

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
REGULAR MEETING

Thursday, August 9, 2012

The Board of Trustees of the War Memorial of San Francisco met in regular session at 2:00 p.m. on Thursday, August 9, 2012, in the Trustees' Board Room, War Memorial Opera House, Vice President Myatt presiding.

ROLL CALL

Present: Vice President Myatt, Trustee Bashford, Trustee Davis, Trustee Horn, Trustee Pelosi, Trustee Stafford, Trustee Wilsey;

Absent: President Shultz, Trustee Bechtle, Trustee Jarman, Trustee Moscone;

Staff Present: Elizabeth Murray, Managing Director
Jennifer Norris, Assistant Managing Director/Executive Secretary

APPROVAL OF MINUTES

Vice President Myatt called for approval of the minutes of the June 14, 2012 regular meeting of the Board. On motion of Trustee Bashford, seconded by Trustee Davis, the minutes were unanimously approved.

PRESIDENT'S REPORT

San Francisco Opera/San Francisco Symphony Seasons: Vice President Myatt reported that the San Francisco Opera concluded its 2012 Summer Season on July 8, and on behalf of the Board, he congratulated the Opera on an enjoyable Summer Season. He reported that the San Francisco Symphony concluded its 2011-12 Centennial Season on June 30th, and held its "Summer & the Symphony" season from June 18 to August 3. Vice President Myatt extended congratulations to the Symphony on a tremendously successful 100th anniversary season.

MANAGING DIRECTOR'S REPORT

Rental Requests: Ms. Murray reported that rental requests mailed to Trustees include a request from the San Francisco Symphony to install a tent in the parking area adjacent to Davies Symphony Hall from approximately September 14, 2012 through September 21, 2012 for festivities in conjunction with the Symphony's Opening Night Gala on September 19, 2012. She noted the Symphony also requests use of the Davies Symphony Hall main lobby on September 19 2012, for pre-concert and possible post-concert receptions. Ms. Murray stated that remaining rental requests are routine and requested their approval. On motion of Trustee Bashford, seconded by Trustee Wilsey, the following resolution was unanimously adopted:

RESOLUTION NO. 12-21

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 Symphony New Year's Eve Dinner in Lobby	December 31, 2012	\$1,250.00
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LOUISE M. DAVIES SYMPHONY HALL

San Francisco Symphony 2012-2013 Season (Partial)	Sept. 1, 2012- Jan. 31, 2013	\$202,800.00 vs. 10% \$229,800.00 maximum
San Francisco Symphony San Francisco Symphony –Parking Lot Tent and Davies Main Lobby for Opening Gala		\$7,750.00
Foundation for National Progress Pop-up Magazine	November 8, 2012	\$2,500.00 vs 10% \$4,750.00 maximum
WorldStrides Heritage Performance Programs Festival of Gold Student Workshops & Encore Concert	April 8, 2013	\$2,500.00 vs 10% \$4,750.00 maximum
SF University High School Graduation Ceremony	May 31, 2013	\$3,350.00
Ponderosa Music & Art Ludovico Einaudi	June 2, 2013	\$2,500.00 vs 10% \$6,750.00 maximum

HERBST THEATRE

Another Planet Entertainment Comedy Bang Bang Rob Delaney	August 3, 2012 September 6, 2012	\$2,800.00
City Arts & Lectures 826 Valencia Series	September 11, 19, 2012 October 16, 17, 24, 2012 November 5, 2012 January 16, 2013	\$5,775.00
City Arts & Lectures Cultural Studies Series	September 18, 2012 October 9, 25, 30 2012 November 1, 12, 14, 2012 December 6, 2012	\$7,040.00
San Francisco Chamber Orchestra Concert	October 13, 2012	\$825.00
City Arts & Lectures Special Events	October 22, 29, 2012 November 7, 19, 2012	\$3,300.00
The Commonwealth Club Justice Sandra Day O'Connor	October 22, 2012	\$575.00
San Francisco Chamber Orchestra Concerts	December 30, 2012 February 22, 2013 April 26, 2013	\$2,475.00
KPIX TV CBS 5 Jefferson Awards for Community Service	January 15, 2013	\$1,400.00

Cypress Performing Arts Association
Call & Response 2013

April 19, 2013

\$825.00

Update on Temporary Closure of Zellerbach Rehearsal Hall: Ms. Murray updated the Trustees on the status of the Zellerbach Rehearsal Hall emergency water remediation project. She stated that the building was closed on June 11, 2012, due to water intrusion in room C on the basement level. Repair work, including removal and replacement of the floor and portions of the walls in room C, began on June 11. Contractors have added new waterproofing membranes to prevent any further water problems. Ms. Murray stated that rooms A and B were reopened on July 23, and the current remediation schedule calls for work in room C to be completed the first week in October, although it's possible that work may be completed earlier. She stated that to date, costs for the emergency water remediation total \$222,000, and are being funded from the War Memorial Reserve Fund. She stated that several additional expenses are still anticipated and are expected to bring the total project cost to approximately \$250,000.

