

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
REGULAR MONTHLY MEETING

Thursday, August 12, 2004

The Board of Trustees of the War Memorial of San Francisco met in regular session at 2:00 p.m. on Thursday, August 12, 2004, 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 Moscone, Trustee Reynolds, Trustee Shultz;

Absent: Trustee Balianz.

Staff Present: Elizabeth Murray, Managing Director
Gregory P. Ridenour, Assistant Managing Director/Executive Secretary

APPROVAL OF MINUTES

President Jarman called for approval of the minutes of the June 10, 2004 regular meeting of the Board. He noted that the regularly scheduled meeting of July 8, 2004 was cancelled. On motion of Trustee Farrow, seconded by Trustee Moscone, the minutes were unanimously approved.

PRESIDENT'S REPORT

San Francisco Symphony – “Summer in the City”: President Jarman reported that the San Francisco Symphony concluded its 3-week “Summer in the City” series in Davies Symphony Hall on July 31, and on behalf of the Board he extended congratulations to the Symphony for a very enjoyable summer season.

Symphony and Opera Openings: President Jarman reported that the San Francisco Symphony and the San Francisco Opera will open their 2004-05 performance seasons during the first week in September; the Symphony Opening Gala on Wednesday, September 8, and Opera opening night on Friday, September 10. On behalf of the Trustees, President Jarman 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 requests from each of the San Francisco Opera and the San Francisco Symphony for activities in conjunction with the openings of their 2004-05 seasons. She stated that the San Francisco Opera Guild requests use of the parking area behind the War Memorial Court and Veterans Building from approximately September 1 through September 12, 2004, to install a tent for the Guild's opening night pre-performance cocktail reception and post-performance dinner dance on September 10, 2004. The Opera further requests use of its one catering exemption for 2004-05 for its opening night festivities.

Ms. Murray stated that the San Francisco Symphony requests to install a tent in the Davies Symphony Hall parking lot from approximately September 2 through September 10, 2004, for the Symphony opening night pre-concert dinner and post-concert party on September 8, 2004. She noted that the Symphony also requests use of its one catering exemption for 2004-05 for opening night festivities.

Ms. Murray stated that the remaining rental requests are routine and requested their approval. On motion of Trustee Shultz, seconded by Trustee Farrow, the following resolution was unanimously adopted:

RESOLUTION NO. 04-25

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	September 10, 2004	\$6,000.00
Parking Lot Tent for Opening Night Festivities		

LOUISE M. DAVIES SYMPHONY HALL

San Francisco Symphony	September 8, 2004	\$5,000.00
Parking Lot Tent for Opening Night Festivities		
Nan Hai Arts Center	September 26, 2004	\$2,000.00 vs. 10%
Soloists Recitals		\$4,000.00 maximum
San Francisco Jazz Festival	November 7, 2004	\$2,000.00 vs. 10%
Fats Waller Tribute		\$4,000.00 maximum
Cabaret Marin	November 11, 2004	\$2,000.00 vs. 10%
Barbara Cook's Broadway		\$4,000.00 maximum

HERBST THEATRE

San Francisco Opera Guild	September 21, 2004	\$2,400.00
Insight Series 04-05		
	October 19, 2004	
	November 23, 2004	
	June 6, 2005	
Chinese American International School	December 14 & 15, 2004	\$1,025.00
Winter Program 2004 Rehearsal and Performance		
School of the Arts	June 7, 2004	\$600.00
2005 Graduation Ceremony		
Samuel Merritt College	May 27, 2005	\$475.00
CA College of Podiatric Medicine		
Synergy School	March 23 & 24, 2005	\$1,200.00
Rehearsal and Performance of Student Showcase		
Earplay	November 9, 2004	\$600.00
"Earplay Celebrates 20!" Free Chamber Music Concert		
World Arts West	February 27-28, 2005	\$3,600.00
"People Like Me" - Children's Program		
	March 1, 2, 4, 2005	

San Francisco Jazz Festival Fall 2004	October 17, 20-21, 23-24, 29, 2004 November 4, 5, 6, 2004	\$5,400.00
Youth for Asian Theatre A play series entitled "Disorient"	August 7, 2004	\$475.00
Rhythm and Motion Dance Center Teacher's Showcase Performance	October 8, 2004	\$1,050.00
Samon Promotion, Inc. Fujiko Hemming Piano Recital	December 9, 2004	\$1,050.00
Kinsey Sicks "I Want to Be a Republican" Comedy Show	August 28, 2004	\$1,050.00
Omni Foundation for the Performing Arts 2004-2005 Season	March 12, 2005 April 22, 2005	\$1,200.00
CCSF Department of Human Services Annual Employee Recognition Presentation and Reception	November 30, 2004	\$475.00
Ali Akbar College of Music Sacred Drums of India	October 16, 2004	\$600.00

