

**MINUTES**  
**WAR MEMORIAL BOARD OF TRUSTEES**  
**Thursday, June 11, 2015**

The Board of Trustees of the War Memorial of San Francisco met at 2:00 p.m. on Thursday, June 11, 2015, in the Trustees' Board Room, War Memorial Opera House, Vice President Horn presiding.

**ROLL CALL**

Present: Vice President Horn, Trustee Bechtle, Trustee Davis, Trustee Lui, Trustee Moscone, Trustee Myatt, Trustee Shultz, Trustee Stafford and Trustee Wilsey

Absent: President Bashford and Trustee Pelosi

Staff Present: Elizabeth Murray, Managing Director; Jennifer Norris, Assistant Managing Director

**APPROVAL OF MINUTES**

Vice President Horn called for approval of the minutes of the May 14, 2015 regular meeting of the Board. On motion of Trustee Bechtle, seconded by Trustee Moscone, the minutes were unanimously approved.

**MANAGING DIRECTOR'S REPORT**

**Rental Requests:** Ms. Murray stated that rental requests mailed to Trustees are routine and requested their approval. On motion of Trustee Shultz, seconded by Trustee Davis, the following resolution was unanimously adopted:

**RESOLUTION NO. 15-23**

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that the following rental requests are hereby approved:

**WAR MEMORIAL OPERA HOUSE**

San Francisco Opera 2015 Fall Season	August 7-December 13, 2015	\$177, 875.00
San Francisco Falun Buddha Study Association Shen Yun Performing Arts	January 6-10, 2016	\$15,000.00 vs. 10% \$30,000.00 maximum

**LOUISE M. DAVIES SYMPHONY HALL**

San Francisco University High School Graduation Ceremony	June 6, 2016	\$3,500.00
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**HERBST THEATRE**

California Institute of Integral Studies Emel Mathouthie	October 16, 2015	\$1,250.00
San Francisco Korean Master Chorale Concert	October 31, 2015	\$1,250.00

SFJAZZ Aaron Neville	February 9, 2016	\$1,250.00
Cypress Performing Arts Association Cypress String Quartet	March 11, 2016	\$1,250.00
San Francisco Girls Chorus Spring Concert	April 10, 2016	\$1,250.00
Drew School Graduation Ceremony	June 2, 2016	\$1,250.00
French American International School Graduation Ceremony	June 4, 2016	\$1,250.00

### **SECRETARY'S REPORT**

**Revenue, Appropriations and Housekeeping Expenditures Reports for May 2015:** Ms. Norris stated that Revenue, Appropriations and Housekeeping Expenditures reports for May 2015 have been distributed to Trustees, and she requested approval of the May 2015 housekeeping expenditures as submitted. On motion of Trustee Shultz, seconded by Trustee Moscone, the following resolution was unanimously adopted:

#### **RESOLUTION NO. 15-24**

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM150184 through WM150196 are hereby approved.

### **COMMITTEE REPORTS**

#### **Veterans Building Project Committee**

##### **Veterans Building Seismic Upgrade & Improvements Project:**

Vice President Horn reported that on May 28, 2015, Mayor Lee together with Public Works Director Mohamed Nuru and several other City department heads visited the Veterans Building construction site. Pankow had set up a small stage and sound system in the Veterans Building lobby from which the Mayor addressed and thanked the construction crews. After the Mayor's remarks, we gave the Mayor a tour of the Veterans Building which was limited in scope due to the Mayor's schedule. Mayor Lee was very engaged throughout the tour and appeared to be pleased with the results of the renovation of the Veterans Building.

Vice President Horn reported on the bi-weekly tour of the Veterans Building on June 2. He stated that finish work is well underway, including installation of carpet and linoleum flooring, painting and installation of renovated light fixtures. Re-painting and gilding of the Green Room continues and is spectacular. During the tour, the group looked at the new fabric sample for the Green Room curtains which coordinates beautifully with the gilding. The Herbst Theatre is very active leading up to substantial completion on June 22. The stage floor has been re-finished and the new rigging system has been completed. New AV lines are being installed and will be tested next week. The renovated boxes are close to completion and the sightlines have been greatly improved. Theatre carpet has been laid and the original refinished doors are being installed as well as refurbished light fixtures. In the Herbst Theatre lower lounge, a new parquet floor is being laid and the renovated bar is close to complete.

Ms. Murray distributed a schedule for the Veterans Building project completion, move-in and re-opening. She noted that while all dates are subject to change, the tentative date for the re-opening ceremony is September 16, 2015.

## **Building Committee**

**Building Committee Report:** Trustee Stafford made the report of the Building Committee on behalf of Trustee Pelosi, Chair of the Building Committee.

Trustee Stafford reported that the Building Committee met on June 9 to consider and adopt recommendations on the request from the San Francisco Symphony for conceptual approval of, and authorization to raise funds for, Davies Symphony Hall front-of-house improvements. He noted that during the Committee meeting, Symphony representatives made the point that no substantive changes have been made to front-of-house areas in Davies Symphony Hall for 30 years, and the Symphony would like the experience of entering Davies Symphony Hall to be a more unique San Francisco experience.

