

**OFFICIAL MEETING NOTICE**

**Fine Arts Museums of San Francisco  
Board of Trustees**

**Wednesday, January 30, 2013  
3:00 p.m.**

**Piazzoni Murals Room  
de Young Museum  
50 Hagiwara Tea Garden Drive  
Golden Gate Park  
San Francisco, California**

**AGENDA**

**ORDER OF BUSINESS**

- I. Calling of the Meeting to Order – Diane B. Wilsey, President**
- II. Calling of the Roll**

Adolphus Andrews, Jr.  
Edward D. Baker, III  
Zachary S. Bogue  
Carol N. Bonnie  
Carol W. Casey  
David H. S. Chung, Vice President for Finance  
Penny Coulter (Leave of Absence)  
Dr. Marc P. Cruciger  
Belva Davis, Vice President  
Juliet de Baubigny  
Jason M. Fish  
Denise B. Fitch  
Elise Friedman  
Vanessa Getty  
Frankie Jacobs Gillette  
Frederick M. Goltz  
Wheeler S. Griffith  
Cynthia Fry Gunn  
Lauren Hall  
Lucy Hamilton  
Katherine Harbin  
Holly Johnson Harris  
Laure Fullerton Headrick  
Gretchen Kimball  
Janet W. Lamkin  
David Lamond

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**Calling of the Roll** (continued)

Kathryn Lasater, Vice President for Development  
Lawrence B. Low  
Holland Lynch  
Monica Maduro  
Nancy McFadden  
Dr. Sarah Ogilvie  
Carl Pascarella  
Venetta S. Rohal  
Lisa M. Sardegna  
Arlene Schnitzer  
David Spencer  
Susan S. Swartz  
Jeana Toney  
Robert T. Wall  
Diane B. Wilsey, President  
Lisa Zanze

Ex-Officio Trustees:

Mayor Edwin M. Lee  
Mark Buell, President, Recreation and Park Department

Absences to be Excused:

Penny Coulter (Leave of Absence)

There will be an opportunity for public comment before or during each agenda item.

**III. Report of the President – Diane B. Wilsey**

**A. Closed Session for Conference with Legal Counsel on Existing Litigation (Mediation and Arbitration) (Fine Arts Museums/City as Defendant)**

- |    |  |                   |
|----|--|-------------------|
| 1. | Public Comment on All Matters Pertaining to the Closed Session   | <b>Discussion</b> |
| 2. | Vote on Whether to Hold Closed Session to Confer with Legal Counsel [San Francisco Administrative Code Section 67.10(d)] | <b>Action</b>     |
| 3. | Closed Session Pursuant to Government Code Section 54956.9 and San Francisco Administrative Code Section 67.10(d)        | <b>Discussion</b> |

Conference with Legal Counsel on Existing Litigation (Mediation and Arbitration) as Defendant - Deputy City Attorneys Adine Varah and Don Margolis.

Paul Sack v. San Francisco Museum of Modern Art, Fine Arts Museums of San Francisco, [and] Trustees of the Sack Photographic Trust [other than Paul Sack] (JAMS Arbitration and Mediation Services Case No. 1100068971)

4. Reconvene in Open Session **Action**
  - a. Possible Report on Action Taken in Closed Session [Government Code Section 54957.1(a)(2) and San Francisco Administrative Code Section 67.12(b)(2)] **Action**
  - b. Vote to Elect Whether to Disclose Any or All Discussions Held in Closed Session [San Francisco Administrative Code Section 67.12(a)] **Action**
- B. Consideration and Possible Action to Approve the Minutes of the October 18, 2012 Meeting of the Board of Trustees** **Action**  
(See Appendix A – Draft Minutes)
- C. Consideration and Possible Action to Revise the Bylaws of the Board of Trustees of the Fine Arts Museums of San Francisco to modify the number of Executive Committee members.** **Action**  
(See Appendix B – Draft Bylaws Revisions)
- D. Consideration and Possible Action to Adopt a Resolution Accepting and Ratifying Salary Supplements for the City Positions of Director of Human Resources and Administration and of Curator of the Achenbach Graphic Arts Department, to be Funded Through Contributions from the Corporation of the Fine Arts Museums, Under Article V of the San Francisco Charter** **Action**

WHEREAS, Under Section 5.102 of the San Francisco Charter, the Fine Arts Museums Board of Trustees (“Board”) may “accept and utilize contributions to supplement or pay for the salaries and benefits of” the “director and such other executive and administrative positions” that the Board appoints “as may be necessary”; and

WHEREAS, The Board finds that salary supplements, to be funded through contributions from the Corporation of the Fine Arts Museums, are appropriate for the Director of Human Resources and Administration and for the Curator of the Achenbach Graphic Arts Department in order to “establish competitive compensation” under Article V of the Charter and subject to the salary provisions of the Charter; now therefore be it

RESOLVED, that the Fine Arts Museums of San Francisco does hereby ratify and accept any prior, current or possible future contributions from the Corporation of the Fine Arts Museums to supplement the annual salaries of the Director of Human Resources and Administration and of the Curator of the Achenbach Graphic Arts Department in order to “establish

competitive compensation” under Article V of the Charter and subject to the salary provisions of the Charter.

