

MINUTES
WAR MEMORIAL BOARD OF TRUSTEES
REGULAR MEETING
Thursday, February 11, 2016

The Board of Trustees of the War Memorial of San Francisco met at 2:00 p.m. on Thursday, February 11, 2016, in the Trustees' Board Room, War Memorial Opera House, Vice President Horn presiding.

ROLL CALL

Present: Vice President Horn, Trustee Bechtle, Trustee Lui, Trustee Moscone, Trustee Myatt, Trustee Pelosi, Trustee Shultz, Trustee Stafford and Trustee Wilsey

Absent: Trustee Davis and Trustee Shultz

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

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

Vice President Horn stated that as noticed on today's agenda, the Trustees will meet in closed session with legal counsel on pending litigation regarding space allocation for and facility use by the San Francisco Posts of the American Legion in the Veterans Building.

Vice President Horn stated that the Trustees will first take public comment on all matters pertaining to the closed session. Then the Trustees 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:

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

Paul Cox, Chair of the American Legion War Memorial Commission, urged the Trustees to disclose the contents of their closed session.

There being no further public comment, Vice President Horn closed public comment.

Motion to go into Closed Session:

Vice President Horn 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.

Vice President Horn 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 Bechtle, seconded by Trustee Moscone, the Board of Trustees voted unanimously to go into closed session.

CLOSED SESSION

RECONVENE IN OPEN SESSION

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

ADJOURNMENT

There being no further business to come before the Board, Vice President Horn adjourned the meeting at 3:05 p.m.

Jennifer E. Norris
Executive Secretary