# SAN FRANCISCO WAR MEMORIAL AND PERFORMING ARTS CENTER RENTAL REQUESTS: February 10, 2022

# **DAVIES SYMPHONY HALL**

San Francisco Symphony National Brass Ensemble	June 20, 2022 (Add to June-Aug contract)	\$2,900.00 vs 10% \$5,800.00 maximum
HERBST THEATRE	7	
SF Opera Center Meet the Adlers	March 1, 2022	\$1,375.00
SF Conservatory of Music Commencement	May 21, 2022	\$1,375.00
SFJAZZ Melody Gardot	September 24, 2022	\$1,375.00
WILSEY CENTER		
Valerie Crane Dorfman Gallery Party	February 25/26, 2022	\$1,450.00
SF Opera Center Meet the Adlers	March 1, 2022	\$725.00
James Toland Vocal Arts Opera Competition	July 16/17, 2022	\$3,100.00

# San Francisco War Memorial & Performing Arts Center Refund Requests: February 10, 2022

VENUE	LICENSEE	EVENT DATE(S)	AMOUNT
Herbst Theatre	American Bach Soloists	12/31/2021	\$ 1,125.00
Herbst Theatre	San Francisco Performances	1/29/2022	\$ 1,125.00
Herbst Theatre	Earplay	1/31/2022	\$ 1,125.00
Herbst Theatre	Long Now	2/16/2022	\$ 1,125.00
Herbst Theatre	Golden Gate Symphony & Chorus	2/27/2022	\$ 1,125.00
		Herbst Theatre Total:	\$ 5,625.00
		- 1. 1	
Green Room	UC Berkeley, Goldman School	2/1/2022	\$ 950.00
Green Room	San Francisco Ballet	2/3/2022	\$ 400.00
Green Room	Philharmonia Baroque Orchestra & Chorale	2/4/2022	\$ 400.00
Green Room	Urban Land Institute	2/16/2022	\$ 950.00
Green Room	Verline Culinary Academy	3/1/2022	\$ 1,400.00
Green Room	Girls Leadership	3/2/2022	\$ 950.00
Green Room	Urban Services YMCA	3/4/2022	\$ 950.00
Green Room	University of San Francisco Law School	3/19/2022	\$ 950.00
		Green Room Total:	\$ 6,950.00
Wilsey Center	Philharmonia Baroque Orchestra & Chorale	1/22/2022	\$ 1,300.00
Wilsey Center	Symphony Parnassus	1/30/2022	\$ 825.00
Wilsey Center	San Francisco Civic Symphony	1/30/2022	\$ 1,125.00
Wilsey Center	Philharmonia Baroque Orchestra & Chorale	2/4/2022	\$ 250.00
Wilsey Center	San Francisco Civic Symphony	2/6/2022	\$ 1,125.00
Wilsey Center	My Beautiful City	2/12/2022	\$ 2,625.00
Wilsey Center	African American Shakespeare	2/18-3/13/2022	\$ 5,000.00
Wilsey Center	Juilliard School of Drama	2/4-2/8/2022	\$ 4,050.00
		Wilsey Total:	\$ 16,300.00
	7		
		Grand Total:	\$ 28,875.00

	San Francisco War Memorial FY 2021-2022 Housekeeping Expenditures - January 31	L 2	022		
PO Number			Amount	Fund Source	
	PURCHASE ORDER				
587521	MCCLURE ELECTRIC INC	\$	7,773.00	14670	
587526	MCCLURE ELECTRIC INC	\$	2,453.00	14670	
588200	GRAINGER	\$	9,529.10	14670	
588256	GRAINGER	\$	1,244.56	14670	
588261	AGURTO CORPORATION DBA PESTEC	\$	340.50	14670	
588266	INTERNATIONAL FIRE INC	\$	4,830.88	14670	
589104	HOLZMUELLER CORP	\$	214.92	14670	
589293	GRAINGER	\$	3,748.84	14670	
589420	NATIONAL FIRE PROTECTION ASSOCIATION	\$	175.00	14670	
590459	MCCLURE ELECTRIC INC	\$	2,121.00	14680	
591723	MCCLURE ELECTRIC INC	\$	3,582.00	14670	
592877	B B I ENGINEERING INC	\$	454.00	14670	
593070	ALAMEDA ELECTRICAL DISTRIBUTORS INC	\$	4,063.88	14670	
	Total	\$	40,530.68		
UND CODE:	DESCRIPTION:				
14660	Shuttered Venue Operator Grant (SVOG)				
14670	Operating		38,409.68		
14680	Facilities Maintenance		2,121.00		
14690	Capital Projects	,			
14700	Concessions Equipment Replacement Fund				
14720	War Memorial Reserve			×.	
	Total	\$	40,530.68		

