



CASTRO/UPPER MARKET COMMUNITY BENEFIT DISTRICT

584 Castro Street #336; San Francisco CA 94114

www.CastroCBD.org 650/355-1294

Minutes of the Regular Monthly Board of Directors Meeting on August 11, 2011 Castro Community Room, 501 Castro Street, Second Floor, San Francisco, California

The meeting was called to order at 6:03pm by President Dominic Campodonico.

A quorum was present and was maintained throughout the meeting.

Directors Present: Joel Bubeck, President Dominic Campodonico, Treasurer Herb Cohn, Jim Laufenberg, Vice President Tim Patriarca, Pat Sahagun, Secretary Pauline Scholten, Gustavo Serina, Blake Smith, Ken Wingard. See also the election and subsequent seating of Scott Cataffa and Dennis Ziebell as Board members during this meeting as reported below under “Board Development Committee.”

Directors Absent: None

Staff, Guests: About 18 members of the public including local residents and property owners; representatives from S.F. Police Department, San Francisco Patrol Special Police, King Security; and representatives from CUAV, Dimensions, LYRIC, and QUEEN; Larkin Street Youth, Executive Director Andrea Aiello; Richard Magary (taking Minutes).

An agenda was distributed to Board members and guests.

Introductions

The Board members publicly introduced themselves (see further Introduction information following Public Comment on the President’s Report, below). Guests were invited (but not required) to introduce themselves.

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 and are open to the public; for public comment on each agenda item, and before any vote is taken; and for General Public Comment, scheduled as Item VII on the Agenda for this meeting, to be called in order but no later than 7:25pm. Guests who interrupt or are otherwise disruptive of the Meeting will be given a verbal warning. If a second interruption or disruption by the individual(s) occurs at the meeting, they will be asked to leave.

Minutes from July 14, 2011

Those Minutes were adopted by general consent.

President’s Report

Dominic presented his President’s Report. He discussed the CBD’s Conflict of Interest policy as it applies to each Board member individually. Board members were encouraged to “err on the side of caution” and to disclose prior to any Board discussion or action, any potential conflict or appearance of conflict regarding the item being considered. Any questions whether a conflict then exists will be resolved by the Board, outside of the member’s presence. If there is a conflict, that Board Member will leave the room during discussion of and voting on the item. If a conflict appears to have occurred, a Board Committee will be formed to investigate and make a recommendation (including any sanctions) to the full Board.

Dominic noted the CBD’s important primary areas of interest and responsibility: security, economic vitality, cleanliness and quality of life in the District, and managing an annual budget of over \$400,000. The Board should focus clearly on these topics and avoid peripheral issues not within the CBD’s jurisdiction.

Dominic called for Public Comment on the President's Report. In response to a comment, attending Board Members expanded on their earlier comments during "Introductions," to note areas of their activities which could pose conflicts of interest (e.g. property ownership, business and professional connections, service on City and other relevant Boards, etc. Such potential personal conflict information will become a part of "Introductions" at future CBD Committee and Board meetings.

Board Announcements

Dominic noted that he and others in an ownership group have sold their interest in *Home Restaurant* which is located in the District.

Tim said he will soon begin a three month Leave of Absence out of San Francisco and will take a leave from the Board through December 2011.

Treasurer's Report

Herb gave the Treasurer's Report for June 2011:

June beginning of month cash balances were \$408,522.88

During the month of June 2011, the CBD earned interest earned of \$198.32 and received flower basket donations of \$5,487.00.

Expenses for June were \$41,410.63 for our maintenance contract, administration costs, and ongoing programs.

June end of the month cash balances were \$372,797.57

He also reviewed the Balance Sheet and the Profit & Loss statements for June 2011 and for July 2010-June 2011, which were included in the Board packet.

Public Comment was invited on the Treasurer's Report. A Comment requested public access to the Treasurer's Report and to other materials in the Board packet, at the meetings.

Committee Reports

Board Development Committee

Applications for Board membership are being received and more are encouraged (with an emphasis on all aspects of diversity, and representation from the eastern end of the District and Castro St.). Members of the Committee are meeting with applicants. Given the relatively small number of current Board Members, the Committee recommends immediate consideration of two candidates who already have worked with the CBD for some time, waiving the usual 3 month "mentoring" period for these candidates, as the Board has significant experience working with these candidates and vice versa.

