



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

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### **Minutes of the Re-Scheduled Regular Monthly Board of Directors Meeting on December 2, 2009 Chase Bank, Community Room; 2112-15<sup>th</sup> Street; San Francisco California**

This Meeting was re-scheduled from its original date on December 10, 2009, by prior approval of the Board and upon proper public notice.

The Meeting was called to order by President Dominic Campodonico at 6:00pm. A quorum was present and was maintained throughout the meeting.

**Directors present:** Dominic Campodonico, Herb Cohn, DeJauna Joseph, Brian Greene, Tim Patriarca, Pat Sahagun, Pauline Scholten, Gustavo Serina;

**Directors absent:** Greg Bronstein, Richard Sollitto, Ken Stram, and Ken Wingard

**Staff, Contractors, Guests:** Bryan McCue (*MJM Management*), Andrea Aiello (Executive Director), Richard Magary (taking Minutes), and six (6) 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 had been emailed to Board members on November 30, et seq. Guests were invited (but not required) to sign in.

#### **Brown Act Notice**

Dominic summarized California's Brown Act, as its rules apply to the CBD's Board meetings. They include provisions that meetings are publicly noticed in advance; 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 IX) on the Agenda for this meeting.

#### **Minutes from November 12, 2009**

There were no corrections to the draft emailed to Board members as part of the Friday Packet, and the Minutes of the Board's meeting on November 12, 2009 were *approved* by general consent.

#### **Treasurer's Report**

Herb presented the Treasurer's Report which previously was emailed to all Board members:

Beginning of month cash balances were \$315,775.68

During the month of October 2009, the CBD earned interest of \$282.58 and received a \$5,000.00 contribution from Wells Fargo Bank to support our Business Attraction campaign.

Expenses for the month were \$28,276.87 for our maintenance contract and administration costs.

End of the month cash balances were \$293,781.39

Herb also presented the Financial Statements for the month of October 2009 and year to date, and answered questions from Board members about them. He also presented special reports showing reserves specifically designated by the Board, and expenditures vs. mandated Management Plan categories. He noted that the CBD is spending at least as much as mandated in each major category, and that the amount of funds spent for Administrative costs is good vs. customary industry benchmarks.

#### **Committee Reports**

### Executive Committee

Dominic noted that the Committee's Meeting Notes from November 17, 2009 were included in the Friday Packet. There were no questions on that material.

### Streetscape Committee

Gustavo noted that the Committee's Meeting Notes from November 20, 2009 were included in the Friday Packet. There were no questions on that material.

He said that the *S.F. Arts Commission* again has rejected the CBD's proposed bench design for Harvey Milk Plaza, and that other designs will be considered and again re-submitted. Meanwhile landscaping which also was part of the Harvey Milk Plaza proposal will be done. The City is asking for a CBD contribution toward its proposed work at the 17<sup>th</sup> Street Plaza. The Streetscape Committee has asked for more information to further consider the request and to then forward its recommendation to the Board.

### Board Development Committee

Dominic and Herb said that the Committee has decided that a previous plan to vote for new Board member candidates at this meeting should be postponed, while additional protocols are developed for screening, recommending and providing background information to candidates. This is based on reviews of what other, similar organizations do when evaluating Board candidates, and the recognized need to have more contact and dialogue with candidates prior to their election. It was agreed to postpone Item VIII(d) of the Agenda for this meeting for three months.

### Services Committee/MJM Management Report

This item was actually heard by the Board later in the meeting (after the Streetscape Committee Motion under New Business) but is recorded here in order to present all Committee Reports together.

Bryan McCue from *MJM Management* provided a verbal Report. Bryan apologized that *MJM's* customary written Report for November 2009 had not yet been completed, due to the unusually-early date of this re-scheduled meeting. The Report subsequently was emailed to Board Members on December 14-15, 2009.

Maintenance activity during November followed recent patterns. There have been problems with trash being removed from and left on the ground around DPW trash receptacles. Inner liner cans of the receptacles are failing and being stolen. Andrea and MJM are working with DPW on these issues. They will schedule an updated walk-through of the area with DPW soon, to further identify priorities, problems and solutions. There has again been an increase in homeless and transient "quality of life" problems. Considerable and aggressive illegal posting of flyers and similar material on light and utility poles continues. Most of the violators are those working for clubs, parties, events and bars not located in our neighborhood. Used needles are being found in several areas of the neighborhood including 17<sup>th</sup> Street Plaza, 18<sup>th</sup>/Diamond Streets, and around Safeway and the Duboce Bikeway. The next sidewalk steam cleaning cycle has begun, starting on Castro Street and moving through the rest of the district over about 3 weeks.

The new Community Guides program is starting well. Support services have been offered to at least 30 people who appeared to need them, and accepted by a few. Rapport and appropriate relationships are being and will continue to be built with the target population, with businesses near problem areas, and with SFPD and the City's HOT team, to which issues are referred when situations go beyond the scope of the Community Guides program

### Executive Director's Report

Andrea's report for November 2009 was emailed as part of the Friday Packet and subsequent materials prior to the Board meeting. There were no questions or comments on that Report.

