

**MINUTES**  
**WAR MEMORIAL BOARD OF TRUSTEES**  
**REGULAR MONTHLY MEETING**

**Thursday, February 12, 2009**

The Board of Trustees of the War Memorial of San Francisco met in regular session at 2:00 p.m. on Thursday, February 12, 2009, in the Trustees' Board Room, War Memorial Opera House, President Bechtle presiding.

**ROLL CALL**

Present: President Bechtle, Vice President Shultz, Trustee Bashford, Trustee Davis, Trustee Farrow, Trustee Horn, Trustee Moscone, Trustee Myatt, Trustee Pelosi, and Trustee Tsakopoulos-Kounalakis;

Absent: Trustee Jarman.

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

**APPROVAL OF MINUTES**

President Bechtle called for approval of the minutes of the January 8, 2009 regular meeting of the Board. On motion of Vice President Shultz, seconded by Trustee Moscone, the minutes were unanimously approved.

**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 Farrow, seconded by Trustee Horn, the following resolution was unanimously adopted:

**RESOLUTION NO. 09-04**

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**

Another Planet Entertainment Diana Krall	August 12, 2009	\$2,200.00 vs. 10% \$6,500.00 maximum
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**HERBST THEATRE**

Kerry Records St. Patrick's Day - An Irish Hooley!	March 12, 2009	\$1,250.00
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Isha Foundation An Evening with the Mystic	March 20, 2009	\$750.00
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San Francisco Zen Center David Whyte	May 29, 2009	\$750.00
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International Studies Academy Commencement Exercises	June 4, 2009	\$750.00
John O'Connell High School of Technology Graduation Ceremony	June 8, 2009	\$525.00
Gay Asian Pacific Alliance Runway 2009	August 1, 2009	\$750.00
Stepology The 2009 Bay Area Rhythm Exchange	August 21, 22, 2009	\$1,500.00
Fashion Institute of Design & Merchandising Graduation Ceremonies	June 18, 2009	\$1,275.00
Congregation Sha'ar Zahav High Holiday Services	September 18, 19, 27, 28, 2009	\$3,000.00
SF Contemporary Music Players Concert	November 9, 2009	\$750.00

**Additional Rental Requests:** Ms. Murray requested approval of additional rental requests as submitted. On motion of Trustee Farrow, seconded by Vice President Shultz, the following resolution was unanimously adopted:

**RESOLUTION NO. 09-05**

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 & Lectures Michael J. Fox	May 1, 2009	\$750.00
Earplay Concerts	February 8, 2010 March 22, 2010 May 24, 2010	\$2,250.00

**James West – Building and Grounds Superintendent:** Ms. Murray reported that the War Memorial's Building and Grounds Superintendent, Jim West, will be leaving the department effective February 27, 2009, to accept a job with the Public Utilities Commission. She stated that Jim has been with the War Memorial since June 1990, serving as Chief Engineer at Davies Symphony Hall from 1990 to 2002, and as Buildings and Grounds Superintendent from 2002 to present. Ms. Murray said that Jim West has been a tremendous asset to the War Memorial department for the last 18 years and he will be greatly missed. She stated that Kevin Kelly, Senior Stationary Engineer at Davies Symphony Hall since July 2004, will serve as Acting Building and Grounds Superintendent until a permanent appointment is made.

President Bechtle asked that a letter be prepared and sent to Jim West thanking him for his 18 years of dedicated service to the War Memorial, and extending best wishes from the War Memorial Trustees and staff for success and happiness in his new position with PUC.

## SECRETARY'S REPORT

**Revenue, Appropriations and Status of Building Projects Reports for January 2009:** Ms. Norris referred to the Revenue, Appropriations, and Status of Building Projects Reports for January 2009, and requested a resolution to approve housekeeping expenditures as submitted. On motion of Vice President Shultz, seconded by Trustee Moscone, the following resolution was unanimously adopted:

### RESOLUTION NO. 09-06

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM090221 through WM090263 and Interdepartmental Work Order No. REWM0900015 are hereby approved.

**Annual Statements of Economic Interest:** Ms. Norris reminded Trustees that all members of City boards and commissions must file Annual Statements of Economic Interests and Sunshine Ordinance Declarations with the Ethics Commissions no later than April 1, 2009.

## COMMITTEE REPORTS

### **Budget and Finance Committee:**

**Fiscal Year 2009-2010 Departmental Budget:** Trustee Tsakopoulos-Kounalakis, Chair of the Budget and Finance Committee, reported that the Committee met on February 11, to consider and adopt recommendations on the War Memorial's Fiscal Year 2009-10 Departmental Budget. She stated that the Committee reviewed staff's proposed budget, including projected revenues and proposed operating and capital expenditures, and Ms. Murray reported on items having significant revenue or expenditure variance from the current-year budget.

Trustee Tsakopoulos-Kounalakis stated that staff's budget proposal for FY 2009-10 was prepared in accordance with the Mayor's baseline budget instructions. She noted that the Mayor's baseline budget—and staff's proposed budget—provides a hotel tax allocation to the War Memorial for 2009-10 at the same level as the current fiscal year. Ms. Murray reported to the Committee that the Controller's 2008-09 mid-year financial report, issued on February 10, reports that current-year hotel tax revenue is now projected to come in at 4.5% below prior-year actual hotel tax revenues rather than the 7% increase included in the 2008-09 budget. Trustee Tsakopoulos-Kounalakis stated that this new projection, as well as continuing economic uncertainties, may impact the War Memorial's 2009-10 budget proposal during the Mayor's budget review phase from February to June 2009.