- A Motion was made by the Committee (no second required) to elect Scott Cataffa as a Board member. He introduced himself, described his business and professional background, interest areas when working with the CBD, and potential conflict topics (none at this time).
- A Motion was made by the Committee (no second required) to elect Dennis Ziebell as a Board member. He introduced himself, described his business and professional background, interest areas when working with the CBD, and potential conflict topics (none at this time). However he did acknowledge that potentially he could have a conflict of interest on issues related to the JW Plaza.

The candidates then left the room and the Board discussed the Motions to elect them.

Public Comment was invited on the topic. There was none.

Then, in separate votes for each candidate, the Motions to elect Scott Cataffa and Dennis Ziebell as Board members were each *approved unanimously*. They returned to the room, were congratulated and took seats as participating Board members for the remainder of the meeting. (Addendum to the minutes: The Board seats that are currently open all expire on December 2011, so both Dennis and Scott will have to stand for elections again in December, these will then be full two year terms.)

Services Committee Report

Joel and Andrea presented the Services Committee Report.

An RFP for the Maintenance and Cleaning contract beginning in February 2012 is being finalized and will be distributed to several potential vendors. Details and a timeline are in the Board packet.

The Castro Ambassadors program is very well received and is generally operating smoothly.

- A Motion was made by the Committee (no second required) to forego sexual harassment misconduct insurance for the Castro Ambassadors. The Committee reviewed this topic and determined that such insurance was not needed or appropriate given how the program is operated, and is seeking Board confirmation of that decision. The Board discussed the Motion. Public Comment on the Motion was invited. There was none. The Motion then was *approved unanimously*.
- A Motion postponed until this meeting from the July 14, 2011 Board meeting, to remove the benches at the Harvey Milk Plaza, was brought up. During extensive Board discussion guests from *S.F. Police Department's Mission Station, San Francisco Patrol Special Police* and *King Security* were invited and offered comments and answered questions regarding the possible effect of removing benches, and suggested alternative and supplemental measures that could help address underlying quality of life issues. The Board then further discussed the Motion and comments made by those guests. Public Comment on the Motion was invited. Several speakers spoke both in favor of and in opposition to removing the benches.

Sgt. Chuck Limbert from *SFPD Mission Station* summarized the history of Harvey Milk Plaza and of benches previously installed (and removed) there. Since the most recent bench installation, SFPD's "calls for service" have gone up significantly. While the benches provide an area for respite, they also attract individuals who hassle other citizens, illegally drink and use drugs in the area. SFPD continues to work with S.F. Dept. of Social Services and others to address the issues. Sgt. Limbert noted that firms like *King Security* are considered "private citizens" with limited law enforcement powers, but whose presence can influence behavior in an area.

John Fitzinger from *S.F. Patrol Special Police* noted that illegal activity is always required for any substantive law enforcement action (e.g., illegal drinking, drug activity, excess rowdiness & noise, danger to self, etc.).

Discussion among the Board and these two guest representatives continued. If there were no benches, would there be fewer "calls for service"? Whether retained benches remain "inviting" would depend on their design. Does undesirable activity occur more at certain times of day/night? – uncertain data. Does some security presence discourage unwanted activity? – yes. Would separator bars on bench seats help? – perhaps. More lighting around the base of the Rainbow Flag pole? This might be helpful. Potential enforcement of Civil Sidewalks Legislation? Is Civil Sidewalks enforcement in the Haight shifting some people to The Castro? – anecdotally, yes. Would removing benches from HMPlaza simply shift activity to Jane Warner Plaza? – probably. Would a kiosk business or other visitor attraction at the Plaza help? – maybe, but then there could very well be other problems caused. There was a general consensus that the issue is broader than bench removal, involving many dimensions of social behavior and citizen perceptions.