	1 1 2021-		evenue Repo	_	SCAL YEAR	_	ST YEAR TO	
	7		REVENUE		TO DATE		DATE	FY 2018-201
	FACILITY RENTAL							
435511	Opera House	\$	202,700.00	\$	423,532.01	\$	48,645.00	\$ 504,321.9
435512	Green Room		2,700.00		56,749.16		2,200.00	253,080.0
435521	Herbst Theatre		10,425.00		118,193.70		11,775.00	328,675.0
435531	Davies Symphony Hall		-		388,790.00		58,705.00	580,465.1
435542	Wilsey Center		825.00		144,682.14		5,530.00	97,530.0
462891	Zellerbach Rehearsal Hall		34,410.00		201,745.00		10,430.00	193,775.0
	OFFICE RENTAL							(1
435517	San Francisco Ballet (OH)		5,222.76		23,502.42			13,087.7
435519	San Francisco Opera (OH)		15,060.52		105,423.64		105,424.12	107,990.5
435539	San Francisco Symphony (DSH)		15,170.40		106,192.80		106,192.00	85,914.0
435540	Veterans Bldg. Office Rent (SFO)		37,922.14		264,804.98		227,879.35	286,647.2
462861	Veterans Building Occupancy Fees		-		68,924.94		71,931.69	1,625.8
	FOOD/BEVERAGE CONCESSIONS					1.0		
435611	Opera House				-			248,486.7
435611	Herbst Theatre				_		-	48,221.7
435631	Davies Symphony Hall		-		•			197,359.0
	PROGRAM CONCESSIONS							
435612	Opera House		-		544.85			885.0
435612	Herbst Theatre		-				-	2,942.2
435632	Davies Symphony Hall		-		64.45		-	5,591.1
	OTHER							
435232	Parking Fees		5,400.00		28,192.50			28,481.5
462899	Miscellaneous Revenue		4,877.00		33,446.00		1,281.00	160,152.2
ROSS R	EVENUE	\$	334,712.82	\$ 1	1,964,788.59	\$	649,993.16	\$ 3,145,232.0
	Less 15% War Memorial Reserve	Ť	(50,206.92)	Ţ	(294,718.29)		(97,498.97)	(471,784.8
	Payment to War Memorial Commission		(3,150.00)		(18,150.00)		(21,845.00)	(22,665.0
ET REVI		\$	281,355.90	\$ 1		\$	530,649.19	\$ 2,650,782.2
		1		•	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		000,010110	<b>+ 2,000,00</b>
THER F	INDS							
435614	Concessions Equipment Replacement	\$		\$	-	\$	·	\$ 23,985.7
100017	Concooliono Equipment Replacement	ŢΨ		Ψ		Ψ		¥ 20,000.1

# San Francisco War Memorial

FY 2021 - 2022 Appropriations Report - January 31, 2022

Account	DESCRIPTION		REVISED PROPRIATION	1	YTD CUMBERED & Expended		BALANCE	
501010	Permanent Salaries	\$	6,473,700	\$	3,077,115	\$	3,396,585	
505010	Temporary Salaries	\$	381,958	\$	381,648	\$	310	
509010	Premium Pay	\$	108,247	\$	63,664	\$	44,583	
510210	One-Time Salaries Payments	\$		\$	87,409	\$	(87,409	
511010	Overtime	\$	185,077	\$	163,744	\$	21,333	
501070	Holiday	\$	99,318	\$	57,896	\$	41,422	
513000	Mandatory Fringe Benefits	\$	3,484,112	\$	1,784,368	\$	1,699,744	
521030	Air Travel	\$		\$		\$		
521050	Non-Air Travel	\$		\$		\$		
522000	Training	\$	22,600	\$		\$	22,600	
523010	Auto Mileage // Local Field Expense	\$	-	\$	250	\$	(250	
524010	Membership Dues	\$	3,795	\$	175	\$	3,620	
527090	Special Inspection & Testing Services	\$	3,952	\$	16,418	\$	(12,466	
527610	Systems Consulting	\$	41,989	\$	1,046	\$	40,942	
527990	Other Professional Services	\$	81,320	\$	101,182	\$	(19,862	
528010	Scavenger Service	\$	224,432	\$	159,808	\$	64,625	
528030	Pest Control	\$	45,889	\$	32,567	\$	13,322	
528910	Elevator Service	\$	262,170	\$	174,563	\$	87,607	
528990	Other Building Maintenance Services	\$	730,761	\$	665,051	\$	65,710	
529110	Data/Word Processing Maintenance	\$	16,620	\$	1,620	\$	15,000	
529990	Other Equipment Maintenance	\$	37,282	\$	44,740	\$	(7,458	
531000	Equipment Lease/Rental	\$	17,989	\$	21,751	\$	(3,762	
535000	Other Current Expenses (535000-535990)	\$	67,317	\$	54,089	\$	13,229	
540000	Materials & Supplies	\$	327,517	\$	278,742	\$	48,775	
552110	Taxes (Community Benefit District)	\$	275,851	\$	165,504	\$	110,347	
552115	Sales Tax	\$	-	\$	67	\$	(67)	
552210	Fees, Licenses and Permits	\$	34,169	\$	10,846	\$	23,323	
581051	PUC - Light, Heat and Power	\$	958,817	\$	526,595	\$	432,222	
581063	PUC - Sewer Service	\$	77,412	\$	42,567	\$	34,845	
581064	PUC - Water	\$	74,031	\$	39,851	\$	34,180	
581140	DT - Technology Projects	\$	80,513	\$	1,280	\$	79,233	
581210	DT - Technology Infrastructure	\$	149,552	\$	74,776	\$	74,776	
581270	City Attorney - Legal Services	\$	93,000	\$	25,989	\$	67,011	
581325	DTIS - Enterprise Agreement	\$	11,553	\$	11,553	\$	0	
581360	DTIS - Telephone Services	\$	30,480	\$	13,786	\$	16,694	
581410	GSA - Custodial Services	\$	2,742,425	\$	1,443,151	\$	1,299,274	
581450	DHR - Management Training	\$	42,790	\$	-	\$	42,790	
581460	DHR - Workers Compensation	\$	135,203	\$	55,566	\$	79,637	
581570	DPH - Medical Services/Training	\$	61,732	\$	383	\$	61,349	
581580	DPH - Toxic Waste & Haz. Mat Svcs.	\$	24,556	\$	162	\$	24,393	
581820	Purchasing - Reproduction	\$	8,500	\$	102	\$	8,500	
581880	Rec. Park - Gardener Services	\$	187,264	\$	94,388	\$	92,876	
301000	TOTAL OPERATING	\$	17,603,894	\$	9,674,311	\$	7,929,583	
14680	Facilities Maintenance	\$	585,888	\$	388,271	\$	197,617	
067ACP	Capital Improvements	\$	202,000	\$	300,211	\$	197,017	
067ACP	Capital Equipment	\$		\$		\$		
COLACE	GRAND TOTAL	\$	18,189,782	\$	10,062,582	\$	8,127,200	
10000	Debt Service		9,502,809	\$				
14720		\$		φ	3,014,446	\$	6,488,363	
14/20	War Memorial Reserve	\$	1,649,456		\$20,566.72	Ф	1,628,889	

