

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
LITIGATION COMMITTEE
Monday, September 28, 2015

The Litigation Committee of the Board of Trustees of the War Memorial of San Francisco met at 2:00 p.m. on Monday, September 28, 2015, in the Trustees' Board Room, War Memorial Opera House, Chair Bechtle presiding.

ROLL CALL

Committee Members Present: Chair Bechtle, Vice President Horn, Trustee Myatt, Trustee Stafford;

Committee Members Absent: None

Non-Committee Trustees Present: Trustee Davis, Trustee Shultz

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

CLOSED SESSION – Existing litigation regarding space allocation for and facility use by the San Francisco Posts of the American Legion in the Veterans Building:

Chair Bechtle reported that as noticed on today's agenda, the Committee will meet in closed session with legal counsel on existing litigation regarding space allocation for and facility use by the San Francisco Posts of the American Legion in the Veterans Building.

Chair Bechtle stated that the Committee would first take public comment on all matters pertaining to the closed session. Then the Committee will entertain a motion to hold a closed session to confer with the City Attorney pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1).

Public Comment:

Chair Bechtle asked if there was any public comment relating to any aspect of this agenda item, including whether the Committee should confer with the City Attorney in closed session, and whether the Committee should disclose any or all of its closed session discussion

There was no public comment, and public comment was closed.

Motion to go into Closed Session:

Chair Bechtle stated that attorneys for the petitioner, San Francisco Posts of the American Legion, filed a lawsuit in Superior Court of the State of California on Tuesday, July 28, 2015, naming the City, acting through this Board of Trustees, as the respondent. The case name is "In the Matter of San Francisco War Memorial Trust, dated August 19, 1921, as amended June 30, 1928" and the case number is PTR-15-298701.

Chair Bechtle asked for a motion to invoke the attorney-client privilege and go into closed session to confer with or receive advice from the City Attorney pursuant to Government Code Section 54956.9(d)(1) and San Francisco Administrative Code Section 67.10(d)(1).

On motion of Trustee Myatt, seconded by Vice President Horn, the Committee voted unanimously to go into closed session.

Chair Bechtle then asked members of the public to leave the room while the Committee meets in closed session.

CLOSED SESSION

RECONVENE IN OPEN SESSION

Chair Bechtle reconvened the meeting in open session. Chair Bechtle announced that the Committee took no action that is required to be reported under the Brown Act or Sunshine Ordinance during the closed session. Chair Bechtle called for a motion on whether to disclose the contents of the closed session. On motion of Trustee Myatt, seconded by Vice President Horn, the Committee voted unanimously not to disclose any of the discussion during closed session.

ADJOURNMENT

There being no further business to come before the Litigation Committee, Chair Bechtle adjourned the meeting at 3:05 p.m.

Jennifer E. Norris
Executive Secretary