

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
REGULAR MONTHLY MEETING

Thursday, May 12, 2011

The Board of Trustees of the War Memorial of San Francisco met in regular session at 2:00 p.m. on Thursday, May 12, 2011, in the Trustees' Board Room, War Memorial Opera House, President Shultz presiding.

ROLL CALL

Present: President Shultz, Vice President Myatt, Trustee Bashford, Trustee Horn, Trustee Jarman, Trustee Moscone, Trustee Pelosi, Trustee Stafford, Trustee Wilsey;

Absent: Trustee Bechtle, Trustee Davis;

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

APPROVAL OF MINUTES

President Shultz called for approval of the minutes of the April 11, 2011 regular meeting of the Board. On motion of Trustee Moscone, seconded by Vice President Myatt, the minutes were unanimously approved.

PRESIDENT'S REPORT

San Francisco Ballet Season: President Shultz reported that the San Francisco Ballet concluded its 2011 Repertory Season on May 8, with a performance of "The Little Mermaid" in the Opera House. On behalf of the Board, President Shultz extended congratulations to the Ballet for a very successful Repertory Season.

SFJAZZ Groundbreaking: President Shultz stated that SFJAZZ, one of Herbst Theatre's major licensees, held a ground breaking ceremony last Friday at the site of their new SFJAZZ Center at the corner of Franklin and Fell Streets. The new building, which will include a 700-seat theater, is scheduled to open in November 2012, and will be the first stand-alone concert hall dedicated to jazz in the U.S. On behalf of the Board, President Shultz extended the Board's best wishes to SFJAZZ on this major undertaking.

MANAGING DIRECTOR'S REPORT

Rental Requests: Ms. Murray reported that rental requests mailed to Trustees are routine and requested their approval. On motion of Trustee Moscone, seconded by Vice President Myatt, the following resolution was unanimously adopted:

RESOLUTION NO. 11-16

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 Association
2011 Fall Season

July 25 – December 5, 2011

\$170,950.00

LOUISE M. DAVIES SYMPHONY HALL

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| San Francisco Symphony 2011-2012 Season (partial) | September 1, 2011- January 31, 2012 | \$155,300.00 |
| Choirs of America, LLC AMP Invitational for Mixed Choirs | March 23, 2012 | \$2,500.00 vs. 10% \$4,650.00 maximum |

HERBST THEATRE

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| The Art Institute of California San Francisco Student Orientations Graduation Ceremony | July 8, 2011 September 30, 2011 December 16, 2011 | \$1,725.00 |
| San Francisco Opera Guild 2011-12 Insight Panel Discussions | September 6, 19, 2011 October 24, 2011 May 29, 2012 | \$3,300.00 |
| Carousel Catering, Inc. Private Concert | September 9, 2011 | \$1,400.00 |
| Project Comedy Holy Herbst Theatre, Batman! | September 15, 2011 | \$825.00 |
| New Century Chamber Orchestra 2011-12 Season | September 20, 24, 2011 November 3, 5, 2011 December 12, 16, 2011 February 29, 2012 March 3, 2012 May 9, 12, 2012 | \$8,250.00 |
| Breast Cancer Fund LUNAFEST | September 22, 2011 | \$825.00 |
| Chinese Consolidated Benevolent Assn. Cathay Night | September 25, 2011 | \$825.00 |
| San Francisco Foundation 2011 Community Leadership Awards | September 27, 2011 | \$825.00 |
| Congregation Sha'ar Zahav High Holiday Services | September 28, 29, 2011 October 7, 8, 2011 | \$3,300.00 |
| San Francisco Performances 2011-12 Season | October 1, 2011 – May 30, 2012 | \$28,850.00 |
| San Francisco Contemporary Music Players 2011-12 Season | October 3, 2011 November 14, 2011 February 27, 2012 March 26, 2012 April 30, 2012 | \$4,125.00 |

