

SAN FRANCISCO WAR MEMORIAL AND PERFORMING ARTS CENTER

RENTAL REQUESTS: September 8, 2022

DAVIES SYMPHONY HALL

MGP The Batman Symphony	April 20, 2023, 2p-11p	\$3,060.00 vs 10% \$8,730.00 maximum
UCSF School of Medicine 2023 Graduation	May 22, 2023, 5p-11p	\$4,000.00
Golden Gate University Law 2023 Graduation	May 23, 2023, 5p-11p	\$4,000.00
UCSF School of Pharmacy 2023 Graduation	May 27, 2023, 7a-3p	\$4,000.00
Golden Gate University Undergrad 2023 Graduation	May 30, 2023, 3p-11p	\$4,000.00
LiveNation Charlie Puth	November 7, 2022	\$3,060.00 vs 10% \$8,730.00 maximum

WAR MEMORIAL OPERAHOUSE

RealitySF Easter Service	April 9, 2023 (Pending release)	\$4,760.00
-----------------------------	------------------------------------	------------

HERBST THEATRE

Remezcla LLC Rehearsal	September 6, 2022	\$2,300.00
Andre Nickatina Projection Test	October 2, 2022	\$1,150.00

WILSEY CENTER

Symphony Parnasus Parnassus 22/23 Season Concerts	January 29, 2023 & April 2, 2023	\$1,720.00
--	----------------------------------	------------

San Francisco War Memorial
FY 2022-2023 Housekeeping Expenditures - July 31, 2022

PO Number	Description	Amount	Fund Source
<u>PURCHASE ORDER</u>			
632466	BANNER UNIFORM CENTER	\$ 6,000.00	14670
632469	STAPLES BUSINESS ADVANTAGE	\$ 2,000.00	14670
632483	U S PURE WATER CORP	\$ 480.00	14670
632497	PITNEY BOWES GLOBAL FINANCIAL SVCS LLC	\$ 792.00	14670
632550	PITNEY BOWES INC	\$ 1,200.00	14670
632577	CANON SOLUTIONS AMERICA INC	\$ 13,964.94	14670
632601	AGURTO CORPORATION DBA PESTEC	\$ 22,000.00	14670
632735	SCHNEIDER ELECTRIC BUILDINGS AMERICAS	\$ 66,566.00	14670
632762	TK ELEVATOR CORPORATION	\$ 143,980.00	14670
632778	SIEMENS INDUSTRY INC	\$ 66,524.00	14670
632808	YSERCO, INC	\$ 74,450.00	14670
632826	GRAINGER	\$ 12,000.00	14670
632838	GRAINGER	\$ 8,000.00	14670
632839	GRAINGER	\$ 12,000.00	14670
633005	Authentic Arts and Media	\$ 9,500.00	14720
633053	CAL WEST SERVICE INC	\$ 6,307.52	14700
634289	GRAINGER	\$ 27,782.30	14680
635052	CHARLES PANKOW BUILDERS LTD	\$ 27,844.00	14690
635071	CHARLES PANKOW BUILDERS LTD	\$ 57,596.00	14690
635088	CHARLES PANKOW BUILDERS LTD	\$ 300,322.00	14690
636288	UNITED CALIFORNIA GLASS & DOOR	\$ 6,935.50	14670
636615	ENERGETIX CORP	\$ 300.00	14670
637022	WIRELESS VOICE & DATA INC	\$ 367.00	14670
637047	CREST/GOOD MFG CO INC	\$ 4,074.72	14670
637114	XTECH	\$ 110.00	14670
637807	XTECH	\$ 5,000.00	14670
637811	XTECH	\$ 825.00	14670
638160	CHARLES PANKOW BUILDERS LTD	\$ 124,369.00	14690
638941	GRAINGER	\$ 1,747.93	14670
639165	SIEMENS INDUSTRY INC	\$ 5,000.00	14670
640274	GRAINGER	\$ 1,936.02	14670
640277	GRAINGER	\$ 1,660.48	14670
641506	GRAINGER	\$ 1,107.18	14670
642926	RECOLOGY SUNSET SCAVENGER COMPANY	\$ 105,390.72	14670
	Total	\$ 1,118,132.31	
FUND CODE:	DESCRIPTION:		
14670	Operating	\$ 564,411.49	
14680	Facilities Maintenance	\$ 27,782.30	
14690	Capital Projects	\$ 510,131.00	
14700	Concessions Equipment Replacement Fund	\$ 6,307.52	
14720	War Memorial Reserve	\$ 9,500.00	
14820	Gift Fund		
	Total	\$ 1,118,132.31	

San Francisco War Memorial
FY 2022-2023 Housekeeping Expenditures - August 31, 2022

