

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
REGULAR MONTHLY MEETING

Thursday, August 14, 2003

The Board of Trustees of the War Memorial of San Francisco met in regular session at 2:00 p.m. on Thursday, August 14, 2003, in the Trustees' Board Room, War Memorial Opera House, Vice President Bashford presiding.

ROLL CALL

Present: Vice President Bashford, Trustee Bechtle, Trustee Farrow, Trustee Haas, Trustee Horn, Trustee Leones, Trustee Moscone;

Absent: President Jarman, Trustee Balianz, Trustee Shultz.

APPROVAL OF MINUTES

Vice President Bashford called for approval of the minutes of the June 12, 2003 regular meeting of the Board. On motion of Trustee Moscone, seconded by Trustee Farrow, the minutes were unanimously approved.

PRESIDENT'S REPORT

Trustee Reappointments: Vice President Bashford acknowledged Mayor Brown's recent reappointments of Trustees Haas, Horn, Farrow and Leones to serve additional terms on the War Memorial Board of Trustees. On behalf of the Board, Vice President Bashford extended congratulations to the recently reappointed Trustees.

Symphony and Opera Openings: Vice President Bashford reported that the first week of September marks the openings of the 2003-04 performance seasons of the San Francisco Symphony and San Francisco Opera, with the Symphony opening night gala on Wednesday, September 3, and Opera opening night on Saturday, September 6. On behalf of the Trustees, Vice President Bashford extended best wishes to the Symphony and Opera for their upcoming seasons.

MANAGING DIRECTOR'S REPORT

Rental Requests: Ms. Murray reported that rental requests as mailed to Trustees include a request from 'Veterans for Peace' for a rental fee waiver for use of Herbst Theatre on August 9, 2003, for a program in conjunction with their 2003 National Convention. She stated that the American Legion War Memorial Commission voted to support this request for a rental fee waiver at its meeting on April 15, 2003, and that approval of this request would be consistent with the Board's past practice of waiving rental fees for veterans programs approved by the War Memorial Commission. Ms. Murray stated that remaining rental

requests are routine and requested their approval. On motion of Trustee Farrow, seconded by Trustee Moscone, the following resolution was unanimously adopted:

RESOLUTION NO. 03-23

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 Girls Chorus Rehearsal and Performance of Anniversary Concert	May 4 & 6, 2004	\$3,300.00 vs. 10% \$5,500.00 maximum
University of the Pacific Renaming Gala – Dr. Arthur A. Dugani School of Dentistry	August 28, 2004	\$3,850.00

HERBST THEATRE

Four Seasons Thomas Buckner, baritone Jeanne Stark-Iochmans, piano	February 29, 2004 April 2, 2004	\$1,150.00
Chinese American International School Spring Program	April 1, 2004	\$575.00
Self-Help for the Elderly Musical Charity Gala	August 3, 2003	\$575.00
Women's Philharmonic Celebrating the Voice of Women	March 7, 2004	\$575.00
Nuclear Policy Research Institute "An Evening of Classic Lily Tomlin"	September 12, 2003	\$575.00
Istituto Italiano di Cultura I Solisti Veneti	October 14, 2003	\$575.00
Youth for Asian Theatre East Side Story	August 8, 2003	\$450.00
San Francisco Jazz Festival Fall 2003	October 23, 24, 25, 26, 31, 2003 November 3 & 7, 2003	\$4,025.00
The Mabel Mercer Foundation Evening of American Cabaret	September 8, 2003	\$575.00
Synergy School Spring Musical Presentation	March 24 & 25, 2004	\$1,025.00
Congregation Sha'ar Zahaz Yom Kippur Services	October 5 & 6, 2003	\$1,150.00
Radio Seoul Andre Kim Fashion Show	October 18, 2003	\$1,000.00

