

ADMINISTRATIVE ORDER NO. 57-24-04
of the
City Manager of the City of Eugene

**REGARDING THE OPPORTUNITY TO COMMENT ON A PROPOSAL
TO AMEND THE SILVA CONCERT HALL, SORENG THEATER AND
LOBBY FEE SCHEDULE.**

The City Manager of the City of Eugene finds as follows:

A. Section 2.020 of the Eugene Code, 1971, authorizes the City Manager to determine and set fees and charges to be imposed by the City for services, goods, use of municipal property, and licenses and permits. Pursuant to that authority, on October 17, 2023, I issued Administrative Order No. 57-23-01-F establishing the current Silva Concert Hall, Soreng Theater and Lobby Fee Schedule (“the Fee Schedule”).

B. In determining whether to amend the Fee Schedule, in accordance with EC 2.020(2), I have considered the following factors: applicable policies, enactments and directives of the City Council; the amount charged for these services by the City in the past; the full costs of providing the services supported by the fees; the amounts charged by other comparable providers; and the revenue needs of the City as determined by the adopted City budget. See Exhibit C.

C. Based on my consideration of the factors listed above, I propose to replace the Fee Schedule with an updated Fee Schedule as set forth in the Notice attached as Exhibit A to this Order.


On the basis of these findings, I order that:

1. A copy of this Order with its exhibits shall be provided to the Mayor and City Councilors, and a Notice substantially conforming to the Notice attached as Exhibit A shall be made available to any persons who have requested such notice and posted at two locations at City Hall.

2. A Notice substantially conforming to the Notice attached as Exhibit B which contains those fees proposed to be \$250 or more shall be published in the Register Guard Newspaper.

Dated this 8th day of November, 2024.

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Sarah Medary
City Manager

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED CHANGES TO THE SILVA CONCERT HALL, SORENG THEATER AND LOBBY FEE SCHEDULE.

Pursuant to the provisions of Section 2.020 of the Eugene Code, 1971, the City Manager is proposing to amend the following fees in the Silva Concert Hall, Soreng Theater and Lobby Fee Schedule as listed below. Proposed deletions are shown in ~~red-strikethrough~~ and proposed additions are shown underlined in blue.

1. RENTAL RATES:

	<u>Fees</u>			
	<u>Resident Company</u>	<u>Local Performing Arts</u>	<u>Commercial</u>	<u>Local Promoter/Non-Performing</u>
<u>Silva Concert Hall</u>				
Youth Education Rate (through grade 12) <i>*May be eligible for <u>Event Management</u> Patron-User Fee (PUF) waiver.</i>	\$1,000	N/A	N/A	N/A
<u>Dark Day Rate</u>	<u>\$550 per day</u>	<u>\$2,100</u>	<u>\$6,000</u>	<u>\$6,000</u>
Patron User Fee <u>Venue Management Fee (VMF)</u> PUF	\$43 per ticket	\$4 per ticket	\$4 per ticket	\$4 per ticket
<u>Soreng Theater</u>				
Base Rental Rate	\$550 per event. Includes basic sound and standard lighting.	\$550 per event	\$1,330 plus 8% of gross sales exceeding \$2,000	\$1,330 plus 8% of gross sales exceeding \$2,000
<u>Dark Day Rate</u>	<u>\$195 per day</u>	<u>\$195 per day</u>	<u>\$2,000 per day</u>	<u>\$2,000 per day</u>
Patron User Fee (PUF) <u>Event Management Fee (EMF)</u>	\$43 per ticket	\$4 per ticket	\$4 per ticket	\$4 per ticket

1. RENTAL RATES:

	<u>Fees</u>			
	<u>Resident Company</u>	<u>Local Performing Arts</u>	<u>Commercial</u>	<u>Local Promoter/Non-Performing</u>
Event Cancellation	\$545 each performance to a maximum of \$1,330 if cancelled 90 days or less prior to scheduled event; plus 5% of gross sales for making refunds, plus reimbursement of documented actual expenses incurred by the Center and related to the cancelled event in addition to standards contract terms.	5% of gross ticket sales for making refunds, plus documented actual expenses incurred by the Center related to the cancelled event, in addition to applicable standard contract terms.	5% of gross ticket sales for making refunds, plus documented actual expenses incurred by the Center related to the cancelled event, in addition to applicable standard contract terms	5% of gross ticket sales for making refunds, plus documented actual expenses incurred by the Center related to the cancelled event, in addition to applicable standard contract terms

