

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
REGULAR MONTHLY MEETING

Thursday, September 11, 2003

The Board of Trustees of the War Memorial of San Francisco met in regular session at 2:00 p.m. on Thursday, September 11, 2003, in the Trustees' Board Room, War Memorial Opera House, President Jarman presiding.

ROLL CALL

Present: President Jarman, Vice President Bashford, Trustee Bechtle, Trustee Farrow, Trustee Haas, Trustee Horn, Trustee Leones, Trustee Moscone, Trustee Reynolds, Trustee Shultz;
Absent: Trustee Balianz.

APPROVAL OF MINUTES

President Jarman called for approval of the minutes of the August 14, 2003 regular meeting of the Board. On motion of Trustee Moscone, seconded by Trustee Farrow, the minutes were unanimously approved.

PRESIDENT'S REPORT

New Trustee – Paul E. Reynolds: President Jarman introduced and welcomed Mr. Paul E. Reynolds, who was appointed to the War Memorial Board of Trustees by Mayor Brown on August 19, and sworn-in on August 28, 2003. He stated that Trustee Reynolds is a veteran and the current Commander of the Eighth District of the American Legion, and is also a long-time San Francisco resident with background in music and the arts. On behalf of the Board, President Jarman extended congratulations to Trustee Reynolds on his appointment.

Symphony and Opera Openings: President Jarman reported that the San Francisco Symphony and San Francisco Opera opened their 2003-04 seasons last week. He noted that both opening night events were tremendously successful, and he extended the Board's best wishes to the Symphony and Opera for continued success with their forthcoming seasons.

MANAGING DIRECTOR'S REPORT

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

RESOLUTION NO. 03-31

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

HERBST THEATRE

The Lively Foundation		\$900.00
Bat Tales	October 22, 2003	
The Festival of Lights	December 3, 2003	
San Francisco Chamber Orchestra	February 8, 2004	\$575.00
Concert		

Additional Rental Requests: Ms. Murray requested approval of additional rental requests as submitted. On motion of Trustee Moscone, seconded by Trustee Bechtle, the following resolution was unanimously adopted:

RESOLUTION NO. 03-32

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

HERBST THEATRE

School of the Arts	June 4, 2004	\$450.00
Graduation Ceremony		
San Francisco Performances	December 1, 2003	\$575.00
Frank Huang, violin		
City Arts & Lectures	December 8, 2003	\$5,750.00
On Art & Politics	January 6, 7, 12, 15, 21, 2004	
	February 4, 13, 2004	
	April 14, 26, 2004	

Veterans Activity in the Veterans Building: Ms. Murray reported to the Trustees on a matter concerning veterans' use of space in the Veterans Building. She stated that Trustees previously received a copy of her June 30, 2003 letter to the Chair of the American Legion War Memorial Commission, regarding the use of veterans' space by David Morehouse Productions, a private, for-profit company which offers courses, workshops and products on the technique of remote viewing.

Ms. Murray stated that on several previous occasions, the Commission allowed David Morehouse Productions to use Veterans Building space to conduct its for-profit business of presenting courses and workshops for tuition-paying attendees. She noted that according to David Morehouse Productions' website, tuition costs for its courses and workshops range from \$345 to \$3,200. Ms. Murray stated that while staff was advised that the Morehouse programs were sponsored by one or more American Legion

Posts, and that interested Post members were permitted to participate in the programs at no charge, the majority of persons who attended the Morehouse programs in the Veterans Building were not veterans, but rather paying customers. She also noted that David Morehouse Productions has used Veterans Building space without a rental or use agreement, which is required of all other building users, and without providing insurance to indemnify the City against any damages or claims which may result from their use of or activities in the building.

Ms. Murray stated that in her June 30 letter, she advised the Commission that based on the available information, the War Memorial believes this use of veterans' space is not within the permitted scope of the Trust Agreement and should be discontinued immediately. Ms. Murray reported that in response to her June 30 letter, she received a copy of a July 7, 2003 letter from Joe Aquino, Chair of the War Memorial Commission, to Robert Frank, Commander of American Legion Post #333, in which Mr. Aquino stated he would not give approval on behalf of the Commission for any further Morehouse programs in the Veterans Building, and that Mr. Frank could appeal this decision to the Commission at its August meeting. Mr. Murray said she is unaware of any further consideration or action by the Commission on this matter.