PO Number	Description	Amount	Fund Source
<u>PURCHASE ORDER</u>			
643705	CORNER OFFICE	\$ 5,878.34	14670
644608	UNITED CALIFORNIA GLASS & DOOR	\$ 9,773.00	14680
645312	TK ELEVATOR CORPORATION	\$ 29,200.00	14670
645526	EMBASSY FLAG	\$ 1,979.01	14670
648120	RMI MECHANICAL CONTRACTOR INC	\$ 2,613.71	14680
648125	B B I ENGINEERING INC	\$ 165.60	14670
648369	XTECH	\$ 7,460.00	14670
648394	XTECH	\$ 1,373.00	14670
651039	TK ELEVATOR CORPORATION	\$ 7,000.00	14670
651041	TK ELEVATOR CORPORATION	\$ 7,000.00	14670
651500	D T C GRIP & ELECTRIC INC	\$ 1,656.72	14670
651501	B B I ENGINEERING INC	\$ 8,658.70	14670
651506	ALAMEDA ELECTRICAL DISTRIBUTORS INC	\$ 1,614.35	14670
651511	MCCLURE ELECTRIC INC	\$ 3,230.65	14670
652874	B B I ENGINEERING INC	\$ 1,423.96	14670
	Total	\$ 89,027.04	
FUND CODE:	DESCRIPTION:		
14670	Operating	\$ 76,640.33	
14680	Facilities Maintenance	\$ 12,386.71	
14690	Capital Projects		
14700	Concessions Equipment Replacement Fund		
14720	War Memorial Reserve		
14820	Gift Fund		
	Total	\$ 89,027.04	

San Francisco War Memorial
FY 2022 - 2023 Appropriations Report - July 31, 2022

Account	DESCRIPTION	YTD		
		REVISED APPROPRIATION	ENCUMBERED & EXPENDED	BALANCE
501010	Permanent Salaries	\$ 6,943,350	\$ 384,603	\$ 6,558,747
505010	Temporary Salaries	\$ 381,958	\$ 51,495	\$ 330,463
509010	Premium Pay	\$ 153,945	\$ 8,082	\$ 145,863
510210	One-Time Salaries Payments	\$ -	\$ -	\$ -
511010	Overtime	\$ 254,732	\$ 17,759	\$ 236,973
501070	Holiday	\$ 102,799	\$ 7,081	\$ 95,718
513000	Mandatory Fringe Benefits	\$ 3,551,653	\$ 198,614	\$ 3,353,039
521030	Air Travel	\$ 6,000	\$ -	\$ 6,000
521050	Non-Air Travel	\$ 15,000	\$ -	\$ 15,000
522000	Training	\$ 46,098	\$ 8,120	\$ 37,978
523010	Auto Mileage // Local Field Expense	\$ -	\$ -	\$ -
524010	Membership Dues	\$ 3,909	\$ -	\$ 3,909
527090	Special Inspection & Testing Services	\$ 10,184	\$ 17,119	\$ (6,936)
527610	Systems Consulting	\$ 17,000	\$ 7,460	\$ 9,540
527990	Other Professional Services	\$ 124,372	\$ 117,779	\$ 6,593
528010	Scavenger Service	\$ 225,940	\$ 131,330	\$ 94,609
528030	Pest Control	\$ 51,643	\$ 33,643	\$ 18,000
528910	Elevator Service	\$ 281,940	\$ 202,724	\$ 79,217
528990	Other Building Maintenance Services	\$ 943,658	\$ 950,770	\$ (7,112)
529110	Data/Word Processing Maintenance	\$ 15,000	\$ -	\$ 15,000
529990	Other Equipment Maintenance	\$ 50,573	\$ 21,733	\$ 28,840
531000	Equipment Lease/Rental	\$ 22,473	\$ 22,306	\$ 167
535000	Other Current Expenses (535000-535990)	\$ 120,074	\$ 65,223	\$ 54,850
540000	Materials & Supplies	\$ 347,518	\$ 124,423	\$ 223,095
552110	Taxes (Community Benefit District)	\$ 175,434	\$ -	\$ 175,434
552115	Sales Tax	\$ -	\$ -	\$ -
552210	Fees, Licenses and Permits	\$ 35,742	\$ -	\$ 35,742
581015	Human Resources Modernization	\$ 4,600	\$ -	\$ 4,600
581046	Diversity Equity Inclusion	\$ 1,721	\$ -	\$ 1,721
581051	PUC - Light, Heat and Power	\$ 1,391,362	\$ -	\$ 1,391,362
581063	PUC - Sewer Service	\$ 98,661	\$ -	\$ 98,661
581064	PUC - Water	\$ 89,280	\$ -	\$ 89,280
581210	DT - Technology Infrastructure	\$ 163,595	\$ -	\$ 163,595
581270	City Attorney - Legal Services	\$ 75,000	\$ -	\$ 75,000
581325	DTIS - Enterprise Agreement	\$ 10,787	\$ -	\$ 10,787
581360	DTIS - Telephone Services	\$ 29,274	\$ -	\$ 29,274
581410	GSA - Custodial Services	\$ 4,192,025	\$ -	\$ 4,192,025
581430	GF-HR-Equal Employmnt Opportuni	\$ 28,266	\$ -	\$ 28,266
581450	DHR - Management Training	\$ 20,451	\$ -	\$ 20,451
581460	DHR - Workers Compensation	\$ 134,000	\$ -	\$ 134,000
581570	DPH - Medical Services/Training	\$ 29,575	\$ -	\$ 29,575
581580	DPH - Toxic Waste & Haz. Mat Svcs.	\$ 8,181	\$ -	\$ 8,181
581820	Purchasing - Reproduction	\$ 8,500	\$ -	\$ 8,500
581880	Rec. Park - Gardener Services	\$ 192,882	\$ -	\$ 192,882
	TOTAL OPERATING	\$ 20,359,154	\$ 2,370,265	\$ 17,988,889
14680	Facilities Maintenance	\$ 718,835	\$ 139,737	\$ 579,097
067ACP	Capital Improvements	\$ -	\$ -	\$ -
067ACP	Capital Equipment	\$ -	\$ -	\$ -
	GRAND TOTAL	\$ 21,077,989	\$ 2,510,002	\$ 18,567,987
10000	Debt Service	\$ 9,520,809	\$ -	\$ 9,520,809
14720	War Memorial Reserve	\$ 1,569,003	\$ 396,888.30	\$ 1,172,115
14700	Concessions Equip. Repl. Fund	\$ 51,925	\$ 6,308	\$ 45,618