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| French-American Cultural Society Bordeaux String Quartet | October 19, 2011 | \$825.00 |
| Humanities West 2011-12 Season | November 4, 5, 2011 February 10, 11, 2012 April 27, 28, 2012 | \$4,950.00 |
| The Lamplighters Annual Champagne Gala | November 6, 2011 | \$825.00 |
| San Francisco Chamber Orchestra 2011-12 Season | November 20, 2011 December 30, 2011 February 24, 2012 March 30, 2012 | \$3,300.00 |
| Symphony Parnassus Concert | November 27, 2011 | \$825.00 |
| San Francisco Opera Center Adler Concert | December 1, 2011 | \$825.00 |
| Urban School of San Francisco Winter/Spring Concerts | December 22, 2011 April 29, 2012 | \$1,650.00 |
| Presidio Hill School Follies | December 13, 14, 2011 | \$1,550.00 |
| The Kinsey Sicks Oy Veh in a Manger | December 17, 2011 | \$1,400.00 |
| Notable Inc. Pasquale in Canto | December 18, 2011 | \$1,400.00 |
| Linking Rings Performing Arts God Bless the U.S.A | January 13, 2012 | \$825.00 |
| Chamber Music San Francisco 2012 Season | February 12– June 3, 2012 | \$7,425.00 |

Additional Rental Requests: Ms. Murray reported that additional rental requests include a request from the San Francisco Opera for festivities in conjunction with the September 9 opening of the 2011 Opera Fall Season, including use of the parking area behind the War Memorial Court for a tented pavilion for the opening night dinner and celebration, pre-dinner cocktail party in the Opera House main lobby, and use of the Opera's first of two catering exemptions for 2011-12. She stated that remaining additional rental requests are routine and requested their approval. On motion of Trustee Horn, seconded by Trustee Moscone, the following resolution was unanimously adopted:

RESOLUTION NO. 11-17

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

WAR MEMORIAL OPERA HOUSE

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| San Francisco Opera Parking Lot Tent and Opera House Main Lobby for Opening Night Gala Festivities Catering exemption #1 | September 9, 2011 | \$8,250.00 |
| National Spiritual Assembly of the Baha'is of the U.S. Baha'i Centenary Commemoration | September 9, 2012 | \$4,650.00 |

LOUISE M. DAVIES SYMPHONY HALL

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| SFJAZZ Ravi Shankar & Anoushka Shankar | October 7, 2011 | \$2,500.00 vs. 10% \$4,650.00 maximum |
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HERBST THEATRE

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| City Arts & Lectures Andy Goldsworthy | July 12, 2011 | \$825.00 |
| SFJAZZ Fall 2011 Jazz Festival | September 16 – November 13, 2011 | \$10,990.00 |

SECRETARY'S REPORT

Revenue, Appropriations and Housekeeping Expenditures Reports for April 2011: Ms. Norris referred to the Revenue, Appropriations, and Housekeeping Expenditures Reports for April 2011, and requested approval of housekeeping expenditures as submitted. On motion of Trustee Moscone, seconded by Trustee Bashford, the following resolution was unanimously adopted:

RESOLUTION NO. 11-18

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM11000249 through WM11000272 are hereby approved.

COMMITTEE REPORTS**Building Committee:**

Trustee Horn, Vice Chair of the Building Committee, stated that the Building Committee met earlier today to consider two items:

Symphony request for Centennial Season exhibitions in Davies Symphony Hall: Trustee Horn reported that the Committee considered the request from the San Francisco Symphony to install two exhibits in the lobbies of Davies Symphony Hall in celebration of the San Francisco Symphony's 100th Season. He summarized the two exhibits, including: 1) A Retrospective of Gary Bukovnik Watercolors, to be installed from August 11, 2011 to January 2012, including 24 watercolor paintings displayed in the Loge lobby, two in the First Tier lobby and one in the Second Tier lobby; and 2) "100 Years with the San Francisco Symphony," an exhibition of ephemera from the first 100 years of the Symphony, dispersed throughout the Hall on the walls and in free-standing vitrines.