#### **MINUTES**

# WAR MEMORIAL BOARD OF TRUSTEES

#### SPECIAL BOARD MEETING

Wednesday, January 12, 2022

The Board of Trustees of the War Memorial of San Francisco met remotely in special session on Wednesday, January 12, 2022, at 2:00 p.m., President Horn presiding.

#### **ROLL CALL**

Present: President Horn, Vice President Lui, Trustee Gatti, Trustee Kopp, Trustee Moscone,

Trustee Myatt, Trustee Pelosi, and Trustee Wright

Absent: Trustee Wilsey

Staff Present: John Caldon, Managing Director

#### PRESIDENT'S REPORT

President Horn opened the meeting by noting the recent surge in the Omicron variant of COVID will likely extend the time before the Board will be able to hold meetings in-person again.

President Horn announced Committee assignments for 2022, which required changes due to the passing of Trustee Bechtle and Trustee Shultz. He noted that the Building Committee would remain the same with Trustee Pelosi as Chair. President Horn also noted that because Vice President Lui would now be *ex officio* on all Committees, Trustee Myatt would become Chair of the Budget and Finance Committee. He further reported that due to the loss of Trustee Bechtle, Trustee Wilsey has agreed to become Chair of the Presentors Liaison Committee. President Horn noted that because Trustee Myatt would be Chair of the Budget and Finance Committee, Trustee Kopp would now be Chair of the Veterans Committee. President Horn stated the full list of Committee assignments would be distributed to Trustees after the meeting.

President Horn shared that the San Francisco Ballet has moved its opening night gala, which was scheduled to be held at the War Memorial Opera House and San Francisco City Hall on Thursday, January 27, 2022, back eight weeks to Thursday, March 24, 2022, due to the COVID omicron surge.

President Horn also reported that Tamara Rojo, the famed Spanish ballerina who heads the English National Ballet, will become the Artistic Director of the San Francisco Ballet when Helgi Tomasson retires at the end of this season. President Horn noted that Ms. Rojo will be the first woman, and only the fifth director, to lead the troupe. President Horn stated that her appointment comes after a year-long search for a successor to Helgi Tomasson, who has led the San Francisco Ballet for 37 years. On behalf of Trustees, President Horn congratulated Ms. Rojo and wished her the best of luck on her tenure with the Ballet.

Danielle St. Germain-Gordon, Interim Executive Director of the San Francisco Ballet, remarked how grateful she was to the War Memorial and to Opera House staff for their willingness to be nimble with the revised date for the Ballet's gala. She also noted how thrilled the Ballet is with the announcement of new Artistic Director Designee Tamara Rojo, who will be joining the Ballet at the end of the calendar year as Helgi Tomasson's retirement will become effective July 1, 2022. Ms. St. Germain-Gordon stated that the Ballet is currently working on a transition plan to ensure suitable coverage on the artistic team and noted that Trustees will have an opportunity to meet her during one of her visits to San Francisco this year.

# MANAGING DIRECTOR'S REPORT

Approval of Consent Agenda: Director Caldon stated that items submitted on the Consent Agenda included: minutes of the December 9, 2021 meeting of the Board; Rental Requests for January 12, 2022; December 2021 Housekeeping Expenditure Reports; and the Resolution adopting findings under Assembly Bill 361 to continue remote meetings. Mr. Caldon requested their approval. On motion of Vice President Lui, seconded by Trustee Moscone, the following resolution was unanimously adopted:

#### **RESOLUTION NO. 22-01**

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that the minutes of the December 9, 2021 meeting of the Board; Rental Requests for January 12, 2022; December 2021 Housekeeping Expenditure Reports; and the Resolution adopting findings under AB 361 to continue remote meetings, are hereby approved.

**COVID Update**: Director Caldon provided an update on the recent Omicron surge of COVID. He noted that the War Memorial has seen an increase in COVID exposures. Prior to Omicron surging in December, Mr. Caldon stated there were approximately 20 exposures on campus during the pandemic. Mr. Caldon stated that staff is now receiving on average notice of approximately two to three daily COVID exposures across War Memorial venues. Mr. Caldon noted that this is impacting the War Memorial on all fronts: back of house, front of house, and engineering. He shared that the good news is that most people recover quickly, and with the CDC reducing the isolation time recommendation from 10 days to 5 days, staff is returning to work more quickly. Mr. Caldon noted that the increase in cases is impacting security and engineering schedules, creating some challenges.

