

Colleen Kennedy
1727 Judah St.
San Francisco, CA 94122

December 14, 2021

Ms. Leila Moncharsh
Veneruso & Moncharsh
5707 Redwood Road, Suite 10
Oakland, CA 94619

Re: Head-Royce School Expansion Application

Dear Ms. Moncharsh,

After reviewing Head-Royce School's plan to rent its facilities for non-student public events, I have concluded that the plan would most likely fail financially because it does not offer a neighborhood-friendly, safe, or convenient location. It is unlikely that it would generate sufficient funds to pay its operating costs after its build-out expenses or provide enough content to meet the expenses necessary for putting on events. At best, it would draw away guests from established, well-operated Oakland entertainment venues, disruptive of the City's attempts to develop and maintain public entertainment venues for which it has invested substantial resources over recent years.

I am an entertainment promoter and producer of events in the greater Bay Area. Attached is my current resume. Like many of our local promoters, I began my career working for the very best in the business, Bill Graham. Over the last 41 years, I have handled every aspect of local public entertainment events including supervision, promotion of venues and artists, ticket sales, publications, traffic monitoring, contracts, security, setup and takedown, and food and beverage service. Over those 41 years, I have learned from my own personal experiences and from those of my promoter colleagues what works and what does not work when putting on events from small ones in little venues to extremely large ones like Outside Lands.

I have reviewed the following: portions of the Draft Environmental Impact Report – "DEIR" relevant to my expertise, the Head-Royce Emergency Plan 2018-2019 including its diagrams, plans for the South Campus (including the Performing Arts Building, the "Commons," parking plans, delivery locations, and

“pavilion” mingling areas), fire prevention letters from Mr. Wong (App. 16B) and Mr. Weisgerber, and the parking demand memo from Nelson-Nygard. I made a personal site visit and looked at the North and South Campuses from public access locations.

The materials I reviewed included this description of a possible public accessed entertainment venue in the DEIR biology appendix:

1.4.3 New Buildings

The project proposes three new buildings to be constructed on the South Campus (see Figure 3-8). These three buildings include:

Performing Arts Center

The Performing Arts Center would provide the School's theater, dance, and music groups with practice, performance, and classroom space, and will be a place for the School to hold assemblies, concerts, meetings and host speakers. The building is designed to accommodate up to 450 seats for the audience . . . The [PAC] would be located near the westerly edge of the South Campus (opposite the terminus of Linnet Avenue in the adjacent residential neighborhood). . . and set back from (sic) the property boundary by 55 feet.

As an optional additional element, the School may seek a Conditional Use Permit to allow community use of the [PAC] for non-school-sponsored events such as graduation ceremonies for small schools or programs, recitals, neighborhood gatherings and functions of non-profits. The [PAC] is anticipated to be programmed most of the time for school functions such as class plays, concerts, assemblies and parent meetings, so community use would be limited and may (under this option) occur mostly on weekends. For purposes of this environmental analysis, this option for use of the Performing Arts Center for community use is limited to a maximum of 20 events per year. The size of such

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events is limited to the seating available (450) seats). Parking would be made available in the School's off-street parking spaces. Events would be required to be over by 10 p.m. on Saturdays and 8 p.m. on Sundays. Community groups would be required to hire the School's security and parking attendants or provide their own. Private parties such as weddings, quinceaneras, bar/bat mitzvahs, etc. would not be allowed.

There is considerable missing information in the DEIR and its Appendices: The North Campus diagrams in the emergency plan show that there are two auditorium/gyms, pavilions, arts and music classrooms, food service, and an amphitheater. The DEIR does not explain why the South Campus is duplicating many of those same facilities. Does the plan include use of only the South Campus for renting to nonprofits, small schools, etc.? If not, what other facilities would be used and on which campus? Would the school only rent out the new PAC or other parts of the South Campus?

The DEIR also does not answer the questions that should have been included:

Will the events last after the local sound ordinances, 10pm? and exceed the community noise db levels?

Do the events create noise of traffic, supply and equipment trucks arriving in the early morning or late hours after the conclusion of each event?

Will the rental event activity be any combination of commercial or community (non-profit)?

What are the police requirements, security, staffing, where do the staff park?

How many events per week, both school and non-school?

Will the theaters be in an air conditioned space which keeps their windows closed during the hot days, i.e noise mitigation

Where is the public transportation pick up and drop off space, where would it be located?

How often does public transportation run to serve the location where events will occur?

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I will assume two scenarios: 1) only the new 450-seat new PAC would be used for rentals to the public, and 2) all of the entertainment facilities on both campuses would be used for rentals. I assume that none of the events I am addressing relate to school-related uses of entertainment facilities.