2. TICKET OFFICE CHARGES:

	<u>Fees</u>	
	<u>Resident Co. & Local Performing Arts</u>	<u>Commercial & Local Promoter/Non-Performing Arts</u>
Mailing Lists (e-mail files or label sets) – mailing lists sent to mail house only and at the discretion of the Hult Center Director of Marketing	\$50 per thousand	\$50 per thousand
Platinum Service Fee or VIP Service Fee	Not less than \$200, but not to exceed \$500, negotiated by contract based on the number of Platinum tickets to be sold, and the amount of time involved and level of complexity in pricing selected seats	Not less than \$200, but not to exceed \$500, negotiated by contract based on the number of Platinum tickets to be sold, and the amount of time involved and level of complexity in pricing selected seats <u>Sliding scale \$500 - \$1500 based on complexity of ticketing build determined by the Director of Programming</u>

2. TICKET OFFICE CHARGES:

	Fees	
	<u>Resident Co. & Local Performing Arts</u>	<u>Commercial & Local Promoter/Non-Performing Arts</u>
VIP Gross Ticket Sales	N/A	Not to exceed 10% of the gross VIP ticket sales charged for VIP ticket sales that are not included in the Gross ticket sales for the Performance as contracted with the Promoter
Streaming Gross Ticket Sales	\$500 or 10% of Gross ticket sales for Streamed events using the Hult Center's streaming platform	\$1000 or 10% of Gross ticket sales for Streamed events using the Hult Center's streaming platform

3. PERSONNEL CHARGES:

	Fees	
	<u>Resident Co. & Local Performing Arts</u>	<u>Commercial & Local Promoter/Non-Performing Arts</u>
<u>Evolv Usher</u>	<u>*City temporary scale plus 34% of total labor charges</u>	<u>*City temporary scale plus 34% of total labor charges</u>
Security	\$34 per show/hour, overtime \$49 per person/hour	\$34 36 per person/hour; overtime \$49 51 per person/hour

**The City of Eugene temporary employee pay scale in effect at the time the services are provided. A current copy of the pay scale shall be available for review at the Hult Center offices.*

***“Advance” time is defined as “pre-event advising and consulting, including meeting with technical directors and road managers, and scheduling staff.”*

4. CONCESSIONS/CATERING:

	Fees
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Catering commission for other backstage catering	15% of the total catering charge
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6. MARKETING FEES:

Fees	
Marketing Services Fee	\$500 applied after 10 hours of marketing support
Program Printing	\$100 plus cost of printing
Targeted Email	\$50 per thousand email addresses, limit one email per title, max audience of 8K contacts

7. EQUIPMENT RENTAL RATES:

	Fees					
	<u>Resident Company</u>		<u>Local Performing Arts</u>		<u>Commercial & Local Promoter/Non Performing</u>	
	<u>Silva</u>	<u>Soreng</u>	<u>Silva</u>	<u>Soreng</u>	<u>Silva</u>	<u>Soreng</u>
<p><i>“Event” is defined as one use, e.g. tech rehearsal, dress rehearsal, performance, within a production.</i></p> <p><i>“Production” is defined as a booking containing one or more events.</i></p>						
Moving Lights	\$40 per light per event	\$40 per light per event	\$40 per light per event	\$40 per light per event	\$60 per light per event	\$60 per light per event
LED Pars each beyond standard house hang	\$20 per light per performance	\$20 per light per performance	\$20 per light per performance	\$20 per light per performance	\$30 per light per performance	\$30 per light per performance

8. MISCELLANEOUS EQUIPMENT:

	Fees	
	<u>Resident & Local Companies</u>	<u>Commercial & Local Promoter/Non Performing</u>
Brombaugh Portative Organ	\$150 per production \$250 if used outside the Hult Center—maximum rental period of seven days	\$150 per production \$250 if used outside of the Hult Center—maximum rental period of seven days
Dance Floor (per production)	Basic Marley— No charge Adagio— \$100	\$225 per production
<u>Projection/Video</u>		
LED Video Wall	\$3,900 (\$65 per panel) <u>per Production</u>	\$7,500 (\$125 per panel) per Event \$10,000 plus expenses/labor for outside Hult usage per Event
Lecturn/mic	No charge	No charge
72-inch digital tv screens	\$50 per screen	\$100 per screen

**Rented equipment which will be taken out of the building requires an agreement at least two weeks in advance.*

9. FEE NEGOTIATIONS. The Executive Director of the Library, Recreation and Cultural Services Division or the Director’s designee may elect to negotiate rates lower than those listed in this fee schedule if it is deemed in the best interest of the City and facilitates the offering of cultural events and programs. This determination will be made in accordance with industry standards and fiscal accountability.

