

Temescal Telegraph BID Board Meeting Minutes

October 26, 2016 – 6 to 8:30pm

Faith Presbyterian Church, 430-49<sup>th</sup> Street

Board Members Attending:

1. Roy Alper - Vice President
2. Hans Boerner
3. Brian Caruso
4. Allison Futeral – Secretary/Treasurer
5. Gloria Gee
6. Bill Lambert – President
7. Don Macleay
8. Doreen Moreno
9. Tom Murphy
10. Randy Reed - Vice President (arrived 7:05pm)
11. Pat Smith
12. Don Stahlhut

Board Members Absent:

1. John Dobrovich
2. Dona Savitsky

Guests:

Aubyn Merie, Temescal Neighborhood Council

Mark Lammon, Block by Block

Marie Debor, Joe McCarthy & Kelly Hollywood, Bridge Housing

Harvey Cho and Kevin Koo, Hines

**1. INTRODUCTIONS – Call to Order: Bill Lambert, President 6:06pm**

Bill moved agenda approval to after the presentation

**2. PRESENTATION: MacArthur Transit Village Parcels A & C – Bridge & Hines**

Joe McCarthy presented the MacArthur Station project summary. The final development plan was approved in May 2015. In 2015, Bridge had two plans, one with a grocery store, and one without. The deal with a grocery store did not finalize, and so they are using the plan without the grocery store. The ramp and community space on Telegraph were part of the May 2015 approved design. Hines, the developers are buying Parcels A & C, intends to lease the whole ground floor development as retail. The proposed request to allow conversion to live/work would be permitted 9 months after the end of construction. The plans include a MEWs modeled after Temescal Alley, and the developers are trying to accomplish that same atmosphere with live/work spaces. Joe said that the community space will be leased out below market to potentially retail uses. Bridge has hired Lockhouse to be their retail broker, and Lockhouse already has a retail marketing plan to attract tenants. The layout of the live/work spaces is 80% retail use and 20% residential. The ceilings are 15-19 feet high, and the living space would be located on the mezzanine level. Roy expressed his strong support of the project, but said he feels the requested changes are major and are a detriment to the project. He said that the community space on Telegraph would establish a long stretch of non-retail. Joe explained that the community space would be below market retail and that the city was required to approve the type of lessee. Brian objected to Lockhouse' retail strategy as shown in their brochure that was distributed to the board. He said they didn't understand what Temescal retail can and should be, and seemed to be looking for chains. Brian requested a concerted effort to lease to local merchants. Joe explained that Bridge already had an agreement with the city to not use national brands. Marie added that

before Hines converts the space to live/work, they have to put together a packet detailing their efforts to attract retail, and submit to the city. Joe asked how the BID could help with leasing Bill responded that the BID would be happy to work with Bridge/Hines to lease the retail spaces.

### **3. CONSENT AGENDA**

#### **a. Approval of August Minutes – Attachment**

Motion by Allison to approve the August minutes. Brian seconded. **Approved 6:32pm.**

### **4. ACTION ITEMS**

#### **a. 6:30pm Block by Block contract – Mark Lammon, Block by Block**

Mark introduced himself, and explained that the contract detailed the specific hours of cleaning but not the schedule. That way the Operations Supervisor would create a flexible and responsive schedule and clean team duties, using data to be a highly effective program. The salaried operations manager would oversee cleaning with 2.3 FTE employees. Bill asked why the schedule showed no coverage on Monday Mark explained that the schedule was flexible, and the days in the contract were only preliminary. Don M expressed concern about use of herbicides. Even though the BID would have to approve, Don M thinks the BID needs be considerate of the larger community conversation around herbicide. Motion by Roy to approve the BBB contract with the January 2<sup>nd</sup> start date. Seconded by Allison. **Unanimously approved.**

