



CASTRO/UPPER MARKET COMMUNITY BENEFIT DISTRICT

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Minutes of the Regularly Scheduled Board of Directors Meeting on August 13, 2009 Castro Community Room, 501 Castro Street, San Francisco

The Meeting was called to order by President Dominic Campodonico at 6:07pm. A quorum was present and was maintained throughout the meeting.

Directors present: Greg Bronstein, Dominic Campodonico, Herb Cohn, Brian Greene, DeJauna Joseph, Tim Patriarca, Pauline Scholten, and Ken Stram;

Directors absent: Pat Sahagun, Gustavo Serina, Richard Sollitto, and Ken Wingard;

Staff, Contractors, Guests: Andrea Aiello (Executive Director), Richard Magary (taking Minutes), and one (1) member of the public.

An agenda was distributed to Board members and guests, along with supporting materials to Board members for use at the meeting. Guests were invited (but not required) to sign in.

Brown Act Notice

DominicC summarized California's Brown Act, as its rules apply to the CBD's Board meetings. They include provisions that meetings are open to the public, for public comment on that specific item before any vote is taken, and for general public comment, scheduled as the next-to-last item of business on this meeting's agenda.

Approval of Minutes from June 11, 2009

After corrections were noted, the Minutes of the Board's meeting on June 11, 2009 were *approved* by general consent.

President's Report

DominicC reviewed new procedures for the conduct of Board meetings, which he asked all Board members to follow and respect effective immediately. He also referred to his August 12, 2009 memo to all Board members, which outlined relevant provisions from *Robert's Rules of Order*. Prior to each Board meeting, Board members are expected to review and be familiar with the contents of the "Friday Packet" that will be emailed to each Board member on the Friday before each meeting. The "Friday Packet" will consist of a proposed agenda, draft minutes, committee reports, financial handouts (with a one month "lag time" to ensure accuracy), MJM's report (with a two week "lag time" to ensure inclusion in the Friday Packet), and any other documents that are expected to be distributed at the Board meeting. Meetings will follow a uniform agenda and order of business, including Introductions; Brown Act Notice; consideration and approval of recent Board Minutes; Reports from the President, selected Committees, and the Executive Director; Unfinished Business (if any); New Business (subject to advance notice, if required by the Brown Act); Public Comment; and Adjournment.

Beginning with the next regular Board meeting on September 10, Board meetings will be held in the Conference Room of *Chase Bank*, 2112-15th Street (corner of Sanchez and Market Streets). Meetings will continue to start at 6:00pm and to be open to the public.

Committee Reports

Streetscape Committee Report

TimP distributed and reviewed the Committee's written report of its July 28, 2009 meeting, including information

- about use of Community Challenge Grant and CBD funds for improvements at Harvey Milk Plaza (adjacent to the Muni Metro Station at Castro at Market Streets);
- about Public Art and Streetscape Improvements at the 17th Street Plaza as the City absorbs mostly-positive public input and moves forward with plans to make the Plaza permanent;
- about Public Art at Harvey Milk Plaza;
- about Public Art near the "Safeway steps" at Church and Market Streets as part of the Duboce/Church Rail Improvement Project; and
- about new cast iron fencing at Muni's West Portal Tunnel Portals on Market near Collingwood Street.

A motion by the Streetscape Committee regarding "Funding Public Art" was considered during "Unfinished Business" later in the meeting.

Services Committee Report

DominicC distributed and presented the Services Committee's August 2009 Report.

MJM Management's report dated August 7, 2009 for July was previously emailed to all Board Members.

In response to the need, as well as neighborhood concerns and comments regarding the change from monthly to quarterly sidewalk steam cleaning, MJM has been instructed to advance the next quarterly sidewalk steam cleaning cycle to begin immediately. If needed, an extra cleaning cycle can be negotiated and added to the contract near the end, upon receipt of Board approval.

Discussions with the *Castro After Dark* group are continuing. It has been agreed that the previously approved CBD contribution of \$9,295 for 10B police services is still budgeted. The CBD will not charge an additional 15% fee.

A motion by the Services Committee regarding "Funding Safety Services" was considered during "Unfinished Business" later in the meeting.

Finance Committee Report

HerbC presented the Finance Committee's Report, which included a Profit and Loss Statement for the year July 2008 – June 2009 and showing net income of \$8,929.52, and a Balance Sheet as of June 30, 2009 (both unaudited). He said he is in the final stages of negotiating a contract with the auditors, and that they have agreed to a price of \$4,000. There was a discussion about how to inform property owners of the increased assessment approved last month for the coming year. A motion regarding this matter was considered during "New Business" later in the meeting.