A 450-seat theater is financially infeasible for a non-school event rental: The new PAC is too small to generate sufficient funds from ticket sales to pay operational costs. In the Bay Area, unless you have a minimum of about 2,000 seats, the amount of operating expenses will considerably exceed the margin left to the theater owner. By example, The Fox Theater has 2,800 seats, the Calvin Simmons Theater seats has 1500, and the Paramount Theater seats 2,800 – that is the typical seating promoters will look for, but much better if we can fill larger venues that seat over 5,000.

Because small theaters, like a 450-seater cannot turn a profit and because they cannot be repurposed, cities are tearing them down. In Oakland, the neighborhood theater in the Laurel near the neighborhood where the school is located, was recently torn down for a DaVita dialysis center. In Berkeley, the 3,500 Berkeley High community theater is standing and usable, but its 575-seat Little Theater has been viewed by BUSD as a likely teardown due to lack of rental income. As promoters, my colleagues and I know better than to book an event in a 450-seat theater.

No part of, or all of the school's available theaters for public events would be financially viable: The largest potential theater Head-Royce could rent would be the M.E.W. auditorium on its North Campus but I'm told it only has about 1,000 seats. The other auditorium/gym on the North Campus and the auditorium in Building O have even less seating than the M.E.W. and so are not going to generate sufficient ticket sales to cover operating costs. If the event renter tried to use some combination of the theaters for one event, the costs would be prohibitive. Instead of one location for food, security, parking, ticket taking, and deliveries, the operations would be spread out over two campuses with the need for many more employees.

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A few years ago, the New Yorker decided to bring their popular New Yorker Festival to the Bay Area, accessing various buildings on the Cal Berkeley campus. Even with all the New Yorker's might, attendance was low. They chose not to pursue it any further. The type of entertainment that sells here is the type listed on my resume and is for young audiences.

On the other hand, I disagree with this statement from the description above: "Private parties such as weddings, quinceaneras, bar/bat mitzvahs, etc. would not be allowed." Very small venues like the new PAC are not only good for these uses, but they also are a great way to form community including with the neighbors, and have people get to know the entertainment facilities. It takes years for a new venue to get established with lots of low attendance and lots of lost revenue. As long as the renters are careful about reducing noise, not using loud speakers, and avoiding disturbing neighbors in other ways, the new PAC should be fine for that purpose.

The venues that responsible promoters look for and that are financially viable are already in the downtown Oakland area. The City's uptown entertainment district, the Paramount and Fox Theaters, are all examples of successful venues and even their promoters have trouble finding enough entertainment that is saleable. These venues, unlike the school's plan, took years to develop a following. Just building a PAC without sufficient operating expenses is a recipe for financial disaster. Adding another entertainment venue on Lincoln Avenue in a residential area, would at best take away guests from the existing venues, lowering their returns on investment.

Right now and into the foreseeable future, Covid is preventing our industry from making profits and it is not just here. Britain is experiencing the same problems: <https://o5g.cz/2021/12/14/covid-19-theatre-which-london-west-end-shows-have-been-cancelled/> The on again and off again Covid surges have caused a drop in our ability to get past planning and advertising events. Selling fewer tickets combined with fewer people who bought tickets showing up means our food and alcohol sales plummet. The only good news is that Covid may go from being a pandemic to becoming an endemic, but that does nothing to help the event business. No matter what it is called, people do not want to get sick from going to a theater, artists included. Many of the cancellations are due to even

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one person in the artist's crew having a positive test before the performance. It is questionable whether our industry will be able to financially weather Covid, let alone a private school.

Either construction of a 450-seater building that will later become a teardown or one that just competes with the City's existing entertainment venues is detrimental to the City and a horrible waste of the school's money.

The school's location for public events is unsafe: The reports from Mr. Wong and Mr. Weisgerber are clear – there is no way to safely evacuate the North Campus, let alone evacuate it simultaneously with the neighbors. However, just looking at the layout of the two campuses, I can see that evacuation out of the new PAC on the South Campus for any reason would be extremely problematic, and most likely impossible. As promoters, egress is a high priority. While the new PAC would probably have exit signs, the proposed layout of the campus is confusing given that the new PAC is deep inside the campus. Theaters are located on streets for good reason – once guests get out of the building, they immediately are in a position to evacuate to safety, from a fire through the streets. That is not an option with the location of the new PAC. Emergency evacuation off of the North Campus is even more confusing since the two auditoriums are not near the parking lot, the terrain to get up to Lincoln Avenue is steep, and even the crews for a performance would have limited ability to help with the evacuation. I do not see a fast way or even an emergency evacuation plan for handicapped guests to get out of the campus quickly.