**E. Consideration and Possible Action to Adopt a Resolution Changing the Date of the Thursday April 25, 2013 Meeting of the Board of Trustees to Tuesday, April 23, 2013** **Action**

RESOLVED, That due to scheduling conflicts, the Board of Trustees of the Fine Arts Museums of San Francisco does hereby change the date of the Thursday April 25, 2013 Meeting of the Board of Trustees to Tuesday, April 23, 2013 with the time and location remaining the same, namely, 3 p.m., in the Board Room at the Legion of Honor.

**F. Consideration and Possible Action to Approve a Leave of Absence for Trustee Laure Fullerton Headrick for One Year or Less** **Action**

**G. Training Session on Chapter 67 of the San Francisco Administrative Code, the Sunshine Ordinance – Adine Varah, Deputy City Attorney** **Discussion**  
(Material to be Distributed at the Meeting)

**H. Consideration and Possible Action to Accept the Report of 2012 Year-End Gifts of Works of Art – George Hecksher, Vice President for Collections and Chair of the Acquisitions Committee** **Action**  
(See Appendix C - 2012 Year-End Gifts of Works of Art Report)

**I. Consideration and Possible Action to Approve the Report of the January 16, 2013 Acquisitions Committee Meeting – George Hecksher, Vice President for Collections and Chair of the Acquisitions Committee** **Action**  
(See Appendix D – Report of January 16, 2013 Acquisitions Committee Meeting)

1. Purchases
2. Funded Purchases
3. First Step Deaccessioning
4. Second Step Deaccessioning

RESOLVED, That the Board of Trustees of the Fine Arts Museums of San Francisco does hereby approve the appended January 16, 2013 report of the Acquisitions Committee of the Fine Arts Museums Foundation, including approving the works of art acquired through purchase and donation as gifts to the Fine Arts Museums of San Francisco from the Fine Arts Museums Foundation, and approving first step and second step deaccessioning.

**J. Other Informational Items** **Discussion**

**IV. Report of the Deputy Director of Museums – Richard Benefield**

**A. Consideration and Possible Action to Approve Loan Requests** **Action**  
(See Appendix E – Loan Requests)

**V. Report of the Chief Financial Officer – Michele Gutierrez**

**A. Consideration and Possible Action to Adopt a Resolution Authorizing the Board President and Chief Financial Officer to Submit the Fiscal Year 2013-14 City Budget** **Action**

RESOLVED, That the Board of Trustees of the Fine Arts Museums of San Francisco does hereby authorize the Board President and the Chair of the Governing Committee / Chief Financial Officer to sign and submit the Fiscal Year 2012-13 City Budget Request.

**B. Consideration and Possible Action to Adopt a Resolution Acknowledging Funding Expended by the Corporation of the Fine Arts Museums During the Period July 1 through September 30, 2012** **Action**

WHEREAS, The Corporation of the Fine Arts Museums is a 501(c)(3) not-for-profit corporation that exists to support the activities of the Fine Arts Museums of San Francisco; now, therefore, be it

RESOLVED, That the Board of Trustees of the Fine Arts Museums of San Francisco does hereby acknowledge with gratitude funding in the amount of \$7,224,125 expended by the Corporation of the Fine Arts Museums for operations during the period July 1 through September 30, 2012.

**C. Consideration and Possible Action to Adopt a Resolution Acknowledging Bequests of Funds Received During the Period July 1 through September 30, 2012**

RESOLVED, That the Board of Trustees of the Fine Arts Museums of San Francisco does hereby acknowledge the following bequests of funds received during the period July 1 through September 30, 2012:

Samuel and Florence Scarlett Revocable Trust, \$111,111.00  
The Mildred Antrobus Charitable Remainder Trust, \$44,988.58

**VI. Public Comment** **Discussion**

Members of the public may address the Board of Trustees on items within the subject matter jurisdiction of the Fine Arts Museums of San Francisco. Speakers may address the Board for up to three minutes; the President or the Board of Trustees may limit the total comment to thirty minutes.