#### **b. MacArthur Transit Village Parcels A & C proposed changes**

Bill reviewed that the BID heard that the changes would have gone to the Planning Commission prior to the October DEED Committee meeting. Shifra, Roy and Bill wrote a letter to Catherine Payne to postpone the item to the following planning commission meeting, and included potential concerns. Bill read the letter to the board and noted that the DEED committee requested that none of the space be allowed to convert to live/work. Specifically, DEED recommended that A1 North and South spaces should be permanently retail, and expressed concern about the community space location on Telegraph Ave. Bill said that he feels uncomfortable with converting 40<sup>th</sup> street to live/work at all. Don Macleay asked what would happen if the variance wasn't issued Bill explained that Bridge could then return to their original plan of all retail. Don M said that deleting the grocery market and the retail from the plans would be bad for the neighborhood and expressed opposition to those changes. He noted that live/work spaces could start as being "retail" but in actuality be a closed door, more residential and office space. Hans seconded Don's sentiment. Brian asked the board to consider if the BID would rather have empty storefronts, and noted that it would be difficult to lease spaces before the building was complete. Brian expressed his support for live/work rather than no tenants at all. Don M asked if the developers were offering any mitigation to convert the retail to live/work. Bill explained that the BID was requesting funding for 13 pedestrian lights from MacArthur Transit Village development, and would send the request to Bridge/Hines. Kevin Koo from Hines said that if the variance wasn't approved, it may jeopardize the project since Hines hasn't closed the deal to buy Parcels A & C. Roy responded that the project was worth \$150 million dollars, and he doubts that the small retail component would affect the project. Kevin reiterated that having a Plan B was really important to Hines, and that they still wanted to activate the street. Brian proposed that the leasing period for all retail spaces be extended to 18 months after construction, and that if the spaces have not been leased at the end of construction, the BID will start working with them to help find tenants. Randy noted that if the spaces were converted to live/work, they would be subject to just cause eviction. Allison expressed her preference for retail tenants, but agreed that nothing is not good. Hans expressed his concern that someone will work there, and open only one day a week, and black out the windows. Bill proposed approving the conversion but requiring that the entire ground floor be retail. Allison suggested requesting that the leases require retail to be open a certain number of hours per day and number of days per week. Don and Hans both approved of the conversion if it was required to have active ground floor retail.

Randy suggested that the community space be required to be retail. Joe McCarthy explained that the community space definition had been expanded to be discount retail. Roy proposed to move the community space off of Telegraph Ave. **General agreement.** Roy noted that there is a category of work/live and it is primarily work space, and explicitly not subject to just cause eviction. General agreement to not voice concern for ramp. Bill summarized that the BID dropped the opposition to all conversion rights and to the ramp, but was still requesting the community center be located on the interior. The BID was requesting that conversion be allowed after 18 months to work/live space, and ground floor space should remain active retail, and those be commercial leases not subject to just cause. Brian motioned to approve the proposal, seconded by Don M. Don added that the BID should work with the developers on the definition of the community space prior to sending letter to the Planning. **Unanimously approved.** Roy motioned to include in the letter the request that a condition of approval be the construction of 13 pedestrian lights on Telegraph. Seconded by Don S. **Unanimous approval.**

**c. Nominate & elect Brian Caruso as Treasurer**

Roy motioned to nominate Brian as Treasurer, seconded by Allison. Brian abstained. **Approved.** Randy motioned to elect Brian. Seconded by Pat. Brian abstained. **Approved.**

**d. Holiday Security Contract – Attachment**

Shifra summarized the proposed holiday security patrol schedule for 4:30pm-12:30am, November 18- January 1 with VMA. Bill requested the contract be included in the board packet next year. Allison motioned to approve the hours and authorize Shifra to sign the contract with VMA for \$12,240. Seconded by Roy. **Approved.**

**e. LED Lighting photometric study out of budget expense – Attachment**

Bill reviewed the LED lighting project to replace the lights under the 56<sup>th</sup> and Telegraph overpass. He explained that the BID needs a photo metric study to determine how many lights need to be replaced. First, a base map is needed in order to do the photometric study. Caltrans does not have a base map. Bill has identified an engineer and lighting installation company. DEED recommended approval of the study if the cost was under \$2,500. However, the bid is \$3,000. Bill explained that once the drawing is complete, the BID can bring it to Caltrans staff, who have said they may be able to pay for the LED lights as part of an existing project. Bill explained that if Caltrans wouldn't fund the LED lights, the BID would try to find money elsewhere. Brian vouched for Sandis, the engineering firm, and said the base map price was fair. He suggested that prior to signing the contract, the BID add that the deliverable must be compliant with both Oakland Public Works and Caltrans standards. With that addition, Brian moved to approve the proposal for \$3,000 to create a base map. Seconded by Roy. **Approved.**

