

Temescal Telegraph BID Board Meeting Minutes
April 26, 2017 – 5:00 to 6:00pm
Homeroom event space, 4007 Webster Street, at 40th St.

Board Members Attending:

1. Roy Alper - Vice President
2. Hans Boerner
3. Brian Caruso – Treasurer
4. Allison Futeral – Secretary
5. Bill Lambert – President
6. Doreen Moreno
7. Tom Murphy
8. Randy Reed - Vice President
9. Dona Savitsky
10. Pat Smith
11. Don Stahlhut

Board Members Absent:

1. John Dobrovich
2. Gloria Gee
3. Don Macleay

Guests: Aubyn Merie, Temescal Neighborhood Association
Beth Cohen, Temescal residential neighbor
Sam Gilbert, Temescal Brewing

1. INTRODUCTIONS – Call to Order: Bill Lambert, President 5:07pm

2. CONSENT AGENDA

a. Approval of March Minutes – Attached

Roy motioned to approve, Dona seconded. **Approved 5:08pm.**

3. ACTION ITEMS

a. 2016 Financials – Attachment

Bill reviewed that the board reviewed the 2016 financials at the last meeting, but still had questions. Bill reviewed the financials again, focusing on the totals. He noted that the BID's net income in 2016 was -\$11,000 because of significant reserve spending. The Executive Committee had thoroughly reviewed and recommended approving the financials and balance sheet. Brian motioned to approve the budget versus actuals and the balance sheet for 2016. Seconded by Don Stahlhut. **Approved.** Doreen abstained.

b. Reserves Expenditures

Bill directed the board's attention to the Zone 3 assessments allocations. He noted that when the BID was renewed, the new management plan increased the Zone 3 assessments, while decreasing the expense allocations for Zone 3, compared to the previous management plan. Bill explained that the zone expenditures were reallocated by Shifra starting in 2007, the earliest the BID started tracking expenses by zones. Since 2007, the allocations were inconsistently allocated, allocated incorrectly (as concluded by the Executive Committee), and did not match the allocations as prescribed by the management plans. Bill reviewed the BID's reserves, as redistributed by Shifra across the zones. Actual funds available are \$75,000 in Zone 1, - 3,600 in Zone 2, \$9,000 in Zone 3, and \$569 in condos. After considering the projects that the BID has committed to, the BID would have \$44,000 available in zone 1, be over budget by \$10,000 in Zone 2, have \$6,000 available in Zone 3 and be

over budget by \$1,000 in condos. Bill directed the BID Board to consider spending reserve funds on the Groundworks' proposal for Kasper's Plaza and to redo the BID website.

Bill announced that Emil Peinart was in the process of buying the Kasper's building from Harry. However, Emil won't buy the building without a long-term agreement with the city to use most of the sidewalk. Emil encouraged the BID to wait to decide on the pedestrian plaza until Kasper's reopened. Roy explained that further discussion around his acquisition of the land was planned in the next 30 days, after which the BID could provide formal comments to the city. Dona voiced her support for waiting for Emil to open the business. She voiced her hesitation in spending money to activate the area, which would be activated by Kasper's anyway; Randy agreed. Brian disagreed, and said that the goal of the project was to bring activation to the plaza. He explained that the projects weren't mutually exclusive, since Kasper's Hot Dogs would only use the existing sidewalk, and the BID's pedestrian plaza project could still use the street areas. Brian asked if the BID could approve the allocation of funds, while continue design conversations. Bill outlined the BID's options: do nothing, start the design, or allocate the money but hold back on implementing the contract immediately. Roy motioned to approve the allocation of \$21,500 allocation to Groundworks, but not authorize the expenditure of those funds nor the signing of the design contract; and to approve the allocation of \$5,000 for the website redesign. **Action:** the Ad hoc committee will meet with Emil, and return to board with a recommendation. Brian seconded the motion. **Unanimous Approval.**

c. Eduardo Valadez Contract-15 Utility Boxes = \$6,000; budget is \$5,000 – Attachment