San Francisco War Memorial
FY 2022 - 2023 Appropriations Report - August 31, 2022

Account	DESCRIPTION	REVISED APPROPRIATION	YTD ENCUMBERED & EXPENDED	BALANCE
501010	Permanent Salaries	\$ 6,943,350	\$ 870,361	\$ 6,072,989
505010	Temporary Salaries	\$ 381,958	\$ 121,029	\$ 260,929
509010	Premium Pay	\$ 153,945	\$ 19,576	\$ 134,369
510210	One-Time Salaries Payments	\$ -	\$ -	\$ -
511010	Overtime	\$ 254,732	\$ 32,210	\$ 222,522
501070	Holiday	\$ 102,799	\$ 7,081	\$ 95,718
513000	Mandatory Fringe Benefits	\$ 3,551,653	\$ 462,110	\$ 3,089,543
521030	Air Travel	\$ 6,000	\$ -	\$ 6,000
521050	Non-Air Travel	\$ 15,000	\$ -	\$ 15,000
522000	Training	\$ 46,098	\$ 8,120	\$ 37,978
523010	Auto Mileage // Local Field Expense	\$ -	\$ -	\$ -
524010	Membership Dues	\$ 3,909	\$ -	\$ 3,909
527090	Special Inspection & Testing Services	\$ 10,184	\$ 17,119	\$ (6,936)
527610	Systems Consulting	\$ 17,000	\$ 7,460	\$ 9,540
527990	Other Professional Services	\$ 124,372	\$ 117,779	\$ 6,593
528010	Scavenger Service	\$ 225,940	\$ 131,330	\$ 94,609
528030	Pest Control	\$ 51,643	\$ 33,643	\$ 18,000
528910	Elevator Service	\$ 278,639	\$ 245,924	\$ 32,715
528990	Other Building Maintenance Services	\$ 928,000	\$ 950,770	\$ (22,770)
529110	Data/Word Processing Maintenance	\$ 15,000	\$ -	\$ 15,000
529990	Other Equipment Maintenance	\$ 50,573	\$ 21,733	\$ 28,840
531000	Equipment Lease/Rental	\$ 22,473	\$ 22,306	\$ 167
535000	Other Current Expenses (535000-535990)	\$ 120,015	\$ 65,223	\$ 54,792
540000	Materials & Supplies	\$ 347,518	\$ 124,423	\$ 223,095
552110	Taxes (Community Benefit District)	\$ 175,434	\$ -	\$ 175,434
552115	Sales Tax	\$ -	\$ -	\$ -
552210	Fees, Licenses and Permits	\$ 34,442	\$ -	\$ 34,442
581015	Human Resources Modernization	\$ 4,600	\$ -	\$ 4,600
581046	Diversity Equity Inclusion	\$ 1,721	\$ -	\$ 1,721
581051	PUC - Light, Heat and Power	\$ 1,391,362	\$ -	\$ 1,391,362
581063	PUC - Sewer Service	\$ 98,661	\$ -	\$ 98,661
581064	PUC - Water	\$ 89,280	\$ -	\$ 89,280
581210	DT - Technology Infrastructure	\$ 163,595	\$ -	\$ 163,595
581270	City Attorney - Legal Services	\$ 75,000	\$ -	\$ 75,000
581325	DTIS - Enterprise Agreement	\$ 10,787	\$ -	\$ 10,787
581360	DTIS - Telephone Services	\$ 29,274	\$ -	\$ 29,274
581410	GSA - Custodial Services	\$ 4,192,025	\$ -	\$ 4,192,025
581430	GF-HR-Equal Employmnt Opportuni	\$ 28,266	\$ -	\$ 28,266
581450	DHR - Management Training	\$ 20,451	\$ -	\$ 20,451
581460	DHR - Workers Compensation	\$ 134,000	\$ -	\$ 134,000
581570	DPH - Medical Services/Training	\$ 29,575	\$ -	\$ 29,575
581580	DPH - Toxic Waste & Haz. Mat Svcs.	\$ 8,181	\$ -	\$ 8,181
581820	Purchasing - Reproduction	\$ 8,500	\$ -	\$ 8,500
581880	Rec. Park - Gardener Services	\$ 192,882	\$ -	\$ 192,882
	TOTAL OPERATING	\$ 20,338,836	\$ 3,258,196	\$ 17,080,640
14680	Facilities Maintenance	\$ 718,835	\$ 152,124	\$ 566,711
067ACP	Capital Improvements	-	-	-
067ACP	Capital Equipment	-	-	-
	GRAND TOTAL	\$ 21,057,671	\$ 3,410,320	\$ 17,647,351
10000	Debt Service	\$ 9,520,809	\$ 2,420,354	\$ 7,100,455
14720	War Memorial Reserve	\$ 1,569,003	\$396,888.30	\$ 1,172,115
14700	Concessions Equip. Repl. Fund	\$ 51,925	\$ 6,308	\$ 45,618