President Horn inquired about whether the reported exposures are due to people being infected in War Memorial facilities. Director Caldon stated that because it is protected medical information, the resident companies do not share specifics regarding who has been infected or how they became infected. For War Memorial staff, he noted that the War Memorial performs contact tracing with anyone who reports they are feeling symptomatic or has received a positive COVID test result. Vice President Lui asked if there had been cancellations in the Herbst or Green Room or other events due to the surge. Mr. Caldon replied that booking has been steady, outside of a postponement and a few inquiries into the War Memorial's cancellation policies. Mr. Caldon also pointed out that there were no refund requests on the consent agenda for the current meeting, and there have not been a wave of cancellations or postponements on par with the early stages of the pandemic in 2020.

Vice President Lui announced the annual Chinese New Year concert will be happening at Davies Symphony Hall, but that the dinner celebration and gala have been cancelled because of the current surge. Mr. Caldon noted that at the Mayor's Department Head Meeting earlier that morning Dr. Colfax stated that this wave should peak at the end of the month and taper off in February. Director Caldon reported that Dr. Colfax was also convinced that we are moving into an endemic stage, in which COVID would be with us for "quite some time," and that we should anticipate periodic outbreaks going forward.

Director Caldon also reported that the definition of a "mega-event" was revised by the State and the change impacts the War Memorial. He noted that mega-events were previously defined as 1,000 or more people indoors, or 5,000 or more people outdoors, which did not impact Veterans Building venues. Mr. Caldon reported that California had reduced this threshold to 500 people, so the "mega-event" category now applies to the Herbst Theatre. Director Caldon stated that the War Memorial will begin treating events in the Herbst Theatre, Wilsey Center, and the Green Room per the mega-event guidelines to minimize confusion. Director Caldon noted that the stricter guidelines involve requiring vaccinations in Veterans Building venues and boosters will be required starting February 1, 2022. Director Caldon stated that the new requirements do increase complexity for front of house staff tasked with confirming that patrons are current with vaccinations.

Trustee Kopp inquired about a rental request from the Human Rights Commission. He stated that it seems odd to him that the Human Rights Commission can meet in-person, while the Board meeting today is remote instead of in-person. Director Caldon noted that the Human Rights Commission event is a Dr. Martin Luther King, Jr. celebration, and not a meeting of a public body, so it is not subject to the same restrictions to which public meetings of boards and commissions are currently subject per Mayoral Proclamation.

Assistant Managing Director Search: Director Caldon reported that the job description for the Assistant Managing Director position would be posted mid-January. He noted that the job description was created with assistance from the War Memorial Human Resources team and that it had been given to a racial equity review per the War Memorial's Racial Equity Action Plan. Mr. Caldon stated that the job description itself comports with all City and County requirements and will be shared with Trustees following the meeting so that they may share it with their networks.

Director Caldon noted the job description is very extensive, as the City requires many elements be included. He also noted that President Horn had reviewed and approved the job description. Mr. Caldon shared that the application process will open on Friday, January 14, 2022, and be kept open until January 28, at a minimum. He also noted that if adequate responses have not been received by that time, the City does allow for the posting to be kept open beyond that date. Director Caldon also noted that there is a process outlined in the department's Racial Equity Action Plan to distribute the posting to an extensive list of local organizations that support a diverse array of communities. Director Caldon expressed his hope that there would be a good candidate pool.

Finally, Mr. Caldon noted that included in the Trustees' Board meeting packets, was a revised meeting schedule for 2022. He pointed out that the biggest change was the scheduling for today's meeting, which was moved to accommodate Trustee Shultz's memorial service, which was unfortunately postponed due to the Omicron surge, and that the City Attorney advised that the Budget and Finance Committee meeting schedule be revised to comport with the City ordinance requiring two public hearings regarding the budget.

#### **GOOD AND WELFARE**

President Horn congratulated the Ballet for having successfully completed their Nutcracker run, understanding that with the current health situation, there had been trepidation all around. He noted that the Ballet did not miss one performance and that he looked forward to the upcoming season.

Trustee Pelosi inquired about how the Ballet plans to introduce the new Ballet Artistic Director. Danielle St. Germain-Gordon, Interim Executive Director for the San Francisco Ballet, noted that Tamara Rojo will in San Francisco at the end of January, should travel be allowed. She noted that Ms. Rojo plans to be in town on a semi-regular basis and that there will be a plan to introduce her to the Board of Trustees at an appropriate time.

#### **PUBLIC COMMENT**

Public comment is an opportunity for members of the public to directly address the Trustees on items within the subject matter jurisdiction of the Board, but not on the agenda.

President Horn stated that during COVID-19 health emergency while Trustees are meeting remotely, members of the public may address the Board by emailing their public comment to <a href="warmemorialBoard@sfgov.org"><u>WarMemorialBoard@sfgov.org</u></a> or by leaving public comment as a voicemail at 415-554-6377 in advance of Board meetings. President Horn also invited the public to leave additional public comment until 12:00 p.m. on War Memorial Board meeting day.

Trustees encourage the public to provide their comments and feedback by email or voicemail.

It should be noted that no public comment was received either prior to the meeting or in the subsequent week.

Trustee Myatt noted that from 2:00 p.m. – 5:00 p.m. there would be an historical presentation in the Veterans Gallery regarding African American veterans. He stated that he toured it and the curator of the show has a very interesting story. He reported that the curator had been researching his relatives and found he had a relative who was in the Civil War, and then discovered that he had a family member in every campaign that the US has had waged since the American Revolution. Trustee Myatt encouraged Trustees to visit the exhibit, which will be in place for a month.

# **ADJOURNMENT**

There being no further business to come before the Board, President Horn adjourned the meeting at 2:26 p.m.