Andrea noted that a pre-application meeting about the proposed new mixed use development at 2299 Market Street (at Noe/16<sup>th</sup> Streets) will be held at the S.F. Planning Department on December 16. Brian Greene will attend on behalf of the CBD.

Dominic said he would like the CBD to consider ways to assure that there is more positive media publicity regarding the CBD's contributions, which he believes are not being fully publicized and recognized. *MJM Management* has offered assistance from their public relations person to explore ideas. Andrea also is arranging

a meeting with the editorial board of the *Bar Area Reporter (B.A.R.)* newspaper. The CBD's upcoming Annual Report is another method of getting the word out.

### **Election of Board Members and Officers**

An election was conducted for seven (7) two-year CBD Board seats which expire December 31, 2009, and for officers of the CBD for the calendar year 2010.

The Board Development Committee, acting as the Nominating Committee, nominated the following for two years seats on the Castro CBD Board beginning January 1, 2010 and ending December 31, 2011: Greg Bronstein, Brian Greene, DeJauna Joseph, Pat Sahagun, Pauline Scholten, Gustavo Serina, and Richard Sollitto. The Nominating Committee also nominated the following as Officers of the Castro CBD Board for the calendar year 2010: President, Dominic Campodonico; Vice President, Gustavo Serina; Secretary, Pauline Scholten; Treasurer, Herb Cohn.

The election was conducted using written ballots which included the Nominees' names and a space for write-ins for each position.

Richard Magary collected and tabulated the ballots, then announced that all nominees received at least the minimum number of votes required for election and so were elected. All were congratulated.

### **Unfinished Business**

#### **Fiscal Agent Language**

The Executive Committee needs more time to research recommended procedures and agreement language for the CBD to act as the Fiscal Agent for other groups. A recommendation will be presented at the January Board meeting.

### **New Business**

#### **Streetscape Committee - Merchant/Community Member Appreciation Program**

Gustavo Moved on behalf of the Streetscape Committee to allocate \$1,500.00 from the current Promotions line item in the approved budget, for a Merchant/Community Member Appreciation Program. As this is a Motion from a Committee, no second is required. The funds will be used primarily to publicize those designated through this program in *B.A.R.* newspaper ads and similar media publicity. It was suggested that a Certificate of Appreciation also be created, as something tangible to present to those selected. After discussion and a call for Public Comment on the item (there was none), the Motion was *approved unanimously*.

#### **Streetscape Committee – Fiscal Agent Role for 17<sup>th</sup> Street Plaza**

Tim Moved on behalf of the Streetscape Committee that the Castro CBD act as Fiscal Agent for funds donated for improvements and other purposes at the 17<sup>th</sup> Street Plaza, subject to the CBD's specific Fiscal Agency policy being developed (see "Unfinished Business" above). As this is a Motion from a Committee, no second is required. After discussion and a call for Public Comment on the item (there was none), the Motion was *approved unanimously*.

#### **Financial Practices Policy**

Herb Moved the following new "Financial Practices Policy" on behalf of the Executive Committee. As this is a Motion from a Committee, no second is required.

### **Castro/Upper Market CBD - Financial Practices Policy**

#### **Bank Statements**

- Executive Director will receive all bank statements, review them and send a copy to the Treasurer.

#### **Expenditures**

- Executive Director will review and approve all invoices. Once approved, she/he will send invoice to the Treasurer for payment.
- Only one signature is necessary for invoices which have been approved by the Executive Director and for which the expenses are in the Board-approved annual budget. The Treasurer will generally be the

signatory. If the Treasurer is not available, a second signatory can sign the check. Only one signature is necessary.

- For expenses in a “miscellaneous/unforeseen expenses” line item which must be approved in between Board meetings, the Executive Director can approve the expense up to \$200. The Executive Committee can approve such expenses up to \$500. An expense of this nature up to \$200 requires one (1) signature. Expenses of this nature over \$200 require two (2) signatures.
- Expenses which go over a specific line item in a budget, cannot exceed the line item by more than 5%, must be approved by both the Executive Director and the Executive Committee, and will be shown as a variance in that month’s financial statement.

After discussion and a call for Public Comment on the item (there was none), the Motion was *approved unanimously*.

### **Public Comment**

General Public Comment was called for at this point.

Dennis Ziebel representing *Orphan Andy’s* restaurant which is immediately adjacent to the 17<sup>th</sup> Street Plaza, reported on his observations of recent criminal and nuisance activity in the Plaza. He also provided a written summary of his comments.

Willie Adams representing *The Café* summarized their security policies and procedures and offered to provide further information about them to Andrea, which he was asked to do.

### **Adjournment**

The meeting was adjourned at 7:35pm (M-PSch, 2-GS, *unanimous*).