San Francisco War Memorial
FY 2022-23 Revenue Report - July 31, 2022

Account		JULY REVENUE	YEAR TO DATE	LAST YEAR TO DATE	FY 2018-2019
FACILITY RENTAL					
435511	Opera House	\$ -	\$ -	\$ -	\$ 259,320.00
435512	Green Room	18,600.00	18,600.00	-	142,290.00
435521	Herbst Theatre	12,800.00	12,800.00	-	171,330.00
435531	Davies Symphony Hall	61,820.00	61,820.00	-	137,240.00
435542	Wilsey Center	35,545.00	35,545.00	-	43,870.00
462891	Zellerbach Rehearsal Hall	-	-	26,390.00	9,215.00
OFFICE RENTAL					
435517	San Francisco Ballet (OH)	\$ 2,771.26	\$ 2,771.26	\$ -	\$ 1,869.68
435519	San Francisco Opera (OH)	31,965.18	31,965.18	15,060.52	26,997.64
435539	San Francisco Symphony (DSH)	16,099.20	16,099.20	15,170.40	28,638.00
435540	Veterans Bldg. Office Rent (SFO)	80,398.44	80,398.44	37,979.87	71,661.80
462861	Veterans Building Occupancy Fees	12,264.48	12,264.48	9,846.42	1,625.82
FOOD/BEVERAGE CONCESSIONS					
435611	Opera House	\$ -	\$ -	\$ -	\$ 47,548.69
435611	Herbst Theatre	-	-	-	19,926.80
435631	Davies Symphony Hall	-	-	-	11,161.08
PROGRAM CONCESSIONS					
435612	Opera House	\$ -	\$ -	\$ -	\$ 200.03
435612	Herbst Theatre	-	-	-	-
435632	Davies Symphony Hall	-	-	-	2,235.02
OTHER					
435232	Parking Fees	\$ 5,317.00	\$ 5,317.00	\$ 829.00	\$ 5,585.50
462899	Miscellaneous Revenue	8,474.00	8,474.00	-	23,562.00
GROSS REVENUE		\$ 286,054.56	\$ 286,054.56	\$ 105,276.21	\$ 1,004,277.06
Less 15% War Memorial Reserve		(42,908.18)	(42,908.18)	(15,791.43)	(150,641.56)
Payment to War Memorial Commission		(3,150.00)	(3,150.00)	(2,500.00)	(3,216.00)
NET REVENUE		\$ 239,996.38	\$ 239,996.38	\$ 86,984.78	\$ 850,419.50
OTHER FUNDS					
435614	Concessions Equipment Replacement	\$ -	\$ -	\$ -	\$ 4,306.73