Bill reviewed that DEED had talked with Eduardo Valadez, and recommended allocating an additional \$1,000 over budget for redoing the 15 utility boxes. The designs will go to the DEED and the board. Motion by Don S to approve the contract. Allison Seconded. **Approved unanimously.**

d. RIKA Contract for Street Flicks 2017-\$2,000 + % of Sponsorship – Attachment

Bill reviewed that the Promotions Committee had recommended Consuelo's proposed contract. Roy moved to approve. Seconded by Randy. **Approved unanimously.**

e. Letter regarding Golden Road Brew House on 40th St

Bill explained that Golden Road Brewing had submitted a proposal to the city to open a brewery on 40th in Temescal with a largely outdoor beer garden and shipping container buildings. Bill noted that Meg, the owner, still retained an ownership stake. Roy summarized the DEED committee's robust discussion, and their recommendation that the BID approve the project with the requested variances to not provide parking, and only have a height of 9'6" instead of the required 12 feet height. Dona voiced her opposition to the proposal because she believed that Golden Road was a corporate business labeled as craft beer, and said BID needed to support real small businesses. Dona projected that the area could get a better development that would not be corporate-owned. Bill said that Brandon told the committee that InBev was a silent partner, and only gave Golden Road the capital to expand. Pat opined that the community could be too precious about potential new businesses in the current development of Temescal, and said that Temescal needed "normal" businesses that weren't all craft; Pat voiced her support of the project. Allison said she doesn't like what she read about both Golden Road and InBev and didn't see why Temescal needs another beer business that would be subpar. Randy voiced concern over the BID approving or disapproving of the project for political reasons. Brian echoed Randy's comments, and said that he supported the variance requests since he believed that neither the parking or the height variances should be of concern to the BID. Brian requested that the BID not comment on Golden Road's ownership. Don S noted that the BID was advocating for local independent retailers at MTV Parcels AB and C. Tom voiced concern about backlash for the BID, if the board supported the proposal. Brian noted that a lot of businesses in the BID were backed by national corporations, and asked the board what the threshold was for concern. Dona said that it is really hard to survive as an independent business owner, versus a corporate beer garden that could use its capital to survive with low profits. If the BID wanted to support small business, then Dona argued the board should oppose the Golden Road proposal. However, Dona voiced her inclination that the

BID not express any opinion. Roy said that he doesn't believe that the BID should pre-select for the customers who like both mass-produced and craft beer. He voiced support for a thriving range of options for beer drinkers in Temescal, while also appreciating the concerns about InBev. Randy proposed that the BID approve of the variances, but not comment on the ownership structure. Dona motioned to not comment on the proposal. Seconded by Hans. Supported by Dona, Allison, Tom, Don S, Randy. Opposed to the motion: Bill, Roy, Brian and Pat. **Motion carried for the BID to not provide any comments to the city.**

f. Board Re-election Nominations (2 year term)

- **Roy Alper, John Dobrovich, Allison Futeral, Bill Lambert, Don Macleay, Randy Reed, Pat Smith**

Motion by Brian to nominate Roy, John, Allison, Bill Don, Randy and Pat. Seconded by Don S. **Unanimously approved.**

- g. i. Officer Resignations – Randy Reed as 2nd VP and Allison Futeral as Secretary**
- ii. Nomination of Officers – Bill Lambert – President, Roy Alper – 1st VP, Allison Futeral – 2nd VP, Don Stahlhut – Secretary**

Motion by Randy to accept resignations and new officer nominations. Seconded by Dona. **Unanimously approved.**

4. INFO/DISCUSSION ITEMS

- a. Bike to Work Event - \$300 approved by Exec Committee**
- b. Idora Park & CalTrans Lobbying - ongoing**
- c. Temescal Street Fair Sponsorship & beer booth volunteers update**
- d. Executive Director's Report**

Organization

Outreach to Stakeholders

122 property owners, businesses and community members responded to the annual Temescal BID Stakeholder survey and provided feedback on services provided by the BID in the past year. Selected results will be presented at the annual meeting, while the full survey results will be presented to the board at a later date. Shifra attended the community outreach meeting for the Nautilus development at 5110 Telegraph Ave to learn about the construction schedule and the plans for graffiti abatement during construction. Shifra met with the owners of Marc 49 and Julie's to discuss marketing ideas, and offer BID marketing support.