Scott Campf representing *King Security* discussed its proposal to the CBD, for "passing calls" 6 times a day for about 15-20 minutes, over about 10 hrs, vs. a fixed-post assignment would be more cost-effective. The Board then further discussed the Motion and comments made by those guests. Sup. Wiener and the City Attorney are looking at legislated options, including "closed" hours – Partial removal of less-visible benches nearest the Flag Pole? Will removal of any/all benches truly make a difference in the long run? Would stronger area lighting (including from adjacent private condos) help preserve benches while reducing problems? - lighting usually helps.

Public Comment on the Motion was invited. Several speakers spoke both in favor of and in opposition to removing the benches. Tonight's discussion has a "NIMBY" and anti-homeless theme. (T. Avicoli-Mecca, opposing removal). Removal is anti-youth, anti-homeless. All members of the community need to work together to find solutions to root problems (*CUAV* representative, opposing removal). There may be issues, but solutions require a true partnership among the CBD, *Lyric*, *CUAV*, *Larkin Street* and other groups (*Lyric* representative,). Who maintains existing lights on the Flag Pole?; there is constant urination at the base of the Pole. (Castro Commons resident). Objection to comments heard as being

anti-law enforcement and accusing them of attacking gay people (J. Fitzinger, *SFPSP*). Are the benches SFDPW jurisdiction?; by what process did CastroCBD get the right to install benches? (M. Petrelis). Please remove the benches – illegal activity around them abounds (local neighbor). Opposed to security guards – illegal drinking in public, etc. happens all over The Castro (local neighbor).

Following further Board discussion, the Motion then *failed* on a vote of 1 in favor and 8 opposed.

General Public Comment

Near the end of the lengthy discussion of the Services Committee's Motion regarding removal of Harvey Milk Plaza benches, that discussion was suspended for about 15 minutes at 7:25pm, to hear General Public Comment at the scheduled time. Several speakers addressed issues including management of the flag pole at Harvey Milk Plaza, the desire of a coalition of community social services organizations to work with the CBD on quality of life and other issues, and the use of security guards in public spaces.

Committee Reports, continued

Streetscape Committee Report

Ken presented the Streetscape Committee Report.

- A Motion was made by the Streetscape Committee (no second required) to approve \$15,000 of Economic Vitality money for a Comcast Advertising Campaign. Ken explained that the program would promote the Castro for a 90 day period. MUMC would be asked to participate in funding the initial term. If successful, the program could be extended, perhaps with participation by individual businesses also purchasing advertising. During Board discussion, it was noted that no alternative uses for the funds were presented. What demographics would be the target, how to treat businesses in the Castro equitably, how to measure results, and other issues were discussed. BlakeS. shared that he had experience with Comcast advertising through Gold's Gym, and generally, it was considered not successful and Blake was not impressed with the product or the results. It was noted that others, including the *S.F. Planning Department*, *The LGBT Center's Economic Development Program*, and possibly the *S.F. Office of Economic and Workforce Development* will be making presentations on strategies for economic vitality to the CBD in coming months. Public Comment was invited on the item. One speaker from the community who works in the advertising field mentioned that he thought the Comcast cost was high. This same speaker mentioned that the CBD also might look into on-line advertising. Adding, at least you could measure how many visits and clicks are received.
- A superseding Motion was made (M-DC, 2-BS) to refer the topic to the Streetscape Committee for further review. The Motion was *unanimously approved*.
- A Motion was made (M-KW, 2-BS) to refer three Motions under V(c) on the Agenda for this meeting to Committee. An Amendment was moved (M-GS, 2-HC) to refer the first two items listed to the Finance Committee, and to refer the third item to the Streetscape Committee. After Board discussion, on the Motion and Amendment, Public Comment was invited. There was none. The Amended Motion then was *approved unanimously*.

Executive Director's Report

Given the advancing hour, Board Members agreed that the Executive Director's Report in the Board packet would be considered submitted.

Adjournment

The meeting was adjourned at 8:05 pm.

Minutes taken and prepared by Richard Magary

Castro/Upper Market CBD Minutes August 2011

Approved September 8, 2011

A handwritten signature in cursive script that reads "Pauline Scholten". The signature is written in black ink and is positioned above the printed name.

Pauline Scholten, Secretary

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