This statement above from the rental description makes no sense: "Community groups would be required to hire the School's security and parking attendants or provide their own." Security is the most important thing included in the ticket price. As Bill Graham used to tell us when we were young promoters: 'We are here to put on a good event for the guests, who are here to enjoy the event and our job is to keep them all safe.' We sell tickets to THE PUBLIC, which means that we have no control over who shows up drunk or on drugs, is carrying a weapon of some sort—even a penknife, or mentally ill. We also cannot prevent guests from getting into altercations with one another, or doing something inside that threatens to start a rampage to an exit door.

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Most events now involve the sale of alcohol. Even movie theaters now have bars and without alcohol, it is difficult to get people to attend an event. Event alcohol sales is where we make a lot of our money, but its use has to be closely monitored. Alcohol is one of the reasons theaters are located near restaurants with bars and access to nearby police, not in residential areas. It would be unlikely that the ABC will grant an alcohol permit for a school campus but even no-alcohol events do not prevent “partying” near the event on the street before or after a performance.

School security guards or guards that a renter would be willing to pay from their cut of the ticket sales are not equipped to handle all of the emergencies that come up before, during, and after a performance. Security companies, require “guard cards”. Security guards are trained to at minimum deal with crowds, mass evacuations, behavior problems, and medical emergencies. Security companies are paid a premium, which comes out of the ticket price and therefore, the return on investment.

The South Campus proposed parking is too far away from the PAC and there is not nearly enough of it. Even with more parking available on the North Campus and neighboring churches. The staffing cost increases for a security company to patrol all of the spread out parking areas, and the streets. Nor can traffic monitors and parking attendants handle that much space between parked cars and a performance, which is why successful venues are near parking garages or large lots, or once again have access to public transportation.

Using Head-Royce School as a public event venue would be inconvenient and a nuisance for residential neighbors: There are good reasons why promoters do not hold public events next to housing. For example, the school’s description states that the 20 weekend events would end at 10:00 p.m. on Saturdays and 8:00 p.m. on Sundays. That is very unrealistic – all events require set up and take down, which often lasts for hours before and after an event and is extremely noisy. The stage hands, often yelling to one another, are delivering and dragging equipment, instruments, and props during setup when they will also test the sound equipment. After the artists are done performing, all of what was dragged in has to be dragged out plus there is considerable cleanup from people eating food, littering, spilling drinks, and often much more. To put a theater back into

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condition for school children the next day could well last into the early hours of the morning. The delivery door to the PAC is only about 55 feet from the housing.

The description of the public venue indicates the renters will include nonprofits. A nonprofit can be almost anything. As promoters, we cannot control artists' expression. A nonprofit that puts on a loud performance or one with objectionable lyrics is not something we can control – nor can a city control the lyrics, either. It is fine downtown where adults have chosen to live in condos near theaters or outdoors in a park away from houses, and where there is sufficient space between the buildings and the theater, but it is not fine next to housing with young children. As promoters, we do not want our events to become a nuisance to neighbors as that is not good for our reputations or for selling tickets to the public.

The "Commons" is obviously an amphitheater and it does not belong in any residential neighborhood, regardless of whether for school or rental uses. Amphitheaters are designed to bounce noise a great distance and unfortunately, that noise goes right through walls into homes. It would have a significant impact on the neighbors' ability to live peacefully in their own homes to have events in that location. The nearby Oakland-owned Woodminster amphitheater located deep inside a park is already available for rent (which helps the City coffers). It is away from housing, very close to the school, literally up Lincoln Avenue onto Joaquin Miller Street and the appropriate place for outdoor entertainment.

Entertainment venues are located in the transit-oriented parts of cities for good reason – there is plenty of public transportation. Since most of our attendees are young, they mostly use public transportation. We also are mindful that reducing use of cars is important environmentally and also reduces the amount of car traffic around the events. In looking at the Head-Royce school site, it is almost completely off the grid for public transportation during the hours when students would not be on the campuses. There is no BART service at any time.

Another reason promoters do not put performances next to housing, besides noise and traffic, is the amount of litter, urine, and fights that end up in the streets outside entertainment venues. The parking lot on the South Campus is so

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far away from the new PAC that just getting people to throw their food and beverage containers into receptacles would be challenging. For guests who parked on the nearby streets and walked in, their debris ends up on front yards of homes or blows around the residential streets and sidewalks. The plans do not show any bathrooms, but do not count on your renters to make arrangements for enough bathroom facilities. Invariably, when guests cannot quickly find bathrooms in a residential neighborhood, they use the next best thing – residences' front yards. As promoters, we cannot control availability to bathrooms (including unclogging them, a frequent issue) throughout a residential neighborhood where, no matter what we do, patrons will park.