Cleaning & Maintenance

Shifra and Keith worked together to successfully ask for paint donations from the city to maintain public fixtures in the district. The Block by Block cleaning ambassadors have made significant progress in removing the large quantity of stickers and graffiti built up on public property and fixtures. Starting in May, the cleaning team will address the weeds in tree wells and the overgrown 40th Street median, since the level of graffiti and stickers have been reduced to a more manageable level. After Keith and Shifra met with city staff, the city installed one additional litter container at 4875 Telegraph Ave in front of U and I Liquor Store. For detailed analysis of the Clean team performance, please see the BBB Operations Statistics and Report.

Design

Pedestrian Plaza/Off the Grid

Brennan Cox from Groundworks presented the firm's past experience with designing multi-functional, artistic and innovative public spaces to the March board meeting. Groundworks prepared draft contract for \$21,435 to design the pedestrian plaza at Kasper's, to be considered by the board.

Both Freedom Farmers' Market and Kenny's Heart & Soul Food truck confirmed their interest in running weekly programming at Kasper's Plaza. Both groups are working on detailed proposals to be presented at the May Promotions Committee.

40th St Median

In fall of 2016, the BID paid contractors to clear-cut the existing weeds, and install 320 succulents and agaves to beautify the three medians on 40th St between Telegraph and Webster. However, since last fall, the weeds have grown back, and completely cover the new plants. The substantial weed growth is due to the record-setting amount of rain this year, as well as the BID's decision to not apply herbicide (in response to the neighborhood and city requests). In order to continue the BID's "no herbicide" policy, Shifra applied for an adopt-a-spot as part of Earth Day to organize the community to do a weeding and mulching day.

Due to staffing concerns, Oakland Parks staff declined to shut down three blocks of 40th Street for the BID's planned volunteer neighborhood weeding and mulching work-party. Shifra then attempted to apply for an encroachment permit through Oakland Police, and OPD declined, since they didn't categorize the weeding day as a "special event." Shifra is currently working with Oliver Luby to garner Parks staff support to shut down the street for the BID's one-day weeding project.

Utility Boxes

Eduardo Valadez, the artist who repaired the murals on the PG&E building for the BID, has submitted a proposed contract to remove the peeling and vandalized vinyl from 15 utility boxes in Temescal and replace with painted artwork. After the contract is approved, Eduardo will create specific artwork for the boxes to be reviewed at the next Design Committee meeting, and considered for approval by the BID board.

Kasper's Hot Dogs

Emil Peinert presented his plans to buy the Kasper's Hot Dogs building and reopen the business to the DE/ED Committee. The Re-opened Kasper's will serve hot dogs, burgers, fries, salad, beer and wine, and have an expanded footprint for substantial sidewalk seating to make the business viable. During a 120-day escrow period to buy the building, Emil plans to secure the conditional use permit and purchase the patio area land from the city, and be ready to open by Fall 2017. Emil asked the BID for input on his plans, and support in purchasing the needed land from the city; the item will be considered at the May board meeting.

Golden Road Brewing

Golden Road Brewing presented their plans to open a brew house with on-site beer and food in a colorful shipping container development at 320 40th Street to the DE/ED Committee. The proposed project would replace the current parking lot with shipping containers for the brewery and restaurant, and a family-friendly outdoor beer garden to enliven the streetscape.

Golden Road requested the BID's support for two minor variances to provide no off-street parking and to use 9'6" feet tall recycled shipping containers in lieu of the 12' minimum city requirement. The committee discussed the controversy around InBev's ownership of Golden Road, and proposed that a condition of approval that would obligate Golden Road to work with the Temescal BID to develop and implement a plan for the brewery to be a good neighbor.