**5. INFO/DISCUSSION ITEMS**

**a. Q3 Financials - Attachment**

Bill announced that Tuula was no longer the BID's bookkeeper, and Marjorie Jones had been hired as a replacement. Bill reviewed the balance sheet. He reported that at the end of the year, the BID will have an extra couple hundred thousand dollars. As soon as Marjorie starts work, the BID will donate the pedestrian light asset to the city, and so will have a large negative equity in December. Roy suggested that there be a footnote on the balance sheet at all times about the pedestrian lights.

**b. Holiday meeting schedule**

It was proposed to move the November board meeting to the 16<sup>th</sup>, and DEED to the 10<sup>th</sup>. There will be a room conflict, so will move meeting upstairs and change the time to start at 5:30, so Aubyn and Shifra can attend both. **General agreement.** It was proposed to hold the holiday party on the 19<sup>th</sup>, and at the November board meeting, decide if there will be a December board meeting during the holiday party. **General agreement.**

## c. Executive Director's Report

### Organization

#### Outreach to Stakeholders

Shifra attended the second Design Review Committee meeting and spoke in support of the MacArthur Transit Village Parcel B development. The developers modified the design since the last DRC meeting to reduce the mass of the tower without reducing number of units. The revised proposal was sent to the Planning Commission for their consideration.

### Design

#### Clean & Safe

Shifra and Rick Williams, the supervisor for Peralta Services Corp, did a walkthrough of Zone 2 and found that the clean team was not cleaning north of Alcatraz. Also, the clean team has continued to not clean all the trash out of tree wells. The roving team has improved graffiti abatement, completed significant weed trimming in tree wells throughout the district.

Shifra worked with Block by Block to revise and clarify their contract and proposed scope of work to clean the district starting in January 2017.

#### Pedestrian Plaza/Off the Grid

Shifra coordinated the second data collection by BID and community volunteers after the Off the Grid launch to determine the affect of the plaza activation on bike and pedestrian behavior.

The weekly Off the Grid (OtG) market has drawn hundreds of attendees each week, though attendance decreased significantly after the first event. Temescal Street Flicks increased OtG market attendance September 15<sup>th</sup> – October 13<sup>th</sup>. Shifra will conduct surveys of Temescal businesses in the next month to determine the OtG market's effect on BID merchants. The street closures and OtG signage have caused some traffic concerns. Shifra provided feedback on the signage to OtG, and they are working to change the signs to alleviate traffic problems.

#### Public Works Projects in Temescal

The U-shaped crosswalk at Telegraph and 50<sup>th</sup> is scheduled for installation on October 25<sup>th</sup>. AC Transit field crew will relocate the bus stop on October 26, and the project is expected to be completed by November 15, weather permitting. The city has painted new crosswalks at the intersections that will receive larger enhancements at 41<sup>st</sup>, 43<sup>rd</sup> and 44<sup>th</sup> St. The permanent improvements for those and the other locations in Temescal are scheduled for late 2017 to mid-2018, as part of the Highway Safety Improvement Program (HSIP) grant.

#### 40<sup>th</sup> Street Median Landscaping

The City Parks department approved the BID's Adopt-a-Spot application to landscape the 40<sup>th</sup> Street medians. However, the city is requiring very stringent insurance from both the BID and Cactus Jungle. Shifra is working with the BID insurance providers and Cactus Jungle to comply with the city's requirements and is scheduling Cactus Jungle to complete the landscaping before the end of November.