John Caldon Managing Director

#### **MINUTES**

#### WAR MEMORIAL BOARD OF TRUSTEES

#### **BUDGET AND FINANCE COMMITTEE / SPECIAL MEETING**

# Wednesday, January 26, 2022

The Budget and Finance Committee of the Board of Trustees of the War Memorial of San Francisco met remotely at 2:00 p.m. on Wednesday, January 26, 2022, Chair Myatt presiding.

#### **ROLL CALL**

Committee Members Present: Chair Myatt, Trustee Kopp, Trustee Wilsey

President Horn, Ex officio, Vice President Lui, Ex officio

Non-Committee Members Present: Trustee Pelosi, Trustee Wright

Staff Present: John Caldon, Managing Director

# War Memorial Proposed Rental Rates for Fiscal Years 2022-23 and 2023-24:

Chair Myatt stated that in advance of today's meeting, Committee members received staff's proposed rental rates for Fiscal Years 2022-23 and 2023-24. Chair Myatt noted that War Memorial staff is proposing a 6% average increase for office and tenant space rentals and a 4.2% average increase for performance and event venue rentals. Chair Myatt stated that staff has also proposed to eliminate some rental rate categories. Chair Myatt asked John Caldon, Managing Director, to review staff's proposed rental rates.

Director Caldon reported that the War Memorial's practice is to adjust rental rates every other year based on actual and projected increases in operating costs. Mr. Caldon noted that the last time rental rates increased was for Fiscal Years 2020-2021 and 2021-22. He stated that based on that practice, staff is recommending proposed rental rates for FY2022-23 and FY2023-24. Director Caldon noted that staff is proposing a 6% increase for office and tenant space rentals in the War Memorial Opera House, Davies Symphony Hall, and the Veterans Building, and a 4.2% average increase for performance and event venues. Director Caldon noted that the last rental rate increase for performance and event venues was a 5.2% average increase but that this year staff is proposing a slightly lower increase as nonprofit licensees have been hurt financially during the pandemic.

Director Caldon further reported that staff is proposing the elimination of two rental rate categories, which include holiday rent for all venues and extra-hours charges for uses of Zellerbach Rehearsal Hall. He stated that the reason for proposing to eliminate these categories is that they are confusing to licensees and can appear to be punitive when charged. Director Caldon also noted that the War Memorial generates minimal revenue from these rates as on average holiday rent is charged twice per year and Zellerbach Rehearsal Hall extra-hours charges approximately 10 times per year. Director Caldon stated that elimination of these rates will not have an impact on earned revenue.

During discussion, Trustee Kopp asked to what the "Veterans Service Organization Occupancy Fee" referred, noting that for Fiscal Year 2014-2015 the category was listed as "not applicable" but starting in Fiscal Year 2016-17 a fee of \$15.42 was assessed. Director Caldon noted that this is the rental rate per square foot per year, which is a consistent rate for all office and tenant space in the Veterans Building. Judge Kopp stated that it was his understanding that Veterans Service Organizations paid no rent in the Veterans Building. Director Caldon clarified that as a Trust beneficiary, the San Francisco Posts of the American Legion pay no rent in the building, but that "Veterans Service Organizations" are a different category of organizations, which have been granted use of space in the building by the American Legion War Memorial Commission and the War Memorial Board of Trustees, but which are not San Francisco Posts of the American Legion and therefore not entitled to Trust rights. Mr. Caldon confirmed that San Francisco Posts of the American Legion do not pay rent for use of space in the Veterans Building.

Vice President Lui inquired as to whether the 4.2% increase for performance spaces applied only to nonprofits. Director Caldon stated the 4.2% increase was the average rate increase for all performance and events spaces in War Memorial facilities and that the proposed rental rates outlined in the document noted the precise percentage increase for each rental category. He noted that staff's objective is to maintain competitive rates while ensuring that rates cover inflationary costs. Vice President Lui remarked "it is a great deal" to be able to host an event in a space like The Green Room with only a small increase.

Judge Kopp asked whether these proposed changes had been discussed with tenants in the War Memorial. Director Caldon stated that there had not been direct conversations with tenants. He noted that staff invites tenants to Budget and Finance Committee meetings so they can share concerns and ask questions. He further noted that staff does not have direct conversations with individual tenants regarding rates prior to Board meetings so that all discussion remains part of the public process.

During public comment, Andrew Dubowski, Senior Director of Operations for the San Francisco Symphony, expressed appreciation that rates are being held low and that rates have historically been raised modestly and regularly, which helps the Symphony with its long-term budgeting. Mr. Dubowski expressed his appreciation to the Budget and Finance Committee on behalf of the Symphony.

# War Memorial Proposed Departmental Budget for Fiscal Years 2022-23 and 2023-24:

Chair Myatt stated that in advance of today's meeting, Committee members received staff's departmental budget presentation document and a detailed summary of staff's proposed revenues and expenditures for the next two fiscal years. Chair Myatt asked Director Caldon to review staff's proposed departmental Budget.

Director Caldon began by reviewing the War Memorial's Mission Statement: "The San Francisco War Memorial and Performing Arts Center manages, maintains and operates safe, accessible, world-class venues to promote cultural, educational, and entertainment opportunities in a cost-effective manner for enjoyment by the public, while best serving the purposes and beneficiaries of the War Memorial Trust." He noted that this has been the mission for 90 years and that the War Memorial continues to serve that mission.