San Francisco War Memorial
FY 2022-23 Revenue Report - August 31, 2022

Account		AUGUST REVENUE	YEAR TO DATE	LAST YEAR TO DATE	FY 2018-2019
FACILITY RENTAL					
435511	Opera House	\$ 3,470.00	\$ 3,470.00	\$ 96,800.00	\$ 279,581.90
435512	Green Room	27,750.00	46,350.00	11,950.00	165,550.00
435521	Herbst Theatre	16,675.00	29,475.00	51,250.00	241,175.00
435531	Davies Symphony Hall	7,086.00	68,906.00	53,680.00	203,970.00
435542	Wilsey Center	1,720.00	37,265.00	29,720.00	45,920.00
462891	Zellerbach Rehearsal Hall	12,040.00	12,040.00	26,760.00	72,880.00
OFFICE RENTAL					
435517	San Francisco Ballet (OH)	\$ 2,771.26	\$ 5,542.52	\$ 7,834.14	\$ 5,609.04
435519	San Francisco Opera (OH)	15,982.59	47,947.77	45,181.56	40,496.46
435539	San Francisco Symphony (DSH)	16,099.20	32,198.40	15,170.40	42,957.00
435540	Veterans Bldg. Office Rent (SFO)	40,199.22	120,597.66	113,766.42	107,492.70
462861	Veterans Building Occupancy Fees	10,437.66	22,702.14	19,692.84	1,625.82
FOOD/BEVERAGE CONCESSIONS					
435611	Opera House	\$ 38,401.15	\$ 38,401.15	\$ -	\$ 50,523.14
435611	Herbst Theatre	58.00	58.00	-	19,926.80
435631	Davies Symphony Hall	11,790.65	11,790.65	-	55,535.21
PROGRAM CONCESSIONS					
435612	Opera House	\$ -	\$ -	\$ -	\$ 200.03
435612	Herbst Theatre	-	-	-	-
435632	Davies Symphony Hall	1,560.58	1,560.58	-	4,225.02
OTHER					
435232	Parking Fees	\$ 1,826.00	\$ 7,143.00	\$ 3,568.00	\$ 9,802.50
462899	Miscellaneous Revenue	6,015.00	14,489.00	4,716.00	51,752.10
GROSS REVENUE		\$ 213,882.31	\$ 499,936.87	\$ 480,089.36	\$ 1,399,222.72
Less 15% War Memorial Reserve		(32,082.35)	(74,990.53)	(72,013.40)	(209,883.41)
Payment to War Memorial Commission		(3,150.00)	(6,300.00)	(5,000.00)	(6,432.00)
NET REVENUE		\$ 178,649.96	\$ 418,646.34	\$ 403,075.96	\$ 1,182,907.31
OTHER FUNDS					
435614	Concessions Equipment Replacement	\$ 2,225.35	\$ 2,225.35	\$ -	\$ 4,306.73

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
REGULAR BOARD MEETING

Thursday, July 14, 2022

The Board of Trustees of the War Memorial of San Francisco met in regular session on Thursday, July 14, 2022, at 2:00 p.m., in the Trustees' Board Room, War Memorial Opera House, President Horn presiding. As authorized by California Government Code Section 54953(e) and Mayor Breed's 45th Supplement to her February 25, 2020 emergency proclamation, some members of the public also attended this meeting remotely.

ROLL CALL

Present: President Horn, Vice President Lui, Trustee Kopp, Trustee Muduroglu, and
(*in person*) Trustee Wright (arrived late at 2:21pm)

Present: Trustee Gatti, Trustee Pelosi, and Trustee Wilsey
(*remote on video*)

Absent: Trustee Fisher

Staff Present: John Caldon, Managing Director, and Rob Levin, Executive Secretary

PRESIDENT'S REPORT

President Horn opened the meeting by wishing everyone a happy Bastille Day and invited the Trustees to attend the French flag-raising ceremony at City Hall following the meeting.

San Francisco Opera Summer Season: President Horn stated that on July 3, the Opera concluded its summer season with "Dream of the Red Chamber." On behalf of the Trustees, he congratulated the Opera on a successful season and shared how much the Board is looking forward to celebrating the Opera's Centennial season. He also remarked that Trustee Muduroglu is the chair of the Opera Ball committee, which will be held on Friday, September 9, 2022. Vice President Lui announced the Symphony will be celebrating the opening of its season on Friday, September 23, 2022.

President Horn then requested, with consent of the Board, to take items on the agenda out of order. There being no objection, he turned to the Presentors Liaison Committee report.

