

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
REGULAR MEETING

Thursday, October 10, 2013

The Board of Trustees of the War Memorial of San Francisco met in regular session at 2:00 p.m. on Thursday, October 10, 2013, in the Trustees' Board Room, War Memorial Opera House, President Myatt presiding.

ROLL CALL

Present: President Myatt, Vice President Bashford, Trustee Bechtle, Trustee Davis, Trustee Horn, Trustee Lui, Trustee Moscone, Trustee Shultz, Trustee Stafford and Trustee Wilsey;

Absent: Trustee Pelosi;

Staff Present: Elizabeth Murray, Managing Director
Jennifer Norris, Assistant Managing Director

APPROVAL OF MINUTES

President Myatt called for approval of the minutes of the September 12, 2013 regular meeting of the Board. On motion of Trustee Shultz, seconded by Trustee Moscone, the minutes were unanimously approved.

PRESIDENT'S REPORT

Passing of former Trustee Alan Becker: President Myatt stated that it is with sadness he reports the recent passing of former War Memorial Trustee Alan Becker. He recalled that Alan Becker was a true champion of the arts, serving as president of American Conservatory Theatre for 10 years in the 1970's as well as serving on numerous other arts-related boards. President Myatt said that Alan Becker was appointed to the War Memorial Board of Trustees in 1981, and served for 12 years until 1993. During that time he helped to save the San Francisco Performing Arts Library & Museum and served as its president from 1983 to 1990. President Myatt asked staff to send a letter to Alan Becker's wife, Carole, expressing the Board's heartfelt condolences.

Change to Meeting Agenda: President Myatt stated there will be a change in today's meeting agenda, and the Board will hear "Public Comment" before Regular Item #3.

MANAGING DIRECTOR'S REPORT

Rental Requests: Ms. Murray stated that rental requests mailed to Trustees include a request from the San Francisco Symphony to temporarily install "Emirates" signage and décor in the Loge Lobby of Davies Symphony Hall during four public performances in November 2013. She reported that the standard commercial display fee of \$1,500 per day will apply to this request. Ms. Murray stated that remaining rental requests are routine and requested their approval. On motion of Trustee Bechtle, seconded by Trustee Lui, the following resolution was unanimously adopted:

RESOLUTION NO. 13-30

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

| | | |
|--|---------------------|---|
| SF Symphony Emirates Display Commercial Display | November 7-10, 2013 | \$6,000.00 |
| San Francisco Choral Society 25 th Anniversary Concert | August 20-23, 2014 | \$9,200.00 vs. 10% \$13,700.00 maximum |

SECRETARY'S REPORT

Revenue, Appropriations and Housekeeping Expenditures Reports for September 2013: Ms. Norris referred to the Revenue, Appropriations, and Housekeeping Expenditures Reports for September 2013, and requested approval of housekeeping expenditures as submitted. On motion of Vice President Bashford, seconded by Trustee Shultz, the following resolution was unanimously adopted:

RESOLUTION NO. 13-31

RESOLVED, By the Board of Trustees of the War Memorial of San Francisco that Purchase Order Nos. WM140059 through WM140078 are hereby approved.

Open Enrollment: Ms. Norris reminded Trustees that October is open enrollment month for health services. She stated that if Trustees are enrolled in the City's Health Service System and wish to make changes they must do so during October.

Electronic Filing of the Form 700: Ms. Norris reported the Ethics Commission has approved new regulations requiring Statements of Economic Interests to be filed with the Ethics Commission electronically. She said she will be submitting Trustee e-mail addresses to the Commission so the proper links can be sent directly to Trustees.

COMMITTEE REPORTS**Veterans Building Project Committee:****Veterans Building Seismic Upgrade & Improvements Project:**

Trustee Horn, Chair of the Trustees' Veterans Building Project Committee, reported that bi-weekly tours of the Veterans Building construction project began on September 24, with a second tour on October 8. He stated that the bi-weekly tours are currently attended by himself, Beth Murray, Jennifer Norris, War Memorial Building & Grounds Superintendent Kevin Kelly, DPW Project Manager Tara Lamont, and Pankow Project Superintendent Lee Jones who leads the tours.

Trustee Horn stated that now the building has been completely vacated, the first major efforts include salvage and protection of all historic elements and fabric, assembly of scaffolding in the Herbst Theatre auditorium, removal and dismantling of historic light fixtures for renovation, and identifying hazardous materials for abatement. He also noted that Pankow has begun re-plumbing for the new and increased restroom facilities, one of which will be made operational as soon as possible for use by workers in the building.