Board Development Committee Report

PaulineS, the new Chair of this Committee, presented the report with DominicC. They said that recruiting continues for qualified candidates to fill the three (3) open Board seats. They introduced guest Kathy Amendola who operates *Cruisin' the Castro Tours*, and who has expressed interest in serving on the Board, and is following the Committee's established application process.

Safeway was asked to nominate a successor to Kimberley Daniels who resigned in June, but the company reported that no new candidates are available at this time.

Executive Director's Report

AndreaA presented the report of her activity for July 2009 which had previously been emailed to all Board members.

Material included in the CBD's Annual Report to the City and County of San Francisco was attached to her report. A copy of the full City report is available for any Board member who wishes to review it.

SFMTA is testing a new pigeon-repellant product, which, if proven acceptable, could be helpful at Harvey Milk Plaza.

Andrea will attend upcoming meetings of the new Market-Octavia Plan Citizens Advisory Committee (M-O CAC) to become more familiar with its operation, which includes a role in determining how significant amounts of future developer fees will be allocated in the local community.

DeJaunaJ was excused for the balance of the meeting, due to a personal scheduling conflict.

Unfinished Business

Services Committee – Funding Safety Services

DominicC made a motion on behalf of the Committee, to authorize a 6 month trial contract with MJM Management for a Community Guides Program. The contract would provide 20 hours per week of service from 3:00pm to 8:00pm, 4 days per week at a cost of \$29,120 per year. It would

- coordinate with MJM’s separately-contracted cleaning services;
- would help fulfill the CBD’s goal to improve safety and quality of life in the area, and
- would employ a “rapport building” vs. “enforcement” approach, which acknowledges that some undesirable behavior to be addressed is not illegal.

Dominic noted that MJM has demonstrated its reporting commitment and capabilities, which will help measure success during the trial. Discussion included consideration of a 3 month (vs. 6 month) trial period, and what specific areas (geographic and behavior) will be focused upon. Following the discussion and a call for public comment on the item (there was none), the motion was *approved* 4-1, and the Executive Director was authorized to negotiate the contract, to be implemented at an early date, with subsequent status reports, as appropriate, to the Board.

Streetscape Committee – Funding Public Art

TimP made a motion on behalf of the Committee, that “Barring any strong objections from *Safeway*, the Castro CBD will spend up to \$50,000 by entering into a contract with the City and County of San Francisco Arts Commission, for a public art/sculpture project at the *Safeway* steps at the corner of Church and Market Streets, with said funding to be taken from the Castro CBD’s Streetscape/District Identity reserves.” The proposed art would complement and coordinate with two other art projects being developed at Church and Duboce Streets, all as part of the City’s Duboce/Church Rail Improvement Project, to be completed over the next two years. Discussion included

- an explanation of the City’s Public Art process, which always is administered by the Arts Commission, regardless of the sponsor and funding;
- an explanation of how the proposed project cost was developed by the Arts Commission;
- a review of available reserves to fund the project;
- discussion regarding other potential locations, projects, and their funding; and
- the need to consider *Safeway*’s position regarding the project.

Following the discussion and a call for public comment on the item (there was none), the motion was *approved* 4-3, and the Executive Director was authorized to contact *Safeway*; then, barring any strong objections from *Safeway*, to negotiate the contract; and to make subsequent status reports as appropriate to the Board.

New Business

Financial Reporting

BrianG made a motion (2-PS) that the pre-meeting Friday Packet emailed to Board Members (see President’s Report above) include monthly financial information consisting of a Profit and Loss Statement, Balance Sheet, Budget vs. Actual Analysis, and General Ledger Report. During the discussion, BrianG indicated that he thought it was very important for the minutes to reflect the total expenditures for the month being discussed, any income, and any variances from the budget. Following discussion, BrianG withdrew the Motion.

Proposed Bylaws Amendment

DominicC provided notice that a proposed Bylaw Amendment will be presented at the next Board meeting, regarding the authority of the majority of the Executive Committee to appoint, remove, and/or replace members of committees.

Notice to Property Owners of Increased Assessment

PaulineS made a motion (2-BG) in inform property owners in the district and other constituents, in the Annual Report, of the assessment increase approved at Board's June 11, 2009 meeting. After discussion and a call for public comment on the item (there was none), the motion was *unanimously approved*.

Public Comment

DominicC called for public comment. There was none.

Adjournment

The meeting was adjourned at 7:25pm by unanimous vote.

Minutes taken and prepared by Richard Magary.

Approved September 10, 2009

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