#### Holiday Lights and Street Tree Lights

In September, the Design Committee approved a proposal by the Christmas Light Pros of San Francisco to buy and install a new holiday decoration at Alcatraz and Telegraph, as well as

install the BID-owned holiday decoration at 49<sup>th</sup> and Telegraph. The proposal also included the installation of 15 strands of lights with warm white LED 5mm bulbs on 15 trees throughout the district, which increased the number of strands per tree compared to previous installations, and decreased the size of the bulbs to give a brighter, more consistent look. The street tree lights and holiday decoration proposals were combined to save money on the hard costs of installation. The approved proposal totaled \$15,229, using all of the Holiday decoration and street tree light budgets for 2016, as well as \$3,229 of reserves from \$10,000 previously designated for street tree lights. In October, Shifra coordinated with PG&E to gain approval for the installation of guy wires across Telegraph Ave between North St. and Alcatraz for the upcoming installation of holiday decorations on November 1. However, the city owns the other pole, and has not yet given approvals for the guy wires and holiday decorations. If approval is not provided, the additional holiday decorations will be installed at 49<sup>th</sup> and Telegraph. If city approval is provided after November 1, Shifra will install the guy wires at the new location in Zone 2 to provide another space for BID event banners and holiday decoration during the 2017 holiday season.

### Idora Park

Friends of Idora Park presented the murals design and draft maintenance agreement with the TBID to the Public Art Advisory Council (PAAC). PAAC to gave their approval, and the murals will next be approved by City Council, which then initiates the permitting process with Caltrans. The Friends of Idora Park (FIP) is waiting on Dan Kalb to sponsor an item to expedite city approval at city council. In addition, FIP is requesting District 1 graffiti abatement funding for their mural since they have received an informal letter of approval from Caltrans.

### Pedestrian Lights

Ray's Electric and the BID agreed upon the additional charges for the pedestrian light construction, specifically that the \$6,300 bill for the Ray's Electric' connection to PG&E was not included in the original contract. It was clarified that the additional bill from PG&E for \$3,600 represents work yet to be done to bring power to the lights on Shattuck Ave. In total, these additional charges will cost the BID \$10,000 more than originally planned. Shifra has asked PG&E to sponsor the pedestrian lights to help with the unexpected \$10,000 cost.

Work has also begun to find funding for the next phase of pedestrian lighting. Requests for funding have been sent to Nautilus Development, and McGrath Properties. Discussions are ongoing with McGrath and Boston properties to include funding for the next phase of pedestrian lights in the public benefits of the MacArthur Transit Village Parcel B.

### Free Broadway Shuttle Extension

Shifra attended the city's Broadway Extension Community Meeting, which solicited feedback from property owners along the 40th St and Broadway corridors on a proposal to create a new transportation assessment district to fund expansion and development of the free Broadway shuttle. The proposed expansion would extend the route up Broadway and along 40th to MacArthur BART. The city proposed three options: simply extending the route, extending the route and upgrading to an advanced rapid bus system, or extending the route and upgrading to a trolley system. Shifra will follow up with the city on an electronic survey to send out to Temescal property owners for more representative feedback.

## **Economic Development**

## New Businesses and Business Retention

Baggu, a reusable designer bag company, opened in Temescal Alley in September. East Bay Community Space, and an associated boutique and café are opening up in the old Leo's Club space in late 2016. Chipotle has withdrawn their offer to occupy the old Genova, and a new health-focused regional chain has expressed interest in leasing the entire space. A local developer has applied for permits to develop 490 40<sup>th</sup> as live/work spaces with a new two story commercial building in front. Stranded Records vacated their space at 4929 Telegraph Ave. and Cholita Linda will lease the space as a to-go spot. Pico Paco Taqueria closed in early October, and Burma Superstar is planning to lease the space as a to-go spot. Rose's Taproom has been delayed by permitting, but hoping to open in February 2017. They submitted their building plans to the city and are working to raise more capital to cover build-out costs.

## Business Retention

Shifra met with Oakland Police, Oakland Code Enforcement, the owner of The Avenue, and the nearby residents to find solutions to complaints over late night noise, smoking, and motorcycle parking on the sidewalk. The Avenue agreed to make several changes to fix the complaints, and Shifra is working with the city to designate parking for motorcycles on the street after 6pm.