Trustee Horn reported on a water damage incident which occurred on October 4, resulting from a quarter-inch water line on the fourth floor left open overnight. The water caused damage to the fourth floor carpet and ceiling and walls on the south end of the third floor and second floor, most of which is scheduled for demolition. He stated the contractor reacted quickly, removing carpet and ceilings which were affected and installing drying machines. The costs related to the water damage will be covered by General Contractor Pankow's insurance.

As an item of note, Trustee Horn reported that following demolition of a dropped ceiling on the third floor, it was discovered the original ceiling had been demolished during a 1960's tenant improvement project. He stated

this reinforces the need for the War Memorial to be ever vigilant about preserving the integrity of the building when allowing for needed tenant improvements.

Ms. Murray commented on the Veterans Building Project budget, and noted there have been discussions with the Mayor's Office and City Capital Planning Committee during the last six months regarding a projected project budget shortfall of \$9-12 million. She stated this shortfall was identified during the planning phase due to unanticipated and significant costs for hazardous materials abatement, a new PG&E vault, and roofing work, which required the project contingency to be reduced from 20% to 10%, even though a 20% contingency is the standard for a historic renovation project of this type. Further, the construction market boom in San Francisco has resulted in the project receiving higher bids than estimated. Ms. Murray stated that she and DPW representatives would be meeting again with the Mayor's Office in early November on the project budget after which an update will be provided to Trustees.

REGULAR ITEMS

Memorandum of Understanding with San Francisco Opera concerning the Opera's development and utilization of Veterans Building Space: President Myatt stated that in July 2010, the Board of Trustees adopted a resolution approving in concept the San Francisco Opera's proposal to develop and utilize space in the basement and on the 4th floor of the Veterans Building, and authorized the Opera and War Memorial staffs to develop terms and conditions of a potential Memorandum of Understanding regarding the Opera's development and utilization of Veterans Building space.

President Myatt reported he is advised by staff that a proposed "term sheet" concerning the Opera's development and utilization of Veterans Building space is close to completion, and will be ready to be considered by the Trustees shortly. He referred this item to the Veterans Building Project Committee and asked the Committee to consider and adopt recommendations on the proposed term sheet concerning the Opera's development and utilization of Veterans Building space.

During public comment on this item, Nelson Lum, Chair of the American Legion War Memorial Commission, stated his opinion that the Trustees should not enter into any lease agreement with the Opera for a term longer than 10 years, so as to allow for building use to be re-evaluated over time.

Request from San Francisco Symphony to install Meyer Sound's "Constellation" System in Zellerbach Rehearsal Hall Room "A": President Myatt stated that the San Francisco Symphony is requesting to implement an additional improvement in Zellerbach Rehearsal Hall Room "A," that being the installation of a Meyer's "Constellation" acoustic system. He referred this request to the Board's Building Committee for consideration and adoption of recommendations.

PUBLIC COMMENT

There was no public comment on items not on today's agenda.

REGULAR ITEMS

Evaluation of Managing Director: President Myatt stated that, in keeping with the City's Performance Plan and Appraisal Report Program for Employees, the Board will meet today in closed session to review the performance plan and appraisal for the War Memorial Managing Director. President Myatt called for any public comment on matters pertaining to the closed session and there being none, he asked for a motion to enter into closed session. On motion of Vice President Bashford, seconded by Trustee Shultz, the Board of Trustees voted unanimously to convene in closed session pursuant to San Francisco Administrative Code Section 67.10(b) and Government Code Section 54957, to consider the performance plan and appraisal of a public employee, Managing Director Elizabeth Murray.

CLOSED SESSION

RECONVENE IN OPEN SESSION

President Myatt reconvened the meeting in open session. President Myatt called for a motion not to disclose any of the discussion during the closed session, and on motion of Trustee Moscone, seconded by Trustee Horn, the Board of Trustees voted unanimously not to disclose any of the discussion during the closed session.

President Myatt reported that during the closed session, Trustees completed the Managing Director's performance appraisal for 2012-13, and approved performance plan objectives for 2013-14.

ADJOURNMENT

There being no further business to come before the Board, President Myatt adjourned the meeting at 3:00 p.m.

Jennifer E. Norris
Executive Secretary