Trustee Tsakopoulos-Kounalakis stated that Ms. Murray also reported to the Committee that staff is consulting with the City's Real Estate Division and others towards temporarily back-filling office spaces on the Veterans Building 3<sup>rd</sup> and 4<sup>th</sup> floors scheduled to be vacated by Muni and the Treasurer/Tax Collector in June 2009, thus helping to offset a loss of \$400,000 in Veterans Building occupancy fees in 2009-10.

Trustee Tsakopoulos-Kounalakis reported that following discussion, the Budget and Finance Committee voted unanimously to recommend to the full Board that the Fiscal Year 2009-10 Departmental Budget as presented by staff be approved. Following discussion, and on motion of Vice President Shultz, seconded by Trustee Horn, the following resolution was unanimously adopted:

### RESOLUTION NO. 09-07

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby adopts the report and recommendation of its Budget and Finance Committee, and approves the Fiscal Year 2009-10 Departmental Budget as presented by staff.

## REGULAR ITEMS

**Proposal of American Legion War Memorial Commission to provide space in the Veterans Building for Swords to Plowshares to conduct its veterans program:** President Bechtle stated at last month's meeting, staff advised Trustees that the City Attorney opinion requested by the War Memorial concerning the American Legion War Memorial Commission's proposal to provide space in the Veterans Building to Swords to Plowshares was not yet complete, and that the City Attorney planned to issue the opinion to the Trustees for the February meeting. President Bechtle said that the City Attorney's Office has advised staff that the opinion is still in the final stages of review, but is expected to be issued shortly.

President Bechtle stated that based on staff's discussion last week with the Office of the City Attorney, and anticipating the possibility that the opinion would not be issued by today's meeting, two possible action items were included on today's agenda:

- Possible action to publicly disclose advice to the Board of Trustees from the City Attorney regarding this matter, once available; and
- Possible action to refer this matter to the Board of Trustees' Veterans Committee for consideration and recommendation(s).

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

### RESOLUTION NO. 09-08

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby waives the confidentiality of the opinion to be issued by the City Attorney regarding the American Legion War Memorial Commission's proposal to provide space in the Veterans Building to Swords to Plowshares, and approves releasing the opinion letter, once it is available, to members of the public.

President Bechtle stated that the War Memorial Commission's request concerning Swords to Plowshares is referred to the Board's Veterans Committee for consideration and adoption of recommendation(s).

**Request from American Legion War Memorial Commission to park the American Legion Post #911 van in the War Memorial parking area:** President Bechtle stated that at last month's meeting, Trustees discussed the request from the American Legion War Memorial Commission to park the American Legion Post #911 van in the War Memorial parking area behind the Memorial Court twenty-four hours per day. The request was continued for one month so that staff could investigate and report back to Trustees on the possibility of permit parking on McAllister Street and/or other options for accommodating the van.

Ms. Murray stated that staff consulted with MTA's Parking & Traffic Division and was advised that, with the exception of short-term street parking related to construction projects or major special events, MTA does not, under any circumstances, allow permit parking or otherwise reserve street parking for private or commercial vehicles. MTA advised that passenger zones are typically used to accommodate shuttle service passenger pick-up and drop-off, and suggested that Post #911's van service could be accommodated in the existing passenger zone in front of the Veterans Building.

Ms. Murray also reported on two possible options for accommodating the van in the War Memorial parking area that would involve modifying current parking spaces in order to address the safety concern of the van obstructing the view of drivers exiting the parking area onto Franklin Street. She noted that these options would require the War Memorial to change—or make an exception to—its policy regarding overnight parking and require permitting for overnight vehicle storage.

In discussion, concerns were expressed about changing a policy that helps to deter and prevent vandalism, and about the billboard-sized graphics on the van. Following discussion, staff was asked to further investigate the possibility of nearby off-site parking to accommodate the van, and President Bechtle referred this matter to the Veterans Committee for further consideration and adoption of recommendations.

**San Francisco Symphony Request – Expansion of Symphony Store hours of Operation:** President Bechtle stated that Trustees have received a copy of the letter, with photo attachments, from the San Francisco Symphony, requesting to expand the Symphony Store hours of operation, and to install Symphony Store signage at Davies Symphony Hall. Ms. Murray stated that staff has been working with the Symphony for several months on a workable plan that would expand Symphony Store hours to accommodate public interest and provide increased revenue to the Symphony and War Memorial. She said that the Symphony Store is currently open during Symphony concerts and, periodically, by special appointment. The Symphony proposal would expand Symphony Store hours for the public to weekdays, 11:00 a.m. to 4:00 p.m. Ms. Murray reviewed the logistical and security plans to accommodate expanded Store hours, and reviewed the Symphony's proposal to install a Symphony Store banner in the orchestra level window on Grove Street nearest the store to announce Store hours and help promote business.

San Francisco Symphony representatives addressed the Trustees and answered questions regarding the Symphony Store proposal.

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

**RESOLUTION NO. 09-09**

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that it hereby approves the request from the San Francisco Symphony to expand the Symphony Store hours of operations and to install Symphony Store signage at Davies Symphony Hall as outlined in the San Francisco Symphony's proposal of February 5, 2009.

**ADJOURNMENT**

There being no further business, President Bechtle adjourned the meeting at 3:20 p.m.

Jennifer E. Norris  
Executive Secretary