

**MINUTES**  
**WAR MEMORIAL BOARD OF TRUSTEES**  
**REGULAR MEETING**  
**Thursday, March 10, 2016**

The Board of Trustees of the War Memorial of San Francisco met in regular session at 2:00 p.m. on Thursday, March 10, 2016, in the Trustees' Board Room, War Memorial Opera House, Vice President Horn presiding.

**ROLL CALL**

Present: Vice President Horn, Trustee Bechtle, Trustee Lui, Trustee Moscone, Trustee Myatt, Trustee Walker and Trustee Wilsey

Absent: Trustee Davis, Trustee Pelosi and Trustee Shultz

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

**APPROVAL OF MINUTES**

Vice President Horn called for approval of the minutes of the February 11, 2016 regular meeting of the Board. On motion of Trustee Bechtle, seconded by Trustee Moscone, the minutes were unanimously approved.

Vice President Horn called for approval of the minutes of the February 18, 2016 meeting of the Budget and Finance Committee. On motion of Trustee Bechtle, seconded by Trustee Wilsey, the minutes were unanimously approved.

Vice President Horn called for approval of the minutes of the February 18, 2016 special meeting of the Board. On motion of Trustee Wilsey, seconded by Trustee Myatt, the minutes were unanimously approved.

**VICE PRESIDENT'S REPORT**

**Appointments to the War Memorial Board of Trustees:**

Vice President Horn stated he is pleased to introduce our new member of the War Memorial Board of Trustees, Vaughn Walker, retired Chief Judge of the United States District Court for the Northern District of California, who was sworn in by Mayor Lee on March 7. Vice President Horn said Judge Walker brings a wealth of knowledge and experience to the Board of Trustees and we heartily welcome him as a fellow trustee serving the War Memorial and Performing Arts Center.

Vice President Horn reported that Mayor Lee also reappointed three members of the Board of Trustees, Belva Davis, General Myatt and himself. Trustees Davis and Horn were sworn in by the Mayor on March 7, and a swearing-in ceremony for Trustee Myatt is scheduled for later this month.

Vice President Horn acknowledged and thanked outgoing member of the Board of Trustees, Jim Stafford, who served on the board since August 2010. He asked that a letter be sent to Jim Stafford thanking him for his contributions to the Board of Trustees during the last five years.

Vice President Horn offered Trustee Walker an opportunity to introduce himself and make any remarks.

Trustee Walker stated that it is a great pleasure to be a member of the War Memorial Board of Trustees. He said the War Memorial and Performing Arts Center facilities are truly some of the greatest assets in the City and

County of San Francisco serving the community and the many visitors of our city. Trustee Walker thanked the Trustees for their warm welcome.

**Change in Order of Today's Agenda:**

Vice President Horn stated that there will be a change in the order of today's agenda. Regular item #4, the closed session, will be taken as the first order of business. He said that following the closed session, the Board will return to the other items on today's agenda. He estimated that the closed session will take approximately 45 minutes.

**REGULAR ITEMS**

**Closed Session for Conference with Legal Counsel for Pending Litigation:**

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

Vice President Horn stated that the Trustees will first take public comment on all matters pertaining to the closed session. Then the Trustees 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.

There being no public comment, Vice President Horn stated that public comment is closed.

**Public Comment:**

Vice President Horn stated that attorneys for the petitioner, San Francisco Posts of the American Legion, filed a lawsuit in Superior Court of the State of California on July 27, 2015, naming the City, acting through this Board of Trustees, as the respondent. 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 asked for a motion to invoke the attorney-client privilege and go into closed session to confer with or receive advice from the City Attorney pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1).

On motion of Trustee Bechtle, seconded by Trustee Myatt, the Board of Trustees voted unanimously to go into closed session.

**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 that is required to be reported under the Brown Act or Sunshine Ordinance 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 Bechtle, the Board of Trustees voted unanimously not to disclose any of the discussion during closed session.

**MANAGING DIRECTOR'S REPORT**

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

**RESOLUTION NO. 16-08**

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

**LOUISE M. DAVIES SYMPHONY HALL**

San Francisco Symphony 2015-16 Season (Partial)	June 1, 2016-August 16, 2016	\$83,575.00
Another Planet Van Morrison	October 17, 2016	\$7,500.00

**HERBST THEATRE**

The Cole Porter Society A Celebration of Cole Porter	June 3, 2016	\$1,250.00
San Francisco Opera Guild Summer Conservatory Performance	July 22, 2016	\$1,250.00
Darrenatics USA Darren Espanto	July 23, 2016	\$2,500.00
Tango Lovers Association Tango Lovers	September 8-11, 2016	\$5,000.00
Clif Bar & Co. LUNAFEST World Premiere	September 29, 2016	\$2,500.00
Congregation Sha'ar Zahav High Holiday Services	October 2, 3, 11, 12, 2016	\$5,000.00
SF Contemporary Music Players Concerts	October 8, 2016 February 17, 2017	\$2,500.00
CIIS Public Programs Frank Warren	October 20, 2016	\$1,250.00
San Francisco Chamber Orchestra Concerts	October 28, 2016 December 30, 2016 February 24, 2017 April 28, 2017	\$5,000.00
San Francisco Girls Chorus Concert	October 29, 2016	\$1,250.00
Theatre Flamenco of San Francisco 50 <sup>th</sup> Anniversary Season Performance	November 5, 2016	\$1,250.00