The Richmond Ermet AIDS Foundation Help is on the Way for the Holidays	December 14 & 15, 2003	\$1,150.00
Bill Lanese Paula West with Oscar Brown, Jr.	August 23, 2003	\$1,000.00
KAMSA Annual Classical Recital	November 1, 2003	\$575.00
San Francisco Korean Master Chorale Ewha Chamber Choir of Korea	July 20, 2003	\$575.00
Lisa Geduldig Kung Pao Kosher Comedy Tom-A-Palooza II	October 4, 2003	\$1,000.00
Big City Mountaineers Eric Weihenmayer: Farther Than The Eye Can See	October 2, 2003	\$575.00
Asian Liver Center at Stanford Film Screening	November 20, 2003	\$575.00
Jeremy Cohen Joe Venuti 10th Birthday Celebration	September 10, 2003	\$1,000.00
KQED "Celebrating the Year of the Blues"	September 16, 2003	\$575.00
Veterans for Peace 2003 National Convention	August 9, 2003	Rental fee waived
Chinese American International School Winter Program	December 17, 2003	\$575.00
The Women's Foundation The Women's Environmental Health Summit	October 15, 2003	\$450.00
World Arts West "People Like Me" Eight dance presentations for local school children and one evening community presentation.	March 19-12, 2004	\$3,450.00
Department of Human Services Annual Meeting	November 18, 2003	\$450.00

Additional Rental Requests: Ms. Murray noted that additional rental requests include a request from the San Francisco Symphony for use of the Davies Symphony Hall parking area from approximately August 29 through September 5, 2003, to install a tent for the Symphony's opening night festivities on September 3, 2003. She added that the Symphony requests use of its one catering exemption for 2003-04 for opening night festivities. Ms. Murray also noted a request from the Filipino American Historical Society for use of Herbst Theatre on August 2, 2003, for a free public screening of the film titled *An Untold Story*, the story of the 1st and 2nd Filipino Infantry Regiments in World War II. Ms. Murray stated that, at its meeting on June 17, 2003, the American Legion War Memorial Commission voted to sponsor this event and to request a waiver of the Herbst Theatre rental fee for this program which honors veterans. Ms. Murray requested approval of additional rental requests as submitted, and on motion of Trustee Farrow, seconded by Trustee Moscone, the following resolution was unanimously adopted:

RESOLUTION NO. 03-24

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

LOUISE M. DAVIES SYMPHONY HALL

San Francisco Symphony Parking Lot Grounds Usage for Opening Gala Tent installation (8/29/03-9/5/03) Use of Catering Exemption for 2003-04	September 3, 2003	\$5,000.00
Clear Channel/Bill Graham Presents Dennis Miller	November 6, 2003	\$1,650.00 vs. 10% \$5,000.00 maximum

HERBST THEATRE

Nationals, Inc. Nationals Miss Jr. Teen San Francisco 2003	September 6, 2003	\$1,000.00
Elton Lugay/Pent Magazine Ginoong Pilipinas – USA 2004	November 29, 2003	\$1,000.00
Filipino American Historical Society Screening of “An Untold Story” (Sponsored by American Legion War Memorial Commission)	August 2, 2003	Rental fee waived

Rental Fee Waivers: In response to an inquiry from Trustee Bechtle, Ms. Murray stated that the Board does not have an official policy regarding rental fee waivers, but it has been the past practice of the Board to approve requests for rental fee waivers for official City functions and for veterans activities approved by the American Legion War Memorial Commission. She stated that all requests for rental fee waivers have come before the Board for consideration, and the Board’s approval of waivers has been consistent with this past practice. Ms. Murray also stated that rental fee waivers only apply to facility rental fees, and do not apply to labor or other actual costs incurred for such events. Following discussion, Vice President Bashford referred the matter of rental fee waivers to the Board’s Presentors Liaison Committee for review, and he asked the Committee to report back to the full Board with any recommendations.

Fiscal Year 2003-04 Budget Report: Ms. Murray reported that in its final consideration and approval of the Annual Appropriation Ordinance for the City’s Fiscal Year 2003-04 Budget, the Board of Supervisors included a provision which seriously impacts the War Memorial’s operating and capital budgets. She stated that in considering alternatives to balance the City budget, the Supervisors reviewed all unexpended fund balances of special fund departments, including the War Memorial’s capital project fund for Veterans Building improvements, to which we appropriated \$5 million in our budget for FY 2002-03. Ms. Murray stated that the Supervisors were advised of and acknowledged the background and intended purpose of the Veterans Building capital funds, however, as these funds have not yet been expended or encumbered, the Supervisors determined to use \$4.4 million of Veterans Building capital funds, as well as Grants for the Arts’ fund balance of \$300,000, to help resolve the immediate General Fund budget deficit for 2003-04.