Ms. Murray reported that on the evening of September 4, 2003, War Memorial staff was advised by the Commission office that David Morehouse Productions would be using veterans' space on the second floor for the next 10 days, from September 5-14, 2003, to present three courses. She stated that while she reiterated to the Commission office the concerns outlined in her June 30 letter, the Commission has decided to allow these programs to go forward. Ms. Murray stated that she is therefore reporting this matter to the Trustees for its information and guidance.

Following brief discussion, President Jarman referred this matter to the Board's Veterans Committee, to conduct fact-finding and consider recommendations as appropriate.

SECRETARY'S REPORT

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

RESOLUTION NO. 03-33

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM040055 through WM040114 and Interdepartmental Work Order Nos. WM040001 through WM040017 are hereby approved.

COMMITTEE REPORTS

Budget & Finance and Veterans Committees: Trustee Horn reported that the Budget & Finance and Veterans Committees met in joint session on August 27, 2003, to consider two items:

Renewal of Agreement with American Legion War Memorial Commission: Trustee Horn reported that Committee members reviewed materials provided by staff as well as a letter from the War Memorial Commission advising that the American Legion Posts do not agree to extend the agreement, and informing that the Posts desire to negotiate a new lease agreement with the Trustees. He stated that following considerable discussion and public comment, it was the consensus of the Committee that the Commission's letter suggested a misunderstanding of the scope and authority of the agreement being considered for renewal. Nevertheless, he noted that the Committee felt obligated by the official desire of the Commission not to extend the agreement. Trustee Horn stated that the Committee directed that a letter be sent to the Commission responding to its letter of August 26, 2003, and voted unanimously to table this matter pending further communication from the Commission. Trustee Horn reported that the letter, as directed by the Committee, was delivered to the Commission office on September 2, 2003.

Cathay Post – Proposal for Veterans Building Museum: Trustee Horn reported that the second item before the Committee was consideration of the business plan submitted by the Cathay Post of the American Legion to establish a Chinese American veterans memorial museum in the Veterans Building. Trustee Horn stated that the Committee reviewed materials and heard public comment from the Cathay Post and others. During discussion, it was noted that the Board has commissioned a study to evaluate the condition and safety of the Veterans Building, which study is expected to be completed in early 2004. It was also noted that usage records indicate that much of the Veterans Building space currently allocated for veterans' use is underutilized, and that there is no recent usage inventory of the 32,000 square feet of space currently allotted for veterans' use. Trustee Horn reported that it was the consensus of the Committee that it would be prudent to defer consideration of reallocating space or installing new occupants and programs in the Veterans Building until the Board receives and reviews the study report, and until the War Memorial Commission can conduct and submit to the Committee an inventory of the current use of veterans' space in the Veterans Building. He stated that the Committee voted unanimously to table consideration of this item pending receipt of these items of information.

REGULAR ITEMS

Symphony Request – Symphony Store Banners in Davies Symphony Hall: President Jarman reported that Trustees have received a copy of the letter from the San Francisco Symphony requesting approval for the installation of banners above the Symphony Store area in Davies Symphony Hall in conjunction with their Symphony Store renovation project. He stated that at last month's meeting, the Board approved the Symphony's revised plans to remodel and improve the Symphony Store, subject to subsequent consideration and approval by the Board of the proposed design of Store banners.

President Jarman stated that the Symphony proposes to suspend two banners from the overhead lighting truss above the Store, as shown in the diagram attached to their letter. He stated that the proposed banners measure 5 ½' wide by 3' high and would be made of vinyl material. He referred to the renderings provided by the Symphony showing the banners' proposed coloring, images and text. During discussion, Mr. Andrew Dubowski of the San Francisco Symphony stated that the Symphony has revised its Store project schedule, and is now planning to implement Store renovations in March 2004.

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

RESOLUTION NO. 03-34

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby approves the San Francisco Symphony's proposed design and installation of Symphony Store banners in Davies Symphony Hall.

PUBLIC COMMENT

The Trustees heard public comment from several persons on matters pending before the Board's Budget & Finance and Veterans Committees. President Jarman stated that public comment on these matters should be made before the Committees during their next Committee meeting.

ADJOURNMENT

President Jarman called for a minute of silence in memory and honor of those who lost their lives on September 11, 2001. There being no further business, President Jarman adjourned the meeting at 3:00 p.m.

Gregory P. Ridenour
Executive Secretary