Symphony Parnassus Concerts	November 6, 2016 March 19, 2017	\$2,500.00
Heroes' Voices Concert to Honor Veterans	November 11, 2016	\$1,750.00
Lamplighters Music Theatre Programs	November 13, 2016 April 20-23, 2017	\$6,000.00
Golden Gate Restaurant Association The Saucy Awards	November 14, 2016	\$1,250.00
KPMG Town Hall Meeting	December 7, 2016	\$2,500.00
Chamber Music San Francisco Concerts	February 12, 25, 28, 2016 March 13, 26, 2017 April 4, 9, 24, 29, 2017 May 14, 2017	\$12,500.00
Drew School Graduation Ceremony	June 1, 2017	\$1,250.00
Star Dance Studio Annual Dance Concert	June 15, 16, 17, 2017	\$3,500.00

### **Directors Report:**

**Veterans Building Meeting Room Usage:** Ms. Murray stated that Trustees received a summary report of actual uses of Veterans Building meeting rooms allocated to the San Francisco Posts of the American Legion covering the five-month period from October 1, 2015 to February 29, 2016. She noted that War Memorial staff prepares a monthly report of all meeting room uses and sends that report to the American Legion War Memorial Commission for review. Ms. Murray stated that Veterans organizations held 39 meeting activities during February 2016, bringing their year-to-date usage level to 18.7%. For the five-month period of the report there were 76 days, or 50% of the total days, on which none of the five veteran meeting rooms were used.

### **SECRETARY'S REPORT**

**Revenue, Appropriations and Housekeeping Expenditures Reports for February 2016:** Ms. Norris stated that Revenue, Appropriations and Housekeeping Expenditures reports for February 2016 have been distributed to Trustees, and she requested approval of the February 2016 housekeeping expenditures as submitted. On motion of Trustee Moscone, seconded by Trustee Wilsey, the following resolution was unanimously adopted:

#### **RESOLUTION NO. 16-09**

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM160182 through WM160203, and Interdepartmental Work Orders 16019, are hereby approved.

Ms. Norris stated that Trustees were sent filing instructions for the annual Statement of Economic Interests. She said the City requires that annual statements be filed electronically no later than April 1, 2016, and any Trustee requiring assistance with completing the statement should let her know.

### COMMITTEE REPORTS

Vice President Horn stated that the Presentors Liaison Committee meeting scheduled for earlier today was cancelled and will be rescheduled prior to the April meeting of the Board.

### PUBLIC COMMENT

Ms. Ying Yang from the San Francisco Falun Buddha Study Association addressed the Board to request one additional week per year for SHEN YUN Performing Arts performances in the Opera House. She stated that Shen Yun is well regarded as the number one show in the world and it will be highly beneficial to the City. Ms. Ying Yang submitted a letter to the Trustees highlighting the many points why Shen Yun should be granted one more week of performances each year. She also stated that Shen Yun would like to become a resident company at the War Memorial Opera House.

Debra Bernard, General Manager of the San Francisco Ballet, stated that the Ballet respects Shen Yun and their request to present more performances at the War Memorial Opera House, however, the Ballet is already compressed with their Opera House performance schedule. Ms. Bernard stated that the San Francisco Ballet will present eight more performances in their 2017 repertory season and the Ballet will also be presenting the Royal Ballet. Ms. Bernard added that San Francisco Ballet has released some dates at the end of December 2016 for Shen Yun's use.

### MISCELLANEOUS CORRESPONDENCE

Letter from San Francisco Falun Buddha Study Association: Vice President Horn stated that Trustees received a copy of the letter from the San Francisco Falun Buddha Study Association regarding presentation of SHEN YUN Performing Arts in the Opera House. Vice President stated that the letter concerns booking matters and will be referred to the War Memorial staff.

### REGULAR ITEMS

#### **Symphony request to install subscription signage in Davies Symphony Hall:**

Vice President Horn stated that Trustees have received the request from the San Francisco Symphony to install 2016-17 Symphony Season renewal campaign graphics in Davies Symphony Hall from March 17 through June 1, 2016. Similar to subscription signage for the last two years, proposed graphics include window signage above the Goldman Terrace entrance, lobby table tents, entrance door signage, and a banner above the box office windows.

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

#### RESOLUTION NO. 16-10

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby approves the San Francisco Symphony request to install 2016-17 Symphony Season renewal campaign graphics in Davies Symphony Hall from March 17 through June 1, 2016.

#### **Election of Officers:**

Vice President Horn stated that with the passing of our president and friend Wilkes Bashford, and in accordance with the Board's rules and regulations, he would open the floor for nominations for the offices of President and Vice President of the War Memorial Board of Trustees for the balance of calendar year 2016. Trustee Myatt nominated Tom Horn for the Office of President and Nancy Bechtle for the office of Vice President of the War Memorial Board of Trustees for calendar year 2016.

The nominations were seconded by Trustee Lui, and the following resolution was unanimously adopted:

RESOLUTION NO. 16-11

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that nominations for the offices of President and Vice President of the Board of Trustees for 2016 are hereby closed; and further,

RESOLVED, That this Board unanimously elects Thomas E. Horn as its President and Nancy H. Bechtle as its Vice President for the balance of calendar year 2016.

President Horn thanked the trustees for the opportunity to serve as president for the balance of 2016, and said he looks forward to working together with the trustees on furthering the success of the War Memorial and Performing Arts Center.

Trustee Bechtle said she is honored to serve as Vice President of the War Memorial Board of Trustees. Vice President Bechtle said she loves the War Memorial buildings and pledges to do the best that she can for this Board.

Committee assignments for calendar year 2016:

President Horn distributed to Trustees a list of committee assignments for calendar year 2016. President Horn said if any Trustee should desire to serve on alternate or additional committees, please let him know and those changes will be made.

ADJOURNMENT

There being no further business to come before the Board, President Horn adjourned the meeting at 3:10 p.m.

Jennifer E. Norris  
Executive Secretary