## **Promotions**

### Dining & Shopping Guide

The designer created a draft Dining and Shopping Guide, and the promotions committee provided significant feedback. The format of listings inside the guide was agreed upon, with listings on one side of every page accompanied by a map with numbers to locate each business. The committee conceded to accept a similar cover as the previous guide, in order to print a guide in time for the 2016 holiday season. However, if we change the design in the future, the promo committee would like to complete a thorough search for a different designer for the 2017 Guide. Shifra will review the listings and prepare a final draft for the promotions committee prior to printing the guide in November. *Tom asked about the distribution. Bill directed Shifra to discuss distribution at the Promo committee.*

### Temescal Street Flicks

Temescal Street Flicks began on September 15<sup>th</sup>, attracting modest attendance for Oakland Originals. The second event showed the Black Panthers documentary drawing a large audience of over 300 people, and was the best attended night. The Green Day movie night had modest attendance, but attendance increased for Eastside Sushi movie on October 6<sup>th</sup>. The Street Flicks series ended with a film presented by Oakland International Film Festival, which drew modest attendance. \$2,769 in sponsorship was raised from nine local businesses and developers, exceeding the goal of \$2,250.

### Taste of Temescal

Taste of Temescal sold 425 tickets and attracted 500+ attendees, who enjoyed bites from 22 different Temescal restaurants along Telegraph and Shattuck Ave, and live music from local musicians along the route. The 2016 culinary crawl expanded the event footprint to 43<sup>rd</sup> St, including new participants: Von's Oven Chicken, Casserole House Korean Restaurant and Urbano Latino. The ticket price was increased this year to \$35, and expenses were minimized, increasing the net income to \$12,659, to be donated to Emerson Elementary School PTO, Claremont Middle School, Women's Cancer Resource Center (WCRC) and Oakland Tech High

School. WCRC received \$1,638.23, Oakland Tech received \$2,710.52; Claremont received \$2,859.45, and Emerson Elementary received \$5,450.83.

Bill: send out to universe- put in enews!!!!

#### Temescal Holiday Art Fair / Arts Subcommittee

The Temescal BID Arts Committee talked with dozens of Temescal artists and art spaces to determine how best to support a thriving arts and culture community in Temescal. The Committee reported that the most popular idea was a Holiday Art Gallery. The concept of the Holiday Art Fair was combined with the existing BID annual holiday event, to create the concept of the Temescal Holiday Art Fair, using the combined budget of the Art Hop and the Holiday Fair. The Temescal Holiday Art Fair is scheduled for Sunday, December 4<sup>th</sup>, 10am-4pm, coinciding with the Temescal Alley and Pizzaiolo holiday events to maximize attendance at all three events. The Art Fair will be located inside a giant tent on Nautilus' property at 5110 Telegraph Ave. A curator has been hired to select and coordinate the participation of Temescal artists and makers. The TT BID will be doing extensive promotion of this event as a "one-stop" shopping occasion to find beautiful art, crafts and boutique gifts from Temescal artists and merchants at one destination. In addition, the BID will provide food, holiday music, kids activities, a Santa Claus and more.

#### Security guard for the holidays

The Security Committee considered holiday security proposals for \$5,000, \$10,000 and \$15,000. The Committee selected VMA's proposal for \$12,240 with two security guards doing walking patrols of Zone 1, from 4:30pm until 12:30am, every Thursday through Sunday, starting November 18<sup>th</sup> and ending January 1<sup>st</sup>.

#### Temescal Trick or Treat

Temescal's annual Halloween event is scheduled for Monday, October 31<sup>st</sup>, 4-6pm, starting at Ruby's Garden's costume contest, with 25+ merchant handing out treats along Telegraph from 51<sup>st</sup> St to 42<sup>nd</sup> St, and ending with a family dance party at Flying Studios. The event will also include a second costume contest and a photo booth at East Bay Depot for Creative Reuse, and paper crafts at Urbano Latino. Courtesy of sponsorship by Ruby's Garden, the event poster was redesigned and balloons will be provided to each participating merchant to create a visual route for the event. The BID has increased promotion of this year's event with posters distributed throughout the neighborhood, as well as social media and enews publicity.

**Adjournment 8:12pm.**