Trustee Stafford stated that the Symphony's proposed front-of-house improvements, estimated at approximately \$5 million include:

- New exterior signage, including LED displays replacing static display case posters;
- New interior LED signage in the box office area above and in between box office windows;
- New wayfinding signage and display banners in lobby areas to assist patrons in locating food & beverage services and restrooms;
- Improve the look, functionality and creativity of lobby lighting;
- Interactive portable digital video screens including interactive orchestra musicians display;
- Interactive robots in the lobby;
- Food and beverage facility upgrades including refurbishing the main bar, replacing the orchestra lobby round railing along the windows with a drink shelf, and new lobby seating;
- Replacing the chain link fence around the exterior parking lot; and
- ADA upgrades at the box office and elsewhere as required.

Trustee Stafford reported that following discussion, the Building Committee voted unanimously to approve in concept, and authorize the San Francisco Symphony to raise funds for, the proposed Davies Symphony Hall front-of-house improvements, subject to the Symphony returning to the Board for consideration and approval of mid-term and final designs.

Following discussion and on motion of Trustee Shultz, seconded by Trustee Moscone, the following resolution was unanimously adopted:

### RESOLUTION NO. 15-25

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby adopts the report and recommendations of its Building Committee and approves the San Francisco Symphony's request for conceptual approval of, and authorization to raise funds for, the proposed Davies Symphony Hall front-of-house improvements, subject to the Symphony returning to the Board for consideration and approval of mid-term and final designs.

### MISCELLANEOUS CORRESPONDENCE

Vice President Horn stated that Trustees have received the letter from the American Legion War Memorial Commission requesting financial support related to the Commission's move-in to the Veterans Building. He stated that Trustees have also received a copy of the letter from Elizabeth Murray to the American Legion War Memorial Commission responding to their letter.

## PUBLIC COMMENT

Paul Cox, Chair of the American Legion War Memorial Commission, stated that the letter referenced under Miscellaneous Correspondence asks for five months of financial support, but he now thinks what is needed is two months of financial support for August and September. He said the Trustees should expect another letter reducing the request for financial support to two-months.

## REGULAR ITEMS

### Proposed amendment to Food and Beverage Concession Agreement – Veterans Building First Floor Café:

Vice President Horn stated that War Memorial staff has asked for this item to be introduced and referred to committee. The item is a proposed amendment to the Food and Beverage Concession Agreement between the War Memorial and Patina Catering to grant Patina Catering the exclusive right to operate food and beverage services in the Veterans Building first floor café subject to agreement on operational and financial terms. Vice President Horn referred this item to the Board's Presentors Liaison Committee for consideration and recommendation.

Closed Session for Conference with Legal Counsel for Existing Litigation: Vice President Horn stated that as noticed on today's agenda, the Trustees will meet in closed session with legal counsel on existing litigation regarding space allocation for and facility use by the San Francisco Posts of the American Legion in the Veterans Building.

He reported that first, the Board will take public comment on all matters pertaining to the closed session. Then the Board will entertain a motion to hold a closed session to confer with the City Attorney pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1).

### Public Comment:

Vice President Horn asked if there was any Public Comment relating to any aspect of this agenda item, including whether the Board should confer with the City Attorney in closed session, and whether the Board should disclose any or all of its closed session discussion.

A member of the public asked how long the closed session was expected to last. Deputy City Attorney Susan Dawson responded with her guess that the closed session would last 20-30 minutes.

There being no further comment, public comment was closed.

### Motion to go into Closed Session:

Vice President Horn stated that attorneys for the petitioner, the American Legion War Memorial Commission, filed a lawsuit in Superior Court of the State of California on Friday, April 17, 2015, naming the City, acting through this Board of Trustees, as the defendant. The case name is "In the Matter of San Francisco War Memorial Trust, dated August 19, 1921, as amended June 30, 1928" and the case number is PTR-15-298701.

Vice President Horn called for a motion to invoke the attorney-client privilege and go into closed session to confer with or receive advice from the City Attorney.

On motion of Trustee Bechtle, seconded by Trustee Wilsey, the Board of Trustees voted unanimously to convene in closed session pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d).

## CLOSED SESSION

### RECONVENE IN OPEN SESSION

Vice President Horn reconvened the meeting in open session. Vice President Horn announced that the Board of Trustees took no action during the closed session. Vice President Horn called for a motion on whether to

disclose the contents of the closed session. On motion of Trustee Myatt, seconded by Trustee Shultz, the Board of Trustees voted unanimously not to disclose any of the discussion during the closed session.

**ADJOURNMENT**

There being no further business to come before the Board, Vice President Horn adjourned the meeting at 3:00 p.m.

Jennifer E. Norris  
Executive Secretary