Ms. Murray stated that the Annual Appropriation Ordinance adopted by the Supervisors provides that this re-appropriation of funds will be transacted by reducing the War Memorial's hotel tax allocation for FY 2003-04 by \$4.4, and authorizing the War Memorial to reallocate any other available departmental funds to cover FY 2003-04 operating costs. She stated that this transaction will require the War Memorial to de-fund \$4.4 million from the Veterans Building capital project fund, and re-allocate that amount to fund the department's FY 2003-04 operating budget. Ms. Murray stated that an Aide to Supervisor Daly, chair of the Supervisors' Budget Committee, advises that the Budget Committee will pursue alternative funding sources to help re-fund Veterans Building improvements. However, to date, no commitment or plan for repayment or reinstatement of these funds has been provided to the War Memorial.

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

RESOLUTION NO. 03-25

- RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it directs War Memorial staff to prepare a letter to the San Francisco Board of Supervisors strongly objecting to the \$4.4 million reduction in the War Memorial's hotel tax revenue for FY 2003-04, and noting comments and concerns of the Trustees including:
- The War Memorial Board of Trustees is responsible for the safety of the War Memorial Veterans Building and building occupants;
 - The Board of Trustees has carefully managed its special fund resources and has diligently accrued capital funds for critical life-safety improvements and upgrades in the Veterans Building;
 - Subsequent to the reallocation of 1990 bond funds designated for the Veterans Building and the failure of the 2002 Veterans Building Seismic Safety bond measure, the Board of Trustees prudently commissioned a study to recommend and develop a plan for implementing urgent life-safety improvements within the limited capital funding diligently accrued by the department, completion of which study is expected by the end of 2003 so that implementation of appropriate life-safety improvements would have begun in 2004;
 - The reallocation of Veterans Building capital funds to the City's General Fund leaves the Board of Trustees without the means to implement critical safety upgrades in the Veterans Building, and restricts the Board's ability to properly carry out its Charter mandate and responsibilities;
 - It is requested that the Board of Supervisors advise the War Memorial Board of Trustees of alternate/replacement funding sources that may be available to implement necessary Veterans Building safety improvements to protect the occupants and public who use the building.

SECRETARY'S REPORT

Revenue, Appropriations and Building Projects Reports for June 2003: Mr. Ridenour referred to the revenue, appropriations, and status of building projects reports for June 2003. He noted that while June 30, 2003 marked the end of the 2002-03 fiscal year, the June 2003 reports do not reflect final year-end amounts. Final postings for fiscal year 2002-03 will be completed by the Controller in late August,

following which final financial reports for 2002-03 will be provided to Trustees. Mr. Ridenour requested a resolution to approve June 2003 housekeeping expenditures as submitted. On motion of Trustee Farrow, seconded by Trustee Moscone, the following resolution was unanimously adopted:

RESOLUTION NO. 03-26

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM030457 through WM030484, and Revenue Transfer DPW JO 1213H, are hereby approved.

Revenue, Appropriations and Building Projects Reports for July 2003: Mr. Ridenour referred to the revenue, appropriations, and status of building projects reports for July 2003, and requested a resolution to approve July 2003 housekeeping expenditures as submitted. On a motion of Trustee Moscone, seconded by Trustee Farrow, the following resolution was unanimously adopted:

RESOLUTION NO. 03-27

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM040001 through WM040053 are hereby approved.

COMMITTEE REPORTS

Presentors Liaison Committee: In the absence of Trustee Shultz, Chair of the Presentors Liaison Committee, Vice President Bashford asked Trustee Horn to provide the Committee's report.