Comments on the proposed amendments may be submitted in writing to Laura Lee, Managing Director of the Hult Center, One Eugene Center, Eugene, Oregon 97401, or via e-mail to LLee@eugene-or.gov. To be considered, written and e-mail comments must be received within 15 days from the date posting as indicated below. If the City Manager chooses to take action after considering the comments received, the proposed or modified fees will be adopted by administrative order.

Sarah Medary, City Manager

Date of Posting: November 12, 2024

NOTICE OF OPPORTUNITY TO COMMENT ON PROPOSED AMENDMENT OF THE SILVA CONCERT HALL, SORENG THEATER, AND LOBBY FEE SCHEDULE.

Pursuant to the provisions of Section 2.020 of the Eugene Code, 1971, and as a result of an investigation of the revenue needs of the City of Eugene in administering Hult Center events and programs, the Eugene City Manager is proposing to amend the Silva Concert Hall, Soreng Theater, and Lobby Fee Schedule

The current rates and the rates proposed to be \$250 or greater, are set out below. A full schedule of the proposed amendments can be reviewed at the City Hall posting locations at 500 E. 4th Ave. in Eugene and on the City of Eugene’s website at www.eugene-or.gov/520/Administrative-Order.

	Current	Proposed
Silva Concert Hall Dark Day rate for Resident Company	New fee	\$550 per day
Silva Concert Hall Dark Day rate for Local Performing Arts	New fee	\$2,100
Silva Concert Hall and Soreng Theater Dark Day rate for Commercial and Local Promoter/Non Performing Companies	New fee	\$6,000
Platinum Service Fee or VIP Service Fee for Commercial and Local Promoter/Non Performing Companies	Not less than \$200, but not to exceed \$500, negotiated by contract based on the number of Platinum tickets to be sold, and the amount of time involved and level of complexity in pricing selected seats	Sliding scale \$500 - \$1500 based on complexity of ticketing build determined by the Director of Programming
Streaming Gross Ticket Sales for Resident Co. & Local Performing Arts	\$500 or 10% of Gross ticket sales for Streamed events using the Hult Center’s streaming platform	Fee Discontinued
Streaming Gross Ticket Sales for Resident Co. & Local Performing Arts	\$1000 or 10% of Gross ticket sales for Streamed events using the Hult Center’s streaming platform	Fee Discontinued
Marketing Services Fee	New Fee	\$500 applied after 10 hours of marketing support

	Current	Proposed
Brombaugh Portative Organ rental rate	\$150 per production \$250 if used outside the Hult Center— maximum rental period of seven days	Fee Discontinued

Comments on the proposed amendments may be submitted in writing to Laura Lee, Managing Director of the Hult Center, One Eugene Center, Eugene, Oregon 97401, or via e-mail to LLee@eugene-or.gov. To be considered, written and e-mail comments must be received within 15 days from the date posting as indicated below. If the City Manager chooses to take action after considering the comments received, the proposed or modified fees will be adopted by administrative order.

Sarah Medary, City Manager

Date of publishing: November 12, 2024.

City Manager's Findings
Proposed Silva Concert Hall, Soreng Theater and Lobby Fee Schedule Amendments
FY25

Pursuant to Section 2.020(2) of the Eugene Code, 1971, the City Manager has considered the following factors in determining the proposed Silva Concert Hall, Soreng Theater and Lobby fee amendments:

(a) Applicable policies, enactments and directives of the Council.

Findings: n/a

(b) The amount charged by the City in the past.

Findings:

Youth Education Rate:

(through grade 12)

**May be eligible for Event Management Fee waiver.*

- In an effort to achieve a simpler approach for our Resident Companies in recognizing their youth education work, the process was changed to include an Event Management Fee waiver. Achieving the same results, this is a streamlined process that avoids the complexity of paperwork for a PUF (now VMF) waiver.