Director Caldon then turned to the staff Racial Equity Statement, which the Racial Equity team created, and which reflects the department's commitment to equity: "The San Francisco War Memorial and Performing Arts Center serves as a unique public gathering space to be used and enjoyed by all. The War Memorial is proud to employ a culturally and racially diverse staff. Cultural sensitivity and respect for others are core values of the department. We are committed to creating programs and policies to support each staff member in achieving their fullest potential." Director Caldon noted that this statement was created by the staff Racial Equity Team and is a reminder that while the department's work is often framed in terms of the buildings, it is performed by people for the benefit of people. Director Caldon stated that since the buildings opened as monuments to the war workers of World War I, they have been a place where the celebration of life would continue to honor that sacrifice for generations to come, and that it is this celebration life by people in the buildings that stands as a token of gratitude to those who made our freedoms possible.

Director Caldon then turned to discuss projected performance and event activity. He began by stating that staff anticipates this coming fall should see a return to pre-COVID levels of activity, though attendance may be somewhat depressed. He stated that in the Herbst Theatre there is an active pace of bookings, but that attendance has been lower than pre-COVID. Mr. Caldon noted that projected activity levels for the last two years during COVID have been projections based on historical data, whereas prior to COVID projections were based on a more detailed analysis by staff of actual bookings and potential bookings based on date availability. He stated that staff is working on a projection based on actual bookings but that due to the changed landscape of performance and events activity it is taking longer to complete this year. Director Caldon reported that for the February 10 meeting staff will present revised activity-level projections based on this deeper analysis.

Vice President Lui asked whether licensees are charged rent per-performance or by season. Director Caldon answered that the charge is per performance or rehearsal. Vice President Lui then asked what the policy is if an event needs to be cancelled due to COVID. Mr. Caldon responded that in the Herbst Theatre cancellations have been allowed and the War Memorial was retained a cancellation fee to cover the administrative cost it takes for staff to process the cancellation. He also noted that all refunds have been approved at regular meetings.

Vice President Lui then inquired about whether there were conditions for cancellation. Director Caldon noted that terms are all outlined in the Short-Term License Agreements executed by licensees and that at the outset of the pandemic this Board empowered him by vote establish policies regarding rental refunds, with the stipulation that staff bring each request for a refund to the Board for approval, which has been done consistently.

Director Caldon then reported on projected earned revenues, stating that earned revenue is closely tied to the number of performances and events for which rent is charged. He noted that office space tends to remain constant as tenants relinquishing office space is rare. Director Caldon stated there was a large decrease in earned revenue starting March 2020 due to COVID closures and that it was in Fiscal Year 2021-22 that revenue started to rebound. He reported that staff projects in Fiscal Year 2022-23 the War Memorial will return to Fiscal Year 2018-19 booking levels.

Director Caldon then focused on position summaries, which count how many employees are included in the budget. He stated that at the time the COVID pandemic started, the War Memorial had many position vacancies and was employing a number of full-time employees in the low 50s range despite being budgeted for 70 full-time employees. He reported that in Fiscal Year 2021-22, the War Memorial budgeted for salary spending to hire a number of staff members equal to 63.5 full-time employees. He stated that for Fiscal Year 2022-23, staff anticipates increasing the number of filled full-time employee positions to 67 and in Fiscal Year 2023-24 to increase the number of filled full-time employee positions to 69. Mr Caldon noted that the department plans to employ a number of as-needed employees working a number of hours equal to approximately 5.54 full-time employees in both Fiscal Years 2022-23 and 2023-24.

Director Caldon next summarized projected revenues noting that:

- General Fund Operating Support for Fiscal Years 2022-23 and 2023-24 is anticipated to be \$13.6 million;
- General Fund Facilities Maintenance and Capital Improvement Projects Support is projected at \$9.3 million dollars for Fiscal Year 2022-23 and \$6.6 million dollars for Fiscal Year 2023-24 based on requests made to the Capital Planning Committee, which, if approved, will include funding for general facilities maintenance, modernization of an elevator in Davies Symphony Hall, replacement of the War Memorial Opera House mansard roof, and upgrading the obsolete Herbst Theatre sound system;
- Earned revenue for performance and event rentals, as well as concessions revenue, is projected at \$4.3 million for Fiscal Year 2022-23 and \$4.5 million for Fiscal Year 2023-24;
- Interdepartmental Recovery reflects rent paid by City departments Grants for the Arts and the San Francisco Arts Commission for a total of \$273,987 for both Fiscal Years 2022-23 and 2023-24; and
- Use of the War Memorial Fund Balance is currently budgeted at \$810,506 for Fiscal Year 2022-23 and \$770,000 for Fiscal Year 2023-24.
- Director Caldon reminded Trustees that as he had stated earlier in the meeting, for the February 10 Committee meeting staff will present revised activity level projections based on a deeper analysis of projected uses, which will likely cause the earned revenue projections to be revised.

Director Caldon reported on expenditures stating that:

- Salaries and Benefits will increase over the current year as staff continues to fill vacant positions. Expenditure levels are currently projected at \$11.6 million for Fiscal Year 2022-23 and \$11.9 million for Fiscal Year 2023-24;
- Non-personnel Services costs, which include services performed by third parties such as waste management, elevator repair, and consultation, are projected at \$1.2 million for Fiscal Year 2022-23 and 2023-24;
- Materials and Supplies costs are projected at approximately \$290,000 for Fiscal Years 2022-23 and 2023-24; and

• Services of other Departments is budgeted at \$6 million for Fiscal Year 2022-23 and \$6.2 million for Fiscal Year 2023-24. This category includes numerous services furnished by other City departments, most notably custodial service through the Real Estate Department.