Renewal of Agreement with City Box Office: Trustee Horn reported that the Presentors Liaison Committee met earlier this week to consider the renewal of the agreement between the War Memorial and City Box Office for Herbst Theatre Box Office and Ticket Sales Services, for a five-year period from September 1, 2003 through August 31, 2008. He stated that the War Memorial's current five-year agreement with City Box Office, which is scheduled to expire on August 31, 2003, provides that the War Memorial may, at its sole discretion, exercise options to extend the agreement for additional periods of no less than one year and no more than five years upon substantially the same terms and conditions, subject to mutual agreement between the parties. Trustee Horn reported that by letter of July 14, 2003, City Box Office requested a five-year renewal of the agreement, and proposed several minor increases in box office fees for the renewal period. He stated that the Committee reviewed staff's summary of the services provided by City Box Office to Herbst Theatre licensees, as well as a chart of City Box Office's current and proposed fee schedules of licensee and customer service charges. He added that the Committee heard from Michael Cheung, President of City Box Office, regarding current box operations, and from the Executive Director of City Arts and Lectures, Sydney Goldstein, who spoke in support of the Board's renewing the agreement. Trustee Horn reported that following discussion, the Presentors Liaison Committee voted unanimously to recommend approval of renewing the agreement with City Box Office as proposed. On motion of Trustee Horn, seconded by Trustee Moscone, the following resolution was unanimously adopted.

RESOLUTION NO. 03-28

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby adopts the report and recommendation of its Presentors Liaison Committee, and approves the renewal of the agreement between the War Memorial and City Box Office for Herbst Theatre Box Office and Ticket Sales Services for a five-year period from September 1, 2003 through August 31, 2008.

REGULAR ITEMS**Request of San Francisco Symphony - Modify Plans for Symphony Store in Davies Symphony Hall:**

Ms. Murray referred to the letter from the San Francisco Symphony, requesting approval of modifications to its plans to remodel the Symphony Store in Davies Symphony Hall. She noted that the Board previously approved the Symphony's schematic plans for the Store remodel at the March meeting, which plans included two overhead lighting and signage elements: 1) a series of opaque rectangular overhead panels incorporating track lighting; and 2) a circular-shaped sign over the circular sales/display fixture.

Ms. Murray stated that the Symphony is proposing to modify these overhead signage/lighting elements, primarily due to cost considerations. In place of the overhead panels, the revised plan calls for an overhead rectangular truss with theatrical-style lighting. The circular sign over the sales/display fixture will be eliminated and replaced with one or more banners hanging from the overhead truss. Other elements of the remodel plans remain unchanged. In response to an inquiry from Vice President Bashford, Ms. Jeannette Garbarini of the San Francisco Symphony stated that the revised plan provides for two banners, which have yet to be designed, hanging from the overhead truss.

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

RESOLUTION NO. 03-29

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it approves the Symphony's revised plans to remodel and improve the Symphony Store in Davies Symphony Hall, subject to subsequent consideration and approval by the Board of Trustees of the Symphony's proposed design of Symphony Store banners.

Request of San Francisco Symphony - Temporary Office Trailer in Davies Hall Parking Lot: Ms.

Murray reported that Trustees have received a copy of the letter from the San Francisco Symphony requesting permission to install a construction trailer in the Davies Symphony Hall parking lot for an approximate one-year period, from September 8, 2003 to August 30, 2004, to be used as a temporary office unit to accommodate their short-term office space needs. She stated that the trailer would be positioned as close to the back wall as possible and powered from the existing electrical panel in the parking lot, and that the Symphony would pay office rent to the War Memorial based on the trailer's square footage and the current per-square-foot office rental rate. Mr. Andrew Dubowski and Mr. Jim Robinson of the San Francisco Symphony addressed the Trustees regarding the Symphony's short-term needs for additional office space and various space options they have pursued.

Following discussing, Vice President Bashford referred this request to the Board's Building Committee for consideration and recommendation.

Request of San Francisco Opera – Exhibition in Opera House Main Lobby: Ms. Murray stated that Trustees have received a copy of the letter from the San Francisco Opera requesting permission to install a special exhibition in the Opera House main lobby from September 10 to September 27, in conjunction with the Opera's performances of *The Mother of Us All*. She reported that the exhibit, to be mounted by the International Museum of Women, consists of four free-standing display cases measuring 4' x 6', each case containing two poster panels on the history of women's suffrage in California. Ms. Murray stated that staff is recommending approval of this exhibition request. On a motion of Trustee Horn, seconded by Trustee Moscone, the following resolution was unanimously adopted:

RESOLUTION NO. 03-30

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that the request of the San Francisco Opera to install an exhibition in the Opera House main lobby from September 10-27, 2003, is hereby approved.

ADJOURNMENT

There being no further business, Vice President Bashford adjourned the meeting at 3:15 p.m.

Gregory P. Ridenour
Executive Secretary