MacArthur Transit Village Parcels A & C

Hines attended the April DE/ED Committee meeting to respond to the committee's questions and proposed edits to the Retail Marketing Plan for MTV Parcels A & C. As part of their Retail Marketing Plan, Hines agreed to create a Merchandising Plan that would include pursuing a grocery tenant as a priority, and provide the BID with information on the market rent, the CAM and tenant improvements(TI). Hines reported that they were still finalizing their marketing team, which would develop the style of their retail development. Hines did not yet have specific information on the rental rates and TI packages, but committed to work with tenants on an

individual basis to determine the TI packages. Hine will not model the retail style after San Francisco, but rather try to create a Temescal vibe, similar to Hive in Uptown Oakland.

Pedestrian Lights

Due to a misunderstanding over the differing interpretations of the pedestrian light maintenance agreement, BID representatives will meet with city staff before transferring ownership of the pedestrian lights to the city.

Economic Development

Mobile Food Vending

The city council approved a new mobile food vending ordinance with a 300-foot buffer between vendors and restaurants, and between schools and vendors. Shifra worked with Dan Kalb on a special exception to reduce the buffer to 100-foot between food trucks and restaurants on Telegraph in the Temescal BID. This exception will allow food trucks and food pods to locate at Kasper's Plaza.

New Businesses

Flying Yoga opened their new expanded location at 4834 Telegraph Ave, where they plan to offer expanded dance programs and collaborations with other dance and community groups. Roses' Taproom is under construction, with an estimated completion date in early June.

Promotions

Temescal Snack and Bike at Kasper's Plaza

Shifra partnered with Bike East Bay to produce a family-friendly Bike to Work Day event on Thursday, May 11th, 3-6pm, at Kasper's plaza. The event will close off Shattuck Ave to cars between 45th and 46th, as well as 46th St between Telegraph and Shattuck. The goal of the event is for Bike East Bay to showcase their ideal bike infrastructure, and demonstrate how bikes and pedestrians might interact on a future pedestrian plaza. In addition, the event will include snacks, children's activities, and a bikeshare demo to draw bicyclists and families to enjoy the pop-up pedestrian plaza.

Temescal Street Fair

Revised Street Fair branding was reviewed to the Promotions Committee to better reflect the BID's new branding. Heart of the Town submitted the application for a \$5,000 Kaiser grant, and should receive a response by May 15th. The committed 2017 sponsorships total \$2,000 to date, including Anthony Associates (\$500), Ruth Stroup Farmers Insurance (\$500), and new sponsors Merrill Gardens and Motivate Bay Area. The producers have pitched \$30,000 in sponsorships to new and returning sponsors, with intensive follow up planned in the next couple of weeks.

Security

Security Cameras

The security cameras have been installed at Homeroom and East Bay Depot for Creative Use. The remote access is now accessible at both locations, though one camera at Homeroom will have to be moved to provide a useable view of 40th St.

Temescal Telegraph BID Annual Meeting Minutes

April 26, 2017 – 6:00 to 7:30pm

Homeroom event space, 4007 Webster Street, at 40th St.

1. INTRODUCTIONS – Call to Order: Bill Lambert, President 6:13pm

The board introduced themselves, and Bill explained the BID's committee structure and encouraged community participation.

2. ACTION ITEMS

e. Current Board Member Re-election (2 year term)

Roy Alper, John Dobrovich, Allison Futeral, Bill Lambert, Don Macleay, Randy Reed, Pat Smith

Motion by Brian to re-elect Roy, John, Allison, Bill, Don M, Randy, and Pat. Seconded by Tom. **Approved unanimously.**

f. Election of Officers (2 year term)

- Bill Lambert –President, Roy Alper – 1st Vice President, Allison – 2nd Vice President, Don Stahlhut – Secretary

Motion by Randy to elect all nominated officers. Seconded by Dona. **Unanimously approved.**

3. PRESENTATION