COMMITTEE REPORT

Presentors Liaison Committee: President Horn noted that at the June 9, 2022 meeting of the Presentors Liaison Committee, Global Gourmet Catering, the War Memorial's exclusive concessionaire, requested to extend the Original Term of its Agreement. He noted Global Gourmet's agreement includes an Original Term lasting 5-years from August 1, 2018 to July 31, 2023. President Horn then asked Chair Wilsey to report to the Board any actions taken at the Presentors Liaison Committee meeting held on June 9, 2022.

Chair Wilsey reported that due to the COVID pandemic, War Memorial venues were closed to concessions service for 18-months during the Original Term of Global Gourmet's Agreement. She stated that Global Gourmet requested to extend the Original Term of its Agreement by 18-months so it may benefit from a full 5-years of revenue-earning potential, as guaranteed under the Agreement. She then reported that the Presentors Liaison Committee voted unanimously to recommend to the full Board approving Global Gourmet's request to extend the original term of its Agreement by 18-months, with the amended Original Term to expire on January 31, 2025.

Gina Robak, General Manager of Global Gourmet, addressed the Board and thanked the Trustees for their support during the pandemic.

Following discussion, on motion of Trustee Kopp, seconded by Trustee Muduroglu, the following resolution was unanimously adopted:

RESOLUTION NO. 22-09

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco to approve Global Gourmet Catering's request to extend the Original Term of its Agreement dated July 24, 2018, by a period of 18-months, with the amended Original Term revised to end on January 31, 2025.

REGULAR ITEMS

Selection of Trustee-Director to the San Francisco Performing Arts Center Foundation Board of Directors:

President Horn reminded Trustees that the San Francisco Performing Arts Center Foundation is a private, non-profit corporation, originally created in 1973 as the "Friends of the War Memorial," that provides support services to the War Memorial and Performing Arts Center. He noted that currently, as authorized by the Board of Trustees, the Foundation provides services to the War Memorial, including collecting and processing licensee payments and deposits in accordance with facility license agreements, processing payroll for non-City event personnel, and providing funds for various facility improvements.

President Horn continued that the Performing Arts Center Foundation's by-laws provide for five directors, of which a minimum of three shall be members of the War Memorial Board of Trustees, with two at-large directors as determined by a majority of the Foundation directors. President Horn noted that currently both he and Trustee Wilsey are named as Trustee-directors of the Foundation, and that Managing Director Caldon and former Managing Director Elizabeth Murray both serve as at-large directors. President Horn stated that with the passing of Trustee Moscone, it is up to the Trustees to select a Trustee-director to succeed her. He then opened the floor for nominations.

Following discussion, Trustee Wilsey moved to nominate Trustee Gatti to the Trustee-director role, highlighting his decades of work in philanthropic organizations. Vice President Lui seconded the nomination. With no further nominations, President Horn closed nominations, and the following resolution was unanimously adopted:

RESOLUTION NO. 22-10

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Trustee Stanlee Ray Gatti is hereby elected as a Trustee-director to the San Francisco Performing Arts Center Foundation.

MANAGING DIRECTOR'S REPORT

Approval of Consent Agenda: Director Caldon stated that items submitted on the Consent Agenda included: the minutes of the meeting of the Presentors Liaison Committee held on June 9, 2022; the minutes of the Regular Board Meeting held on June 9, 2022; Rental Requests for July 14, 2022; the Resolution adopting findings under AB 361 to continue remote meetings; and the Resolution Adopting Findings to Allow Teleconferenced Meetings Under California Government Code.

On motion of Trustee Wilsey, seconded by Trustee Kopp, the following resolution was unanimously adopted:

RESOLUTION NO. 22-11

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that the minutes of the meeting of the Presentors Liaison Committee held on June 9, 2022; the minutes of the Regular Board Meeting held on June 9, 2022; Rental Requests for July 14, 2022; the Resolution adopting findings under AB 361 to continue remote meetings; and the Resolution Adopting Findings to Allow Teleconferenced Meetings Under California Government Code are hereby approved.

COVID Update: Managing Director Caldon provided a brief update on COVID protocols. He stated that state and local Departments of Health still recommend masks in large indoor event venues, but they are no longer required. He explained that functionally this means all COVID restrictions have effectively been lifted for indoor performances. Director Caldon noted that the War Memorial currently requires a higher level of COVID restrictions than any other City department, including requiring masks, proof of vaccinations and boosters, and prohibiting beverages in the auditorium. He reported that he is currently working with resident companies to lift all War Memorial restrictions to match the local Department of Public Health's requirements.

Director Caldon explained that going forward the War Memorial will not be requiring masks for performances but that resident companies and other licensees may continue to require masks for performances and events, which would be respected by War Memorial and Global Gourmet staff. Director Caldon also stated his intent to begin allowing beverages to be consumed in the auditorium beginning in the fall.