Herbst Theatre Rental Waiver Request: Ms. Murray noted a request from the American Legion War Memorial Commission for waiver of the rental fee for use of Herbst Theatre on July 19, 2004, for the San Francisco Black Chamber of Commerce's African American Economic Development Summit. She referred to the War Memorial Commission's letter of June 18, 2004 to the Board of Trustees, requesting that the rental fee be waived for this use of Herbst Theatre, and noting that the event is being sponsored by the San Francisco African American Post #875 of the American Legion. Ms. Murray stated that staff recommends approval of the rental request, but recommends disapproval of the request for a rental fee waiver. She stated that this use of Herbst Theatre was not presented by or for the benefit of American Legion Posts or veterans, and that granting a rental fee waiver would be inconsistent with the Trustees' past practice concerning rental fee waivers. On motion of Trustee Horn and seconded by Trustee Farrow, the following resolution was unanimously adopted:

RESOLUTION NO. 04-26

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

HERBST THEATRE

American Legion Post #875 San Francisco Black Chamber of Commerce African American Economic Development Summit and Variety Concert	July 19, 2004	\$1,200.00
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Additional Rental Requests: Ms. Murray reported that additional rental requests are routine and requested their approval. On motion of Trustee Shultz, seconded by Trustee Moscone, the following resolution was unanimously adopted:

RESOLUTION NO. 04-27

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

HERBST THEATRE

City Arts and Lectures Maureen Dowd	September 9, 2004	\$600.00
Rhythm and Motion Dance Center 25 th Anniversary Celebration Dance Recital	October 8, 2004	\$1,050.00

SECRETARY'S REPORT

Revenue, Appropriations and Status of Building Projects Reports for June 2004: Mr. Ridenour referred to the Revenue, Appropriations, and Status of Building Projects Reports for June 2004, and requested a resolution to approve June 2004 housekeeping expenditures as submitted. He noted that while June 30, 2004 marked the end fiscal year 2003-04, the June revenue and appropriations reports do not reflect final year-end amounts. He stated that final postings for 2003-04 will be completed in early September 2004, and final financial reports for fiscal year 2003-04 will be submitted to the Board in September or October. On motion of Trustee Farrow, seconded by Trustee Horn, the following resolution was unanimously adopted:

RESOLUTION NO. 04-28

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM040456 through WM040477 and Revenue Transfer No. JEEN04001106 are hereby approved.

Revenue, Appropriations and Status of Building Projects Report for July 2004: Mr. Ridenour referred to the Revenue, Appropriations, and Status of Building Projects Reports for July 2004, and requested a resolution to approve July 2004 housekeeping expenditures as submitted. On motion of Trustee Moscone, seconded by Trustee Farrow, the following resolution was unanimously adopted:

RESOLUTION NO. 04-29

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM050001 through WM050065 are hereby approved.

REGULAR ITEMS

Opera Request – Opera House Exterior Banners: President Jarman reported that Trustees have received a copy of the letter from Diana Sunshine, Director of Marketing for the San Francisco Opera, requesting approval for the Opera to display banners in the exterior archways of the Opera House loggia during the Opera's 2004-05 season, from August 15 to December 14, 2004, and from May 18 to July 12, 2005. He noted that the banners will measure 8' wide by 12' high, and the banner design will be based on imagery in the Opera's 2004-04 single ticket brochure. Ms. Murray circulated reduced-sized renderings of the proposed banners provided by the Opera. Following discussion, and on motion of Trustee Horn, seconded by Trustee Moscone, the following resolution was unanimously adopted:

RESOLUTION NO. 04-30

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby approves the request of the San Francisco Opera to display banners on the exterior of the Opera House loggia for its 2004-05 season, from August 15 through December 14, 2004, and from May 18 through July 12, 2005.

Patina Request – Plans for Improvements to Concession/Catering Facilities: President Jarman stated that Trustees have received a copy of the letter from Doug Rausenberger of the Patina Group, advising that Patina is in the final stages of design and pricing for their proposed improvements to concession and catering facilities pursuant to the investment requirement in the 2003-08 concession agreement. President Jarman referred this matter to the Presentors Liaison Committee, and asked that the Committee meet to review Patina’s proposals and report its recommendations to the full Board.