**VII. Meeting Schedule, Future Events and Current and Future Exhibits** **Discussion**  
(See Appendix F - List of Board and Executive Committee Meetings, Events and Exhibitions)

**VIII. Adjournment in Honor of Walter S. Newman, FAMSF President Emeritus – Diane B. Wilsey, President** **Action**

Public Meeting Requirements Relating to Accessibility

The subsequent information is in compliance with the Americans with Disabilities Act (ADA); the following will be made available upon request: (1) American sign language interpreters; (2) a sound enhancement system; (3) a meeting agenda available in alternative formats; and (4) a reader during the meeting. To arrange for these services, please contact Megan Bourne at (415) 750-3669 at least two working days prior to a meeting. A late request will be honored if possible. Minutes of the meeting will be made available in alternative formats upon request. Meeting agendas are available on the Fine Arts Museums of San Francisco website, [www.famsf.org](http://www.famsf.org).

In order to assist the City's efforts to accommodate persons with severe allergies, environmental illnesses, multiple chemical sensitivity or related disabilities, those attending public meetings are reminded that others may be sensitive to various chemical based products. Please help the City to accommodate these individuals.

The MUNI's wheelchair-accessible No. 44 line (south bound) stops in front of the de Young Museum. The No. 44 line (north bound) stops at Tea Garden Drive. For access to the de Young Museum by BART from the East Bay, get off at the New Montgomery Station. Take MUNI's No. 38 line (Geary) to 6th Avenue and transfer to the No. 44 line (O'Shaughnessy). For access to the de Young Museum by BART from Daly City, get off at the Civic Center Station. Take MUNI's No. 71 line (outbound) and transfer at 6th Avenue at Lincoln Way to the No. 44 line (O'Shaughnessy). Disabled placard parking spaces are available in the Concourse Parking Garage (enter at 10<sup>th</sup> Avenue and Fulton Street) and on John F. Kennedy Drive. For more information about MUNI's accessible services, call (415) 923-6142.

Accessible seating for persons with disabilities (including those using wheelchairs) will be available. For Telecommunication Device for the Deaf (TDD), the Museums use the California Relay Service.

The ringing of and use of cell phones, pagers and similar sound-producing electronic devices are prohibited at this meeting. Please be advised that the President may order the removal from the meeting of any person(s) responsible for the ringing or use of cell phones, pagers, or other similar sound-producing electronic devices.

Know Your Rights Under the Sunshine Ordinance

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils, and other agencies of the City and County exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and that City operations are open to the people's review. For more information on your rights under the Sunshine Ordinance (Chapter 67 of the San Francisco Administrative Code) or to report a violation of the ordinance, contact the Sunshine Ordinance Task Force:

Chris Ruston, Administrator  
Sunshine Ordinance Task Force  
City Hall, Room 409  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4683  
Office: (415) 554-7724 / Fax: (415) 554-7854  
E-mail: [sotf@sfgov.org](mailto:sotf@sfgov.org)

A free copy of the Sunshine Ordinance can be obtained from Mr. Ruston, or by printing Chapter 67 of the San Francisco Administrative Code on the Internet, <http://www.sfgov.org/sunshine/>

If you are unable to attend the meeting, you may submit written comments to Megan Bourne, Fine Arts Museums of San Francisco, de Young, Golden Gate Park, 50 Hagiwara Tea Garden Drive, San Francisco, CA, 94118-4501. Public documents referred to in the agenda may be inspected at the Administrative Offices of the Fine Arts Museums located at the de Young, Golden Gate Park, 50 Hagiwara Tea Garden Drive, San Francisco, CA, 94118-4501. Please contact Megan Bourne at (415) 750-3669 to make arrangements. If any materials related to an item on this agenda have been distributed to the Board of Trustees after the distribution of the agenda packet, those materials are available for public inspection at the de Young Museum, 50 Hagiwara Tea Garden Drive, Golden Gate Park, San Francisco, during normal office hours.

Lobbyist Registration and Reporting Requirements – Individuals and entities that influence or attempt to influence local legislative or administrative action may be required by the San Francisco Lobbyist Ordinance [SF Campaign & Governmental Conduct Code § 2.100] to register and report lobbying activity. For more information about the Lobbyist Ordinance, please contact the San Francisco Ethics Commission at 30 Van Ness Avenue, Suite 3900, San Francisco, CA, 94102; telephone (415) 581-2300; fax (415) 581-2317; web site: [sfgov.org/ethics](http://sfgov.org/ethics).