Trustee Horn stated that following discussion, the Committee voted unanimously to recommend approval of the Symphony's request. Following discussion, and on motion of Trustee Horn, seconded by Trustee Pelosi, the following resolution was unanimously adopted:

RESOLUTION NO. 11-19

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby adopts the report and recommendation of its Building Committee, and approves the request of the San Francisco Symphony to install two exhibitions in Davies Symphony Hall in celebration of the Symphony's 100th Centennial Season, subject to the Symphony removing or relocating exhibition elements when requested by the War Memorial to accommodate outside presentations.

Symphony request for War Memorial to serve as applicant for DPW Permit for exterior display cases adjacent to Davies Symphony Hall: Trustee Horn stated that subsequent to the Board's approval in July 2010 of the Symphony proposal to install exterior signage and banners at Davies Symphony Hall, the Symphony had to alter their plans to obtain necessary approvals from the Historic Preservation and Planning Commissions. The altered plan eliminated the six free-standing lighted display vitrines in the Grove Street plaza. He stated the Symphony then proposed an alternate plan for the six free-standing display cases to be located closer to the Van Ness and Grove Street curbs, locations which are not on War Memorial property. Installation of display cases in these locations require approval of the Arts Commission Civic Design Review, which approval process is in progress, and a minor sidewalk encroachment permit from DPW. Trustee Horn stated that under the City's sign ordinance, signs on any public right-of-way are prohibited; however, there is a carve-out where a government agency can apply for a minor sidewalk encroachment permit to install signage. Trustee Horn stated that the Building Committee considered the request of the Symphony for the War Memorial to serve as the applicant for the necessary DPW permit for the alternate plan for exterior display cases.

Trustee Horn reported that Symphony representatives John Kieser and Nan Keeton spoke to the Committee about the importance to the Symphony and other Center users of a greater street level marketing presence. They explained that while display vitrines are not permitted in the Grove Street Plaza due to Civic Center Historic District guidelines, they would be permitted to install the vitrines closer to the curb under a DPW minor sidewalk encroachment permit, provided the permit applicant is a City department.

Trustee Horn reported that the Committee visited the proposed display locations and viewed mock-ups of the proposed display vitrines. Trustee Horn reported that following further discussion, the Committee voted unanimously to recommend approval of the Symphony's request with several conditions. Following discussion, and on motion of Trustee Horn, seconded by Trustee Pelosi, the following resolution was unanimously adopted:

RESOLUTION NO. 11-20

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby adopts the report and recommendation of its Building Committee, and approves the San Francisco Symphony's request for the War Memorial to serve as the applicant for the minor sidewalk encroachment permit from the Department of Public Works for the Symphony's installation of five display case vitrines (three along Grove Street and two along Van Ness Avenue), provided that the War Memorial and Symphony will enter into an agreement whereby War Memorial assigns to Symphony all responsibility for installation, maintenance and security of the display cases, and whereby Symphony indemnifies the City from all claims arising from the cases; and that the Symphony will have exclusive use of the cases for their 2011-12 centennial season; thereafter, three of the ten sides of the display cases will be available for use by the War Memorial for other licensees of any of the Performing Arts Center venues.

Veterans Building Project Committee:

Herbst Theatre Acoustic Advisory Committee recommendation that side boxes in the Herbst Theatre auditorium be removed: Trustee Horn, Chair of the Veterans Building Project Committee, reported that the Veterans Building Project Committee met on May 11, 2011, to consider the Herbst Theatre Acoustic Advisory Committee recommendation that side boxes in the Herbst Theatre auditorium be removed as part of the Veterans

Building Seismic Upgrade and Improvements Project. The Committee heard from a number of Herbst Theatre licensees as to the deficient acoustics in Herbst Theatre, and heard from staff regarding the measures recommended by acoustician Larry Kirkegaard to improve acoustics. Several of these measures can and will be implemented this summer by the War Memorial or the Advisory Committee, including sealing orchestra level side walls, adjusting decorative panels and enlarging and improving the acoustic shell.