Trustee Kopp asked about the reference to "premium pay" with regards to salaries and when such pay occurs. Director Caldon stated that premium pay is paid to trade workers such as stagehands, engineers, and security guards, who work certain shift hours, typically during overnight shifts. Premium pay is paid at a rate of 8.5% or 10% of an employee's hourly pay rate, depending on which hours of the day are worked.

Trustee Pelosi thanked Director Caldon for the excellent presentation.

Following discussion, Chair Myatt stated that staff's proposed departmental budget and rental rates for Fiscal Years 2022-23 and 2023-24 would be carried over to the Budget and Finance Committee meeting on February 10, 2022, for consideration and adoption of recommendations.

#### PUBLIC COMMENT

Chair Myatt called for public comment on items within the jurisdiction of the Budget and Finance Committee of the Board of Trustees, but not on the agenda. There being no public comment, Chair Myatt closed public comment.

# **ADJOURNMENT**

There being no further business, Chair Myatt adjourned the meeting at 2:50 p.m.

John Caldon Managing Director February 1, 2022

Members of the Board of Trustees San Francisco War Memorial & Performing Arts Center 401 Van Ness Avenue San Francisco, California

Dear Trustees:

In 2018 Global Gourmet Catering (GGC) assumed the role of exclusive caterer for the San Francisco War Memorial and Performing Arts Center. It has been a wonderful and challenging experience and we are grateful for the support of the War Memorial Board of Trustees and War Memorial staff, as well as the Ballet, Opera, and Symphony, and our great patrons.

The Original Term of the Agreement began August 1, 2018 and will expire July 31, 2023. The Agreement grants the War Memorial the option to extend GGC's service for an additional 5-years. To exercise the extension, by February 2022 GGC must submit to the War Memorial written notice of its desire to extend, which is 18-months prior to the expiration of the Original Term.

Under normal circumstances, GGC would at this time request an extension to the Original Term per the provisions in the Agreement. However, due to the financial uncertainty created by the 18-month suspension of service due to Covid-19 (March 2020 through August 2021), rather than requesting to exercise the 5-year extension, GGC is respectfully requesting to extend the Original Term of the Agreement by an equal 18-months.

Extending the Original Term to January 31, 2025, will allow GGC to recuperate revenue lost due to the closures. It will also afford GGC and the War Memorial an opportunity to form a clearer understanding of the conditions of operating performance and event venues post-pandemic, which will better enable both parties to "...reach agreement on what is required to meet the then current service requirements...," as stipulated in Section 2.3.b. of the Agreement.

We respectfully submit this request and appreciate your consideration.

Sincerely,

Garo Eldemir
Director of Concessions - GGC

Laura Lyons

President and CEO - GGC

Alejandro Salinas

Director of Operations - GGC

Elaine Burrell

Director, Sales and Production - GGC





February 3, 2022

Trustees of the War Memorial & Performing Arts Center Managing Director John Caldon

Dear Trustees and Director Caldon,

Thank you for your partnership in the installation of new seats in the Opera House during the closure. It has made a transformational difference to the experience in the building and has helped ensure the vibrancy of our return to live performance. Thank you also for your support in redeveloping the Littlefield Lounge during the same period: that has also ensured that patrons are returning to an energized, dynamic, beautiful building.

In the same vein of working to make the experience in the building as impactful as possible, we have an opportunity with one of the Opera's most generous donors to undertake a major refreshment of the rest of the Mezzanine level: the shop area, the Box Lobby, and the North Box Bar. Such an upgrade would be a very meaningful enhancement to some of the most important parts of the building's front of house. Utilizing donor funding would enable us to keep the facility fee for other improvements.

We are writing today to respectfully request that this matter be referred to the Building Committee of the War Memorial Board of Trustees so that we may further explore the concepts outlined herein through the public process of the Board.

It is very important to the donor that the project be completed in time for the opening night of the Opera's Centennial Season on September 9, 2022. They would like this to be a part of the launch of the Opera's second century as well as the 90<sup>th</sup> year of both the War Memorial, and San Francisco Ballet. We realize that this is a very tight timeline but we believe that it could be feasible.

We will be working with trusted architects on campus, Mark Cavagnero and Associates, to envision plans and timetables for proposed changes, staying in close contact with Director Caldon through this process, and bringing back plans to the Trustees for their final approval. In order to meet procurement deadlines and to be able to meet the installation window in July 2022, we will keep the Board apprised as quickly as possible as plans come into focus.

We envision that enhancements and upgrades could include such aspects as:

- Improvements to lighting and carpeting
- Replacement of the North Box Bar ceiling
- Upgrades to furniture and fixtures, and an improved restaurant flow
- Potential change of the shop area to an elegant Champagne Bar
- Potential addition of a bar area into the Box Lobby for exclusive use of box holders





All of these aspects will require detailed analysis and study to determine what is feasible within the scope of budget and time, but we believe that the total impact could be a very significant enhancement to the patron experience in these very important areas of the Opera House.

The donor would be looking at naming rights as part of the gift, and we would welcome a chance to explore this with the Board. Depending on the ultimate scope and cost of the project, we may want to look at naming opportunities for one part (e.g. a new Box lobby bar, a new champagne bar, or the new North Box Bar restaurant), or potentially for the whole Mezzanine level should the scope of the project be appropriate to such a naming and within the context of a broader conversation around naming options in the building. We look forward to discussing this with the Board and Director Caldon. This is very much within the tradition of naming spaces in the building for those donors who make a transformational difference in the public spaces, e.g. the Osher Auditorium, the Littlefield Lounge, the Goldman Lobby, etc.

