at five weeks per show in that period. The transfer of shows to Second Stage may have profound economic implications - not discussed or quantified in the Report.

- 2: Using a stringent 65% of capacity benchmark for Resident Companies to retain their production rights.

This has no relationship to the real world of live theatrical productions. There is nothing in the Report explaining how this percentage was derived, so it appears to be arbitrary. Arbitrariness is not acceptable in governmental decision-making.

- 3: Assigning little or no weight to the longstanding relationship between the city and the Home Companies as the Council has previously required.

The Report acknowledges this factor but fails to take it into account.

- 4: Delegating additional responsibility and authority to the PAC.

The PAC is made up of lay volunteers who appear to have little or no expertise in venue management or nonprofit theater management. If the Council wishes to accept this recommendation, it should carefully specify new criteria for membership on the PAC. However, no clear reason is offered for changing the current procedures for managing the CPA.

5. The Report fails to include a Study Session as an "Alternative" (Page 11).

The 2016 Study Session permitted Council members and all other interested persons and organizations to participate and debate. Such a Study Session now would yield a thorough exploration of the costs and benefits of significantly modifying the policies governing management and use of the CPA.

In conclusion, the Home Companies have sustained the viability of this city facility for nearly all of its existence. The Report presents no persuasive grounds for substantially modifying the policies that have guided the CPA staff and brought thousands of actors, musicians and attendees to Mountain View, nor for delegating any additional authority to a volunteer committee of lay people. The proper recourse for the Council at this time is to maintain the status quo pending the outcome of a Study Session - as it did in 2016.

Thank you.

William F. Adler