



## **CASTRO/UPPER MARKET COMMUNITY BENEFIT DISTRICT**

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**Minutes of the Regularly Scheduled**

**Board of Directors Meeting on September 10, 2009**

**Chase Bank, Community Room; 2112-15<sup>th</sup> Street; San Francisco California**

The Meeting was called to order by President Dominic Campodonico at 6:15pm. A quorum was present and was maintained throughout the meeting.

**Directors present:** Dominic Campodonico, DeJauna Joseph, Tim Patriarca, Pat Sahagun, Richard Sollitto, Ken Stram, and Ken Wingard;

**Directors absent:** Greg Bronstein, Herb Cohn, Brian Greene, Gustavo Serina, and Pauline Scholten;

**Staff, Contractors, Guests:** Andrea Aiello (Executive Director), Richard Magary (taking Minutes), and seven (7) members of the public.

An agenda was distributed to Board members and guests, along with supporting materials to Board members for use at the meeting. A "Friday Packet" of Board materials and then supplements were emailed to Board members on September 4, et seq. 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 (Item VII) on this meeting's Agenda.

He indicated that the meeting would be conducted strictly according to *Roberts Rules of Order*.

He asked all Board members to use their best efforts to arrive on time, so meetings can begin when scheduled.

### **Minutes from August 13, 2009**

There were no corrections to the draft dated 9/4/2009, and the Minutes of the Board's meeting on August 13, 2009 were *approved* by general consent.

### **President's Report**

DominicC indicated his intent that the CBD be "pro-active," not "reactive." He cited recent examples of proactive work by MJM's MAC team and by the Executive Director and thanked them for their efforts.

The *Castro Street Fair* will provide a no-cost booth to the CBD on October 4 but Board members are needed to staff it, or the offer will have to be declined. Interested Board members should contact Dominic.

The CBD's Annual Report cannot be finalized until the auditor's report is completed, which routinely takes a few months. As a result, the motion passed in August, to notify property owners of the assessment increase, cannot be implemented before they receive tax bills which include the new assessment.

To facilitate efficient discussion during Board meetings, the maker of a motion will respond to general questions immediately after it is seconded, then there will be general discussion with each Board member allowed to speak once until all who wish have spoken.

A motion by the Executive Committee regarding a "ByLaws Revision" was considered during "New Business" later in the meeting.

## **Committee Reports**

### **Finance Committee Report**

Andrea presented the report in Herb's absence. She distributed a Balance Sheet at July 31, 2009, a Profit & Loss Statement for July 2009, and a Budget vs. Actual Report for July 2009. She further gave the Treasurer's Report that: beginning of the month cash balances were \$359,322.27; during the month of July 2009, the CBD received a \$2,000 grant (facilitated by our maintenance contractor, *MJM Management*) to fund exterior portable ashtrays in the district, and interest earned for the month was \$302.22 for total receipts in July of \$2,302.22; expenses for the month were \$24,704.00 for our maintenance contract and administration costs; and end of the month cash balances were \$342,930.49.

### **Streetscape Committee Report**

KenW reported on the custom benches shown in a graphic in the Friday Packet. We are waiting for final City permits to begin the work in Harvey Milk Plaza. A motion by the Streetscape Committee regarding "Funding of Harvey Milk Plaza Benches" was considered during "New Business" later in the meeting.

The portable exterior ashtrays mentioned in the Treasurer's Report are being installed in the 17<sup>th</sup> Street Plaza.

The City is moving forward with an "intermediate" plan for the 17<sup>th</sup> Street Plaza, which could last 1-2 years until funding for more permanent work (including emergency vehicle access) is available. The City funded intermediate phase would include a new, more attractive aggregate type surface; more durable and attractive planters/bollards; and new plants. The City is looking towards the CBD to fund possibly some additional furniture; and to maintain the Plaza, including watering the landscaping.

Dominic asked the Streetscape Committee to consider making recommendations for non-permitted art in the Plaza, since the formal Art Commission process is lengthy and expensive.

### **Business Attraction Campaign Report**

KenS summarized the Report which was included in the Friday Packet. This report included the workplan for FY 2009-10, funded by the CBD for \$15,000. In the current economy, one-on-one broker work is more cost-effective than the previous broker tours, which did succeed in re-introducing citywide brokers to this area. Work continues in support of the Trader Joe's proposal for the former Tower Records site. There also is continued interest in vacant spaces from smaller local businesses, though landlord asking prices continue to be unrealistically high in many cases.

The earlier proposal by two local residents to place art in vacant storefronts is being pursued as their personal time permits, in discussions with the S.F. Arts Commission.