Natalie Varney Proposal – Veterans Building Stained Glass Window: President Jarman reported on an updated proposal from Ms. Natalie Varney to donate a third stained glass window for the Veterans Building. He noted that Ms. Varney originally submitted a proposal to the Board in 1995, at which time she noted that her family had donated the two existing stained glass windows in the south stairwell of the Veterans Building. President Jarman stated that in 1995, the Building Committee reviewed Ms. Varney’s preliminary window design, commemorating scientists who contributed to the World War II effort, and that she was to return to the Committee with final design and installation plans, but this did not occur. He said that Ms. Varney recently contacted the War Memorial about renewing her request, and has asked to present an updated proposal for the Board’s consideration. President Jarman referred this matter back to the Building Committee for review and recommendation.

Statement of Incompatible Activities: Ms. Murray stated that in November of 2003, San Francisco voters adopted Proposition E, which revised and updated the City’s conflict of interest laws. Among the significant changes made by Proposition E is to require all City departments, boards and commissions to develop a statement identifying activities that are incompatible with particular positions, and to submit draft statements to the Ethics Commission by August 1, 2004.

Ms. Murray stated that Trustees have received a copy of the draft “Statement of Incompatible Activities” for the War Memorial and Performing Arts Center, prepared by staff based on guidelines provided by the Ethics Commission and Office of the City Attorney. She noted that because the July meeting of the Board was cancelled, and in order to comply with the submission deadline of August 1, 2004, staff submitted this draft Statement to the Ethics Commission subject to subsequent review and approval of the Board of Trustees. Following review and discussion of the draft Statement, and on motion of Trustee Bechtle, seconded by Trustee Shultz, the following resolution was unanimously adopted:

RESOLUTION NO. 04-31

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby approves the “Statement of Incompatible Activities” for the War Memorial and Performing Arts Center prepared and submitted by War Memorial staff.

MISCELLANEOUS CORRESPONDENCE

Correspondence from American Legion War Memorial Commission: President Jarman stated that Trustees received copies of two letters from Joe Aquino, Chair of the American Legion War Memorial Commission, regarding renewal of the agreement between the Commission and Board of Trustees.

In his letter dated June 17, 2004, Mr. Aquino advises that at its meeting on June 15, 2004, the War Memorial Commission voted to reject the proposed renewal of the agreement as approved by the Trustees on April 8, 2004. In his letter dated July 29, 2004, Mr. Aquino advises that the War Memorial Commission voted at its meeting on July 20, 2004, to notify the Trustees that the Commission re-affirms the renewal terms submitted to the Trustees in February 2004, and rejects the renewal terms approved by the Trustees on April 8, 2004, and requests that the Trustees respond to the Commission by the close of business on August 12, 2004, with a copy of the response sent to the San Francisco Board of Supervisors.

A motion was made by Trustee Horn, seconded by Trustee Shultz, and unanimously adopted, directing War Memorial staff to respond in a timely fashion to the July 29, 2004 letter from the American Legion War Memorial Commission.

PUBLIC COMMENT

Mr. Arch Wilson, member of the American Legion War Memorial Commission, stated that the July 29 letter from the Commission to the Trustees was not submitted to, reviewed or approved by the War Memorial Commission. He stated that the Commission approved a different letter to the Trustees regarding the renewal of the agreement, and he provided copies of this letter to Ms. Murray for distribution to Trustees in advance of the next meeting of the Board.

Mr. Rudy Asercion, Public Relations Director of the American Legion War Memorial Commission, addressed the Trustees regarding the Commission's plans for three-day program commemorating the 60th anniversary of General McArthur's historic landing in Leyte, and he requested rental fee waivers for the Commission's use of the Green Room and Herbst Theatre for commemoration programs on October 20 and October 22, 2004 respectively. Mr. Asercion also invited Trustees to become sponsors of this event. Ms. Murray commented that the Commission's usage and rental fee waiver requests for the programs noted by Mr. Asercion will be calendared for consideration by the Trustees Board of Trustees as soon as the Commission completes and returns the required application forms.

Mr. Vince Rios, Secretary/Treasurer of the American Legion War Memorial Commission, requested a copy of the letter provided to the Trustees by Mr. Arch Wilson. He also noted and supported the continued good faith efforts of the Trustees and the Commission in addressing matters concerning the San Francisco American Legion Posts.

ADJOURNMENT

There being no further business, President Jarman adjourned the meeting at 2:35 p.m.

Gregory P. Ridenour
Executive Secretary