Conclusion: As promoters, we encourage schools to teach their students about music and other art forms. All schools should offer chances to stand on stages, dance, participate in plays, learn a musical instrument and play it with a band or orchestra, or in other ways find out what performance arts are all about. However, converting school facilities into public entertainment venues during school off-hours is not the same thing. That is best left to better and safer venues than school campuses. It is also best left to people like our local trained and experienced promoters, most of who worked with the great impresario, Bill Graham, the guru of safe performances.

Please feel free to contact me if you have any questions.

Sincerely,



Colleen Kennedy

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MUSIC/EVENTS BUSINESS VETERAN

Forty years at the heart of the concert/events business in Northern California. Has the trust and respect of leaders in the business. Has excellent people skills, great project management ability, in depth understanding of what does and doesn't work for events and an undying enthusiasm for the work.

PROFESSIONAL EXPERIENCE

Labyrinth-Concert, Event & Artist Services Company

Owner: 1993-Present

- CFO & COO for Labyrinth.
 - Producer of Bill Graham Menorah: Chanukah In Union Square('97-Present).
 - Head of Box Office for Uptown Theatre Napa(850 Cap Theatre; '10-Present).
 - Head of Box Office for Emerald Cup Fest (30,000 Cap Fest '16-Present).
 - Head of Box Office for Bottlerock Festival(35,000 Cap; '13-'16).
 - Front of House Services SF MOMA Fog: Design & Art Show at Ft Mason ('13-'18).
 - Head of Box Office for Kate Wolfe Festival(5,000 Cap; '01-'15).
 - Head of Box Office for Earth Dance Festival(5,000 Cap; '02-'11).
 - Head of Box Office for SF Oyster Festival(5,000 Cap; '14-'18).
 - Provide Box Office Services for clients such as: Hardly Strictly Bluegrass (Artist Credentials;'03-'Present), Outside Lands ('09-Present).), Past Box Office Services Clients have included: Bill Graham Presents, Black & White Ball, BAMMIES, KBLX Stone Soul Picnic & many others.
 - Provide or have Provided Production & Operation Services for clients such as: Bill Graham Presents, Bill Graham Special Events, Bay To Breakers, Nike Women's Marathon, Hartmann Studios*, New Yorker Magazine, Another Planet Ent., Madison House, The SF Celtic Festival, SF FlameThrowers & others.
- Recent Projects:
- Transportation-Nike Women's Marathon ('06-'15)
 - Traffic Marshal-Oracle Open World ('09-'13)
 - Staff Food & Bev-Home Depot Convention('09-Present)
 - Producer of KBLX Stone Soul Picnic('06-'07). Oversaw all: Operations, Production and Box Office functions.
 - Production Office Office Manager for BGP, Another Planet & Hartmann for large events: Dave Matthews AT&T Park, Metallica/Candlestick, Outside Lands, Oracle Convention and others. ('93-Present)

* Traffic Marshal for the Oracle Open world 2007-2012

Richter Entertainment Group

Head of Box Office: 2005-Present

- Head of Box Office for Ironstone Amphitheatre (7,000 cap Amphitheatre; '05-Present).
- Head of Box Office for Fruit Yard Amph. (3,500 cap Amphitheatre; '18-Present).
- Head of Box Office for REG Shows in San Diego, Stockton, Ontario, Modesto, Bakersfield & other various markets in CA and rest of US(Various Venues '12-Present).

Music Unlimited

General Manager 1992-1993

- Oversaw all operations of David Graham's Management and Booking Agency.

Bill Graham Presents

Head of the Box Office: 1985-1992

- Coordinated the on sale of tickets with management, agent promoter, record labels, sponsors, production and venue.
- Settled shows evening of performance.
- Oversaw all ticket sales through: in house box office, ticketing services, specialty outlets and at events.
- Coordinated all guest lists and passes for all shows.
- Did daily ticket counts for each event on sale.
- Worked Box office at events.

Bill Graham Presents

Receptionist/Assistant Box Office Manager: 1980-1985

- Answered switchboard for office of 40.
- Coordinated all special deliveries.
- Administrative assistant for stage managers, box office, advertising, and office manager.
- Responsible for the making all in house laminates and performance passes.
- Assisted Head of Box Office in all Box Office responsibilities.
- Worked Box Office at events.
- Settled shows evening of event.

OTHER:

Bill Graham Foundation Board Member: 2000-2010

- Officer(Secretary) of The Executive Board of The Foundation ('08-'10).
- Other Board Members Include: David & Alex Graham, Bob & Peter Barsotti, Gregg Perloff, Danny Scher, Rick Swig, Richard Idell, Rita Gentry, Jacqueline Sabec.

Bill Graham Menorah Advisory Board Member: 1993-Present

Irish Arts Foundation Board Member: 1997-2000

- Administered the foundation bank account and grant applications.

References available upon request