Trustee Kopp asked about COVID restrictions for tenants in the building. Director Caldon responded that there are currently no restrictions for veterans groups or office tenants, all of whom are free to meet in the building as they were prior to the pandemic.

Behested Payments Legislation: Director Caldon then turned to the recently passed legislation by the Board of Supervisors regarding behested payments. He explained that a behested payment is when a government official asks a person or entity to donate to a third party. He stated that the new legislation does not allow a government official to request behested payments from any person or entity that is an "interested party" to the department. Director Caldon explained that an interested party would include contractors or potential contractors of the Department, such as Global Gourmet Catering, the exclusive concessionaire of the War Memorial. He continued that interested parties would also include all parties to proceedings before the Board and any person or entity that has attempted to influence the Board on an administrative decision within the prior twelve months.

President Horn inquired about being able to fundraise on behalf of the resident companies and Director Caldon responded that fundraising on behalf of the Symphony, Ballet, and Opera would be permitted provided that Trustees did not solicit donations from entities with business before this Board or contracts with the department valued at \$100,000 or more. Director Caldon continued that the legislation is not about which entity receives the donation, but about which entity has made the ask for a donation. Director Caldon stated that staff would distribute a list of interested parties to the Trustees.

President Horn noted that the Charter mandates that the Mayor give due consideration in appointment of Trustees to those who have a "special interest" in the department. He noted that in the past when the Board has been questioned about conflicts of interest, the City Attorney has previously opined that certain circumstances which for other departments may constitute a conflict of interest do not always apply to the War Memorial because of this Charter provision. Trustee Kopp suggested asking for a City Attorney Opinion. Director Caldon noted that a City Attorney Opinion would be helpful to gain clarity on this issue as infractions could result in an individual penalty of \$5,000 per violation.

He noted his intention to send to Trustees a City memo regarding the legislation along with a list of contractors with the department, and to work with President Horn and Trustee Kopp on drafting a request to the City Attorney for a clarifying opinion. Director Caldon also stated that he had requested a Deputy City Attorney to speak to the Board at the next meeting to answers questions about the legislation.

SECRETARY'S REPORT

Housekeeping Expenditures: Executive Secretary Levin stated that items submitted on the Revenue, Appropriations, and Housekeeping Expenditure reports for May and June 2022 were distributed to Trustees.

On motion of Vice President Lui, seconded by Trustee Kopp, the following resolution was unanimously adopted:

RESOLUTION NO. 22-12

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that the May and June 2022 Housekeeping Expenditure Reports are hereby approved.

Opera House Seating Project: Executive Secretary Levin reported on the final stages of the Opera House seating replacement project. He stated that it is very close to completion with most of the punch list having been addressed, including the aisle-lighting issue.

Vice President Lui asked about the automated rigging system in the Opera House. Director Caldon stated that he is currently working with the Ballet and Opera to address the issues and conduct a study. He also reported that the budget stayed primarily intact as previously reported, with some small trims to temporary employee and overtime salary budgets, but that the Department had retained the \$5 million dollars allocated for the Opera House mansard roof replacement and the \$2.2 million dollars allocated for Davies Hall elevator modernization.

GOOD AND WELFARE

Trustee Kopp asked about plans to commemorate the 90th Anniversary of the War Memorial. Director Caldon noted that the Opera House opened October 15, 1932, and staff has been in talks with the Opera for a possible pre-curtain speech to be delivered on the opening night of "Dialogue of the Carmelites" on October 15, 2022. He also stated that on Sunday, October 23, 2022, the War Memorial is planning a celebration in The Green Room to commemorate the anniversary. He remarked that the reason for this date is that the Opera House is planning an Open House to celebrate their Centennial Season, which will hopefully mean an active campus during the day.

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 WarMemorialBoard@sfgov.org 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.

There being no public comment, and President Horn closed public comment.

Following public comment, Trustee Kopp addressed the Board regarding Shen Yun, an organization that regularly rents the Opera House for one week of performances in January. Trustee Kopp noted that Shen Yun representatives have expressed to him a desire to increase their use period to two weeks. He stated that Shen Yun based their request on a perceived diminution of Opera performances, which might enable additional time for other lessees to use the Opera House. He requested that this accommodation be considered for January 2024.

ADJOURNMENT

There being no further business to come before the Board, President Horn adjourned the meeting at 2:40p.m.