Venue Maintenance Fee (VMF):

- This is a change in vocabulary from the previously used Patron User Fee (PUF) to Venue Maintenance Fee (VMF).
- In the 2023 Admin Order, a change from \$3 to \$4 was implemented in all groups EXCEPT Resident Companies, with the agreement with the Resident Companies that the change in fees would be implemented this year for FY25.
- The last increase occurred in November of 2014 (FY 15) when the \$2 PUF was increased to \$3 (where it's been for the last 9 years).
- The increase is in line with similar sized institutions and helps offset the cost to operate.

VIP Gross Ticket Sales:

- Repeated language removed and clarified for consistency within this document.

Streaming Gross Ticket Sales:

- The Hult doesn't stream ticketed events, fee removed.

Catering commission:

- Past practices included a pool of caterers, but this practice has been unequitable to local caterers. The Hult requires our caterers to be insured, but we no longer keep a restrictive list. Caterers that are used consistently are added to the City of Eugene's qualified pool for catering services to ensure compliance with public contracting rule E-18.

Souvenir Sales by City Staff:

- The Hult does not have City employees selling souvenirs. The note is being removed to be consistent with practice.
- Duplicate entry removed.

Stacks and Racks – Meyer Leopard Sound System:

- Clarity provided on the type of sound system.

Moving Lights:

- Industry standard and the Hult practice for many years has been to not charge for moving lights.

Moving Lights LED Pars each beyond standard house hang:

- Industry standard and the Hult practice for many years has been to not charge for LED Pars hangs

Brombaugh Portative Organ:

- The Hult no longer has this organ as it is owned by the Bach Festival.

Lectern Mic:

- The Hult has never charged for this item so removing this as a listed fee.

(c) The full costs of providing the service supported by the fee.

Findings:

Dark Day Rate:

- A dark day rate has been added as the Hult is unable to book a one-day event that lands in the middle of a rehearsal or performance span of two days or more. The fees help to offset lost revenue.

Evolv Usher:

- The position of Evolv Usher was necessary when the Evolv security screening system was incorporated.
- Fees are consistent with other usher positions.

Security:

- \$34 is the current rate being paid by the Resident Companies. There has been an increase in security labor fees of \$2 per hour/ and \$4 per OT hour that the Hult is passing on to Commercial and Local Non-Performing Arts bookers/producers. The Hult is not increasing the fee for our Resident Companies as we understand that this will be a significant adjustment to them, and they have not had time to incorporate this into their budgets or ticket prices for their upcoming season. Discussion will happen in advance for next season.

Marketing Services Fee:

- Fee triggered after 10 hours of support by the Hult Marketing team. This fee has been established to clarify expectations and to prevent the labor costs of unlimited support for every booker.

Program Printing:

- This fee has been established to clarify expectations on the number of programs printed and the labor involved in printing.

Targeted Email:

- This fee has been established to provide clarity on the size of email audience as well as providing the booker/producer the option to determine how many emails they would like to have sent.

(d) The amounts charged by other comparable providers.

Findings:

Soreng Theater Base Rental Fee:

- Updated language to reflect practice. The Hult has not collected the “plus 8% of gross sales exceeding \$2,000” as this is outside of industry norms.

Platinum Service Fee or VIP Service Fee:

~~Not less than \$200, but not to exceed \$500, negotiated by contract based on the number of Platinum tickets to be sold, and the amount of time involved and level of complexity in pricing selected seats~~ Sliding scale \$500 - \$1500 based on complexity of ticketing build determined by the Director of Programming

- Factors taken into account by the Director of Programming in determining complexity include:
 - Number of unique pricing zones:
 - 1-3 zones = Standard (lower on the fee scale)
 - 4-8 zones = Moderate
 - 8+ zones (to a max of 12 zones) = Top of the fee scale
 - Number of unique pricing zones to be determined at the time of booking
 - Number of times an additional expense is added to the base ticket price:
 - Price is set, no changes = Standard (low fee)
 - 5-10 pricing adjustments = Moderate
 - Daily or unlimited dynamic pricing = High
 - All request for pricing updates require a minimum of 24 hours to implement
- Language simplified for clarity.

(e) The revenue needs of the City as determined by the adopted city budget.

Findings: n/a