SECRETARY'S REPORT

Revenue, Appropriations and Housekeeping Expenditures Reports for June and July 2012: Ms. Norris referred to the Revenue, Appropriations, and Housekeeping Expenditures Reports for June and July 2012, and requested approval of housekeeping expenditures as submitted. On motion of Trustee Horn, seconded by Trustee Bashford, the following resolution was unanimously adopted:

RESOLUTION NO. 12-22

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM12000291 through WM 12000306 and WM 1300001 through WM1300035 are hereby approved.

COMMITTEE REPORTS

Veterans Committee:

American Legion War Memorial Commission – Request for increased funding from War Memorial:

Vice President Myatt reported that the Veterans Committee met on June 26, to consider the request of the American Legion War Memorial Commission to amend the current agreement between the parties an increase the War Memorial's monthly payment to the Commission to allow the Commission to increase its staff to coordinate veterans' move-out from the Veterans Building.

Vice President Myatt stated that under an agreement with the Commission, which agreement started in 1977 and has been renewed every two years since that time, the Trustees pay a monthly sum to the Commission to offset a portion of their office expenses. Under the current agreement, which is for the 18-month period from January 1, 2012 to June 30, 2013, the Commission receives a monthly payment of \$2,600 from the War Memorial and a monthly payment of \$500 from the Museum of Modern Art. The Commission also receives revenue of \$500 per month from the American Legion Department of California. With this monthly revenue, the Commission pays for one part-time office assistant and monthly office expenditures.

Vice President Myatt stated the War Memorial Commission requested an increase in the Trustees' monthly payment to enable the Commission to increase its office staff from the one part-time position to one full-time position, the additional work time to be devoted to coordinating the move-out of the American Legion Posts from their Veterans Building spaces. He stated the Committee reviewed several documents including:

- Financial calculations prepared by War Memorial staff and by the Commission, showing that the Commission would need an additional \$900 – \$1,150 per month to cover the additional staffing cost; and

- War Memorial staff's summary of the schedule and tasks related to the Commission's coordination of the Posts' move-out from the building.

Vice President Myatt stated that during the meeting, Nelson Lum, Chair of the War Memorial Commission, confirmed that the schedule and tasks outlined in the staff summary can be accomplished by the Commission with the additional staff time. He also said he was committed to insuring that all the Posts are notified of their responsibility of removing personal property and that the Commission would be prepared to make decisions on any remaining unclaimed property.

Vice President Myatt reported that following discussion, the Committee voted unanimously to recommend approval of amending the current agreement between the Trustees and the Commission to reflect a revised monthly payment from the Trustees to the Commission of \$3,650 – an increase of \$1,050 per month over the current monthly payment of \$2,600 – contingent upon the Commission's compliance with the schedule and task summary prepared by the War Memorial staff and contingent upon the Commission's meeting with War Memorial staff on a bi-weekly basis to assess the percentage of tasks completed against the task schedule.

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

RESOLUTION NO. 12-23

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby adopts the report and recommendations of its Veterans Committee, and approves amending the current agreement between the War Memorial Board of Trustees and the American Legion War Memorial Commission to reflect a revised monthly payment from the Trustees to the Commission of \$3,650, contingent upon the Commission's compliance with the schedule and task summary prepared by the War Memorial staff and contingent upon the Commission's meeting with War Memorial staff on a bi-weekly basis to assess the percentage of tasks completed against the task schedule.

Veterans Building Project Committee:

Memorandum of Understanding between the War Memorial and the Department of Public Works regarding the Veterans Building Seismic Upgrade and Improvements Project: Trustee Horn reported that the Veterans Building Planning Committee met earlier today to consider and adopt recommendations concerning the Memorandum of Understanding between the War Memorial and the Department of Public Works (DPW) regarding the design and construction of the Veterans Building Seismic Upgrade and Improvements Project.

Trustee Horn reported that the Committee reviewed the draft MOU between the War Memorial and the DPW, including four MOU attachments. He stated that the purpose of the MOU is to identify the roles and responsibilities of DPW and the War Memorial to deliver the Veterans Building Seismic Upgrade and Improvements Project, beginning with the Design Phase and continuing through the Construction Phase. He noted that the War Memorial and DPW entered into a similar MOU regarding the Opera House Seismic Upgrade and Improvements Project. Trustee Horn stated that this MOU insures that all final decision making for the Veterans Building Project, including all budget and schedule decisions, rest with the War Memorial.

Trustee Horn reported that following discussion, the Committee voted unanimously to approve the MOU as submitted.

During public comment, Mr. Nelson Lum stated that all Veterans Building Project trade contracts should emphasize the hiring of veterans.