We respectfully ask the Trustees to refer to committee the plan to refresh and refurbish some or all remaining areas on the Mezzanine Level, such that we can explore the scope and budget of the project and come back to the board with a detailed plan for review. Given the timelines involved, we are bringing this to the Board in advance of full plans being solidified, but with the architect being known to the campus, and with ultimate details still requiring board approval, we wanted to get this to the Board as expeditiously as possible.

Thank you for your consideration of what could be a transformative enhancement to our beloved Opera House.

With deepest gratitude,

Matthew Shilvock General Director

San Francisco Opera

Danielle St. Germain-Gordon

Interim Executive Director

San Francisco Ballet

# RESOLUTION MAKING FINDINGS IN ACCORDANCE WITH CALIFORNIA ASSEMBLY BILL 361 AND GOVERNMENT CODE SECTION 54953(e) AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE WAR MEMORIAL BOARD OF TRUSTEES

WHEREAS, the WAR MEMORIAL BOARD OF TRUSTEES ("WMBT") is committed to preserving and supporting public access and participation in meetings of the War Memorial Board of Trustees and all of its Committees; and

WHEREAS, all meetings of WMBT and its Committees are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch WMBT and its Committees conduct business; and

WHEREAS, the Brown Act, Government Code section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, On February 25, 2020, the Mayor of the City and County of San Francisco (the "City") declared a local emergency, and on March 6, 2020, the City's Health Officer declared a local health emergency, and both those declarations remain in effect; and

WHEREAS, on March 4, 2020 Governor Newsom declared a State of Emergency in the State of California pursuant to Government Code Section 8625 as a result of the threat of the Coronavirus (COVID-19) pandemic; and

WHEREAS, subsequently, in March 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Orders N-25-20 and N-29-20. These orders suspended certain elements of the Brown Act and specifically allowed for legislative bodies as defined by the Brown Act to hold their meetings entirely electronically with no physical meeting place. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which provided that the provisions in Executive Order N-29-20 suspending certain elements of the Brown Act would continue to apply through September 30, 2021; and

WHEREAS, On March 11 and March 23, 2020, the Mayor issued emergency orders suspending select provisions of local law, including sections of the City Charter, that restrict teleconferencing by members of policy bodies; those orders remain in effect, so City law currently allows policy bodies to meet remotely if they comply with restrictions in State law regarding teleconference meetings; and

WHEREAS, on September 16, 2021 Governor Newsom signed AB 361, which added subsection (e) to Government Code section 54953 of the Brown Act, and makes provision for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition of AB 361 is that a state of emergency is declared by the Governor pursuant to Government Code section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the State caused by conditions as described in Government Code section 8558; and

WHEREAS, there has been a significant increase in COVID-19 cases in the City and County of San Francisco due primarily to the Delta variant of SARS-CoV-2, the virus that causes COVID-19. Emerging evidence indicates that the Delta variant is far more transmissible than prior variants of the virus, may cause more severe illness, and can be spread even by fully vaccinated individuals; and

WHEREAS, the Health Officer for the City and County of San Francisco issued a Local Health Emergency regarding Covid-19 on March 6, 2020, which remains in effect at this time, and has subsequently issued orders and directives to ensure the health and safety of the City and County of San Francisco including, but not limited to, issuing guidelines on physical distancing, encouraging meeting outdoors, wearing masks and receiving vaccinations; and,

WHEREAS, WMBT now desires to adopt a Resolution making the findings that the requisite conditions exist for the legislative bodies of WMBT to conduct remote virtual meetings without compliance with paragraph (3) of subdivision (b) of Government Code section 54953 and shall comply with the requirements to provide the public with access to the meetings as prescribed in Government Code section 54953(2)(e); and,

# NOW, THEREFORE, BE IT RESOLVED:

Section 1. <u>Recitals</u>. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Governor's Proclamation of a State of Emergency. WMBT hereby finds there is the Governor of the State of California's Proclamation of a State of Emergency, effective as of its issuance date of March 4, 2020 and continuing as of the date of this Resolution.

Section 3. <u>Local State of Emergency</u>. WMBT here finds that the Mayor of San Francisco issued a Proclamation of Local Health Emergency on February 25, 2020, and the San Francisco County Health Officer issued Order C19-07y on June 11, 2021, and updated as of September 20, 2021, to protect the health and safety of the City and County of San Francisco.

Section 2. <u>Proclamation of Emergency</u>. WMBT hereby finds that a state and local emergency now exists throughout the District, as evidenced by the State proclamations and City proclamations, and County Health orders currently in effect and, therefore, holding meetings in person would present imminent risks to the health and safety of attendees.

Section 4. <u>Remote Teleconference Meetings</u>. The staff of the San Francisco War Memorial and Performing Arts Center is hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution including, conducting remote meetings in

accordance with Government Code section 54953(e) and other applicable provisions of the Brown Act.

Section 5. <u>Effective Date of Resolution</u>. This Resolution shall take effect immediately upon its adoption and for at least the next 30 days meetings of the WMBT and its Committees, will continue to occur exclusively by teleconferencing technology (and not by any in-person meetings or any other meetings with public access to the places where any policy body member is present for the meeting). Such meetings will provide an opportunity for members of the public to address this body and its Committees and will otherwise occur in a manner that protects the statutory and constitutional rights of parties and the members of the public attending the meeting via teleconferencing.

Section 6. <u>Future Meetings</u>. The Executive Secretary of WMBT is directed to place a resolution substantially similar to this resolution on the agenda of a future WMBT meeting within the next 30 days. If WMBT does not meet within the next 30 days, the Executive Secretary is directed to place such resolution on the agenda of the next WMBT meeting that is scheduled.