Dominic asked KenS to clarify a point made at a previous Board meeting, regarding whether the LGBT Center would request future funding for its Business Attraction Campaign from the CBD. KenS responded that the City is helping to facilitate access to additional federally-based CBDG funding which it is hoped will be a significant new funding stream, but that the Center cannot commit that it would never return with an additional funding proposal to be considered by the CBD.

### **Board Development Committee Report**

Andrea presented the report in Pauline's absence. The Committee is actively recruiting to fill the three vacant Board seats and there is some interest. Criteria that helps assure continued balance and diversity on the Board was reviewed.

### **Executive Director's Report**

Andrea noted that her Report for August 2009 was in the Friday Packet for this meeting. There were no questions.

Andrea also reviewed pages 9,10,11 of the Management Plan and said that further review of the Plan will be done at the October Board meeting, to help assure that all Board members and the public understand how and why the CBD's budget is allocated.. The CBD is in compliance with reserve and funding requirements in the Management Plan. Andrea urged all Board members to review the Management Plan, particularly pages 9-11.

## Unfinished Business

None

## New Business

### Directors and Officers (“D&O”) Liability Insurance.

A quote for this additional type of coverage was included in supplemental Friday Packet materials emailed to Board members. It was M-TP, 2<sup>nd</sup>-RS to authorize the Executive Director to purchase D&O coverage at an annual cost of \$600.00 per the proposal from Cohn-Reid-O’Neill Insurance Services and Nonprofit Insurance Alliance of California. (CBD Director Herb Cohn is not related to this insurance brokerage firm). After discussion and a call for public comment on the item (there was none), the motion was *unanimously approved*. The Executive Director was asked to report back when the coverage is effective.

### Community Guides Program thru MJM Management

Dominic noted that the motion passed at the August meeting and approving the Community Guides program with *MJM Management* needed technical revision. It was M-DJ, 2<sup>nd</sup>-KW to amend the motion to authorize a 6 month trial contract with MJM Management for a Community Guides Program, and specifying that 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, by striking out “3:00pm to 8:00pm, 4 days per week.” The amended motion reads:

“... 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 at a cost of \$29,120 per year.”

After discussion and a call for public comment on the item (there was none), the motion to amend the August motion was *unanimously approved*.

### Funding of Harvey Milk Plaza Benches

M-KW on behalf of the Streetscape Committee to spend \$35,000 from \$90,000 available funds on approximately 90 linear feet of custom benches in three (3) bays at Harvey Milk Plaza, per design and specifications provided by *CMG Landscape Architecture*, and subject to pending review/approval by the S.F. Arts Commission. After Board discussion regarding materials and project visibility, Dominic called for public comment on the item. In response to a question from the public, it was noted that any street furniture in San Francisco requires Arts Commission review and approval – it is not the custom nature of these benches which triggers that review. The motion was *approved unanimously*.

### ByLaws Revision

M-DC on behalf of the Executive Committee to clarify the process for staffing committees, by amending the ByLaws in Article 5, Section 1, paragraph J to read:

“J. The majority of the Executive Committee has the authority to appoint, remove, and/or replace any member of committees (except for the Executive Committee).”

After discussion and a call for public comment on the item (there was none), the motion was *unanimously approved*. The Executive Director was asked to amend the ByLaws accordingly.

### Other New Business

RichardS reported that the Development Committee needs a “focused issue” for specific fundraising. There may be opportunities related to the 17<sup>th</sup> Street Plaza or other projects. The Fundraising Committee will work with the Streetscape Committee to help identify such “focused issues” then report further.

### Announcements

Pat Sahagun said that *Castro Street Chevron Service* will have a “Grand Re-Opening Celebration” during the *Castro Street Fair* on October 4. All are invited to attend.

Tim Patriarca invited all Board members to an open house at Maitri on September 21. Invitations will be sent.

Our new community meeting room host, Chase Bank, will have its ribbon-cutting on Friday, September 11 at 11:00am, then an all-day Open House on Saturday September 12.

### **Public Comment**

Dominic called for general public comment at approximately 7:25pm.

PatrickB asked for clarification of the CBD's role with respect to administration and funding of the proposed SFPD 10B supplemental security coverage being discussed among late night businesses. He said that contradictory and unclear information has been circulating in the community. Andrea and Dominic responded with most-recent information from discussions which are continuing and have not yet been finalized. Mr. B stated his concerns that CBD funds in this case are being used to benefit a handful of businesses, and that there could be a conflict of interest, since a leader of the "Castro at Night" group considering the proposal also is a CBD Board member.

JoelB, a resident in the district expressed concern that quality of life problems persist in his area, exacerbated by continued heavy construction by PG&E and SFPUC-Water Department. He was invited to attend Services Committee meetings to provide further input.

### **Adjournment**

The meeting was adjourned at 7:40pm.

Minutes taken and prepared by Richard Magary.

**Approved** October 8, 2009