Rob Levin
Executive Secretary

**RESOLUTION MAKING FINDINGS TO ALLOW TELECONFERENCED
MEETINGS UNDER CALIFORNIA GOVERNMENT CODE SECTION
54953(e)**

WHEREAS, California Government Code Section 54953(e) empowers local policy bodies to convene by teleconferencing technology during a proclaimed state of emergency under the State Emergency Services Act so long as certain conditions are met; and

WHEREAS, In March, 2020, the Governor of the State of California proclaimed a state of emergency in California in connection with the Coronavirus Disease 2019 (“COVID-19”) pandemic, and that state of emergency remains in effect; 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 also remain in effect; 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; and

WHEREAS, Consistent with the Mayor’s orders and State law, the War Memorial Board of Trustees met remotely during the COVID-19 pandemic through March 6, 2022; and

WHEREAS, On February 10, 2022, the Mayor issued an emergency order that (1) requires decision-making boards and commissions established in the Charter (with the exception of the Board of Supervisors) to hold meetings in person at a physical location where members of the public may attend and provide comment, (2) allows members of those boards and commissions to participate remotely in the in-person meetings for COVID-related health reasons, (3) allows but does not require subcommittees of those boards and commissions to meet in person at a physical location where members of the public may attend and provide comment, and (4) prohibits all other policy bodies (with the exception of the Board of Supervisors and its committees) from meeting in person under any circumstances, with limited exceptions; and

WHEREAS, On September 16, 2021, the Governor signed AB 361, a bill that amended the Brown Act to allow local policy bodies to continue to meet by

teleconferencing during a state of emergency without complying with restrictions in State law that would otherwise apply, provided that the policy bodies make certain findings at least once every 30 days; and

WHEREAS, While federal, State, and local health officials emphasize the critical importance of vaccination (including a booster once eligible) and consistent mask-wearing, regardless of vaccination status, to prevent the spread of COVID-19, the City's Health Officer has issued at least one order (Health Officer Order No. C19-07y, available online at www.sfdph.org/healthorders) and one directive (Health Officer Directive No. 2020-33i, available online at www.sfdph.org/directives) that continue to recommend measures to promote safety for indoor gatherings, including vaccination, masking, improved ventilation, and other measures, in certain contexts; and

WHEREAS, The California Department of Industrial Relations Division of Occupational Safety and Health ("Cal/OSHA") has promulgated Section 3205 of Title 8 of the California Code of Regulations, which requires most employers in California, including in the City, to train and instruct employees about measures that can decrease the spread of COVID-19; and

WHEREAS, Without limiting any requirements under applicable federal, state, or local pandemic-related rules, orders, or directives, the City's Department of Public Health, in coordination with the City's Health Officer, has advised that for group gatherings indoors, such as meetings of boards and commissions, people can increase safety and greatly reduce risks to the health and safety of attendees from COVID-19 by maximizing ventilation, wearing well-fitting masks regardless of vaccination status (and as required for unvaccinated people by the State of California's indoor masking order), encouraging vaccination (including a booster as soon as eligible), staying home when sick or when experiencing any COVID-19 symptom, discouraging consumption of food or beverages in the meeting, following good hand hygiene practices, and making informed choices when gathering with people whose vaccination status is not known; and

WHEREAS, the War Memorial Board of Trustees will begin meeting in person consistent with the Mayor's February 10, 2022 order, allowing members to participate by video from a separate location for COVID-related health reasons and providing members of the public an opportunity to observe and provide public comment either in person or remotely; now, therefore, be it

RESOLVED, That the War Memorial Board of Trustees finds as follows:

1. As described above, the State of California and the City remain in a state of emergency due to the COVID-19 pandemic. At this meeting, the War Memorial Board of Trustees has considered the circumstances of the state of emergency.
2. As described above, because of the COVID-19 pandemic, conducting meetings of this body and its committees in person without allowing certain members of this body to attend remotely would present imminent risks to the health or safety of certain attendees due to COVID-19, and the state of emergency continues to directly impact the ability of those members to meet safely in person; and, be it

FURTHER RESOLVED, That for at least the next 30 days, the War Memorial Board of Trustees will hold in-person meetings, with some members possibly appearing remotely. If all members of the War Memorial Board of Trustees are unable to attend in person for COVID-related health reasons, then the War Memorial Board of Trustees will hold the meeting remotely without providing an in-person meeting location. If the War Memorial Board of Trustees votes to allow it and appropriate space is available, the War Memorial Board of Trustees' subcommittees may hold in-person meetings as well, or alternatively, the subcommittees may hold meetings 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). All meetings of the War Memorial Board of Trustees and its committees will provide an opportunity for members of the public to address the body 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; and, be it

FURTHER RESOLVED, That the Executive Secretary of the War Memorial Board of Trustees is directed to place a resolution substantially similar to this resolution on the agenda of a future meeting of the War Memorial Board of Trustees within the next 30 days. If the War Memorial Board of Trustees does not meet within the next 30 days, the Executive Secretary is directed to place a such resolution on the agenda of the next meeting of the War Memorial Board of Trustees.