Trustee Horn stated that according to Mr. Kirkegaard's report, removing the side boxes would provide a significant improvement to Herbst acoustics. He said that removing the boxes is a major undertaking and, according to Tara Lamont, DPW Project Manager for the Veterans Building Project, would cost approximately \$4-500,000. Trustee Horn noted that Herbst Theatre Acoustic Advisory Committee representatives stated they do not have current or projected funding for removal of the boxes; rather, they hoped the War Memorial would include this project as one of the additional improvements the Trustees plan to implement as part of the Veterans Building Upgrade Project.

Trustee Horn stated that the Board has previously identified a number of improvements, including several Herbst Theatre upgrades, which the Board desires to implement during the Veterans Building Seismic Upgrade – items which are not included in the \$130 million City project funds – and for which DPW is currently preparing cost estimations. Trustee Horn said that DPW hopes to fully identify and confirm all Veterans Building Project scope elements by July 15, 2011. Thus, during the next few months, the Veterans Building Project Committee will be meeting to review proposed additional improvements and their associated costs, and will then recommend to the full Board which additional improvements to move forward with.

Trustee Horn reported the Committee voted unanimously to recommend approval in principle of including the Acoustic Advisory Committee's recommended removal of the Herbst Theatre side boxes on the War Memorial's list of desired additional improvements to be implemented during the Veterans Building Upgrade Project, which list will be reviewed during the next few months as to financial feasibility. Following discussion, and on motion of Trustee Horn, seconded by Trustee Bashford, the following resolution was unanimously adopted:

RESOLUTION NO. 11-21

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 Planning Committee, and approves in principle the inclusion of the Herbst Theatre Acoustic Advisory Committee's recommended removal of the Herbst Theatre side boxes on the War Memorial's list of desired additional improvements to be implemented during the Veterans Building Upgrade Project, which list will be reviewed during the next few months as to financial feasibility.

Veterans Committee:

Feasibility of American Legion War Memorial Commission establishing a Veterans Resource Center in Veterans Building space currently allocated to San Francisco Posts of the American Legion: Vice President Myatt, Chair of the Veterans Committee, stated that the Veterans Committee met on April 26, 2011, for a hearing on the feasibility of, and the operational, administrative and procedural requirements associated with, permitting the American Legion War Memorial Commission to establish a veterans resource center in Veterans Building space currently allocated for use by the San Francisco Posts of the American Legion.

Vice President Myatt reported that the Committee and representatives of the American Legion War Memorial Commission had active discussion on a variety of questions and issues concerning the proposed veterans resource center. In particular, Committee members raised questions about the need for the proposed center, including whether veterans are currently being denied training services and who the Commission sees as their customer base as opposed to those veterans being served by existing organizations and services. Vice President Myatt stated that answers to these questions remain unclear.

Vice President Myatt stated that Beth Murray reported to the Committee that second floor meeting rooms currently allocated to the Posts have limited electric service and no data cabling. Electrical upgrade costs of

\$4,000 to \$7,000 would be required to support the Commission's desire to have 20+ computer training work stations in a second floor meeting room. She noted the War Memorial cannot run data cable, and the Commission would need to contact and arrange with a data service provider to run necessary data cable from the basement to a second floor room. Beth Murray also reiterated to the Committee and the Commission that any outside organization using space allocated to the American Legion Posts must enter into a short term license agreement with the War Memorial, setting forth certain use conditions, rules and regulations, and insurance and indemnification requirements.

Vice President Myatt reported that in discussion, it was suggested that one of the second floor rooms, room 205, which is currently unused, might be the most suitable location within the space currently allocated to the Posts for their veterans resource center. Vice President Myatt stated that no action was taken by the Committee; however, War Memorial staff and the Commission were asked to investigate possible use of room 205 for the Commission's proposed veterans resource center. The Committee meeting was adjourned to the call of the chair, and will reconvene when additional information becomes available.