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

RESOLUTION NO. 12-24

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby adopts the report and recommendation of its Veterans Building Project Committee, and approves the Memorandum of Understanding between the War Memorial and the Department of Public Works regarding the design and construction of the Veterans Building Seismic Upgrade and Improvements Project.

REGULAR ITEMS

Veterans Building Seismic Upgrade and Improvements Project – Issues relating to the temporary relocation of Veterans Building occupants: Vice President Myatt stated that the construction phase of the Veterans Building Seismic Upgrade and Improvements Project is scheduled to commence on July 1, 2013, and continue for a two-year period through June 2015, during which time, the Veterans Building must be completely vacated of occupants and contents. He stated that issues relating to the relocation of Veterans Building occupants during Veterans Building Project construction will be referred to the Veterans Building Project Committee for consideration and adoption of recommendations.

War Memorial Commission request to install exhibit in the Veterans Building Main Lobby: Vice President Myatt stated that Trustees have received the letter from Nelson Lum, Chair of the American Legion War Memorial Commission, forwarding the proposal of American Legion Post #600 to install the National Steinbeck Center's exhibit "Filipino Voices: Past and Present" in the Veterans Building main lobby from October 1- October 30, 2012.

Ms Murray stated that War Memorial staff met with Post #600 representative Rudy Asercion and representatives from the Steinbeck Center to review the proposed exhibit's scope and schedule. She stated that while the exhibit is larger than previous Veterans Building lobby exhibits, a floor plan was created to accommodate major elements of the exhibit. She also said that due to previous lobby schedule commitments, the proposed exhibit dates have been modified from the original request to October 24 – November 26, 2012. Ms. Murray stated that the Steinbeck Center, owner of the exhibit, and the War Memorial Commission will be fully responsible for exhibit installation, security, insurance and exhibit de-installation, subject to the War Memorial's standard rules and regulations. She stated that staff is recommending approval of the exhibit request subject to an agreement between the parties setting forth the conditions under which the exhibit may be installed in the Veterans Building lobby, indemnifying the War Memorial from any loss or damage to the exhibit while on the Veterans Building premises, and providing that should the exhibit need to be moved or otherwise modified during the exhibit period to provide any necessary access or regular activities that the Steinbeck Center and War Memorial Commission will accommodate such modification.

Rudy Asercion stated Post #600 and the American Legion War Memorial Commission fully understand and will comply with the conditions outlined by Ms. Murray. He added that the exhibit will be very educational for the public.

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

RESOLUTION NO. 12-25

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it approves the request of the American Legion War Memorial Commission to install the National Steinbeck Center's exhibit "Filipino Voices: Past and Present" in the Veterans Building main lobby from October 24 through November 26, 2012, contingent on the successful execution of an agreement between the War Memorial, the Commission and the Steinbeck Center setting forth the terms and conditions of the exhibit's installation and display in the Veterans Building.

Historic Preservation Commission comments on proposed interior alterations to publicly accessible spaces in the War Memorial Veterans Building:

Vice President Myatt stated that Trustees have received the July 18, 2012 resolution #0685 of the Historic Preservation Commission providing comments on the proposed interior alterations to publicly accessible spaces of the Veterans Building as part of the Veterans Building Seismic Upgrade and Improvements Project. He stated that following review of proposed Veterans Building interior alterations, the Historic Preservation Commission has provided the following comments:

- The proposed interior alterations are appropriate, and are consistent with the Secretary of the Interior's Standards for Rehabilitation; and;
- The documentation and presentation of the building's history beyond 1936 is deficient and is lacking in detail. Additional information should be obtained and documented on the building's association with Veterans groups, including the development of the various posts represented in the subject property, and related organizations.

Vice President Myatt requested a motion to acknowledge and accept the comments provided by the Historic Preservation Commission on the proposed interior alterations to the Veterans Building and to direct War Memorial staff to consult with the American Legion War Memorial Commission and other interested parties in gathering documentable historical data relating to the Veterans Building's association with Veterans groups.

On motion of Trustee Horn, seconded by Trustee Davis, the following resolution was unanimously adopted:

RESOLUTION NO. 12-26

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby acknowledges and accepts the comments provided by the Historic Preservation Commission on the proposed interior alterations to the Veterans Building and directs the War Memorial staff to consult with the American Legion War Memorial Commission and other interested parties in gathering documentable historical data relating to the Veterans Building's association with Veterans groups.

PUBLIC COMMENT

Nelson Lum, Chair of the American Legion War Memorial Commission, introduced Leon Madrid, who has been appointed by the Commission to start documenting historical data of the Veterans Building. He further reported the Veterans Resource Center in the Veterans Building is doing well in seeking and securing jobs for veterans.

ADJOURNMENT

There being no further business, Vice- President Myatt adjourned the meeting at 2:30 p.m.

Jennifer E. Norris
Executive Secretary