Vice President Myatt noted that subsequent to the Veterans Committee meeting, War Memorial staff evaluated the electric service in Veterans Building room 205, and has advised the Commission that the current electric supply could support up to 10 computer stations. He stated that the Veterans Committee would be reconvening shortly to continue discussion and consideration of this item.

REGULAR ITEMS

Grant from the Stephen Bechtel Fund to the San Francisco Veterans Memorial Project: President Shultz announced that she would recuse herself from the discussion, consideration and vote on this agenda item, and asked Vice President Myatt to act as chair for consideration of this item.

Vice President Myatt stated he is pleased to announce that the Stephen Bechtel Fund has awarded a grant to the War Memorial Board of Trustees for the San Francisco Veterans Memorial Project in the amount of \$1.5 million. He said this is a major milestone for the project and represents the cornerstone of the ongoing efforts to design and install a veterans memorial in the Memorial Court. Vice President Myatt stated that the Stephen Bechtel Fund grant has been made in honor of U.S. Marine Veteran and Former Secretary of State George P. Shultz and his wife Charlotte M. Shultz, and the grant terms provide for the naming the Memorial Court Drive, which surrounds the veterans memorial site between the Opera House and Veterans Building, for George and Charlotte Shultz.

Vice President Myatt stated that Trustees have received a copy of the proposed Grant Agreement between the Stephen Bechtel Fund and the War Memorial, which agreement has been reviewed by staff and approved by the Office of the City Attorney.

Trustee Bashford stated that it has been his pleasure to serve with Vice President Myatt on the San Francisco Veterans Memorial Working Committee, which has been working for over a year to fulfill the mission of installing a veterans memorial in the Memorial Court. He said it is his very great pleasure to put forward a motion to accept a \$1.5 million grant from the Stephen Bechtel Fund for the San Francisco Veterans Memorial – which grant is made in honor of George and Charlotte Shultz, and to accept the terms of the Stephen Bechtel Fund Grant Agreement including naming the Memorial Court Drive, which encircles the Memorial Court, for George and Charlotte Shultz.

The motion was seconded by Trustee Horn, and following discussion, the following resolution was unanimously adopted:

RESOLUTION No. 11-22

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby accepts the grant from the Stephen Bechtel Fund in the amount of \$1.5 million for the San Francisco Veterans Memorial Project and accepts the terms and conditions of the Stephen Bechtel

Fund Grant Agreement, including naming the Memorial Court Drive, which encircles the Memorial Court, for George and Charlotte Shultz.

FURTHER

RESOLVED,

That the Board of Trustees thanks the Stephen Bechtel Fund for its generous grant which will insure the completion of the San Francisco Veterans Memorial Project, and which will honor two individuals who have dedicated their lives to the support of this country, our veterans and our War Memorial and Performing Arts Center.

GOOD AND WELFARE

Vice President Myatt and Trustee Bashford recognized the invaluable contributions of Jamie Lopez and Beth Murray on behalf of the Veterans Memorial Committee.

MISCELLANEOUS CORRESPONDENCE

President Shultz stated there are two items of miscellaneous correspondence on the agenda which are provided for the Trustees' information

- A letter from American Legion 8th District, and Beth Murray's response to the District, regarding the planning process for the Veterans Building Seismic Upgrade and Improvements Project; and
- A letter from representatives of San Francisco Posts of the American Legion, and Beth Murray's response letter, regarding participation in meetings of the Board of Trustees concerning the Veterans Building.

PUBLIC COMMENT

American Legion War Memorial Chair Roger Dong informed Trustees that with regard to the current electric service in room 205, this is insufficient to meet the Commission's desired goal of serving up to twenty users in their training center. Following Mr. Dong, a number of members of the public spoke in favor of the Commission's proposed veterans resource center.

ADJOURNMENT

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

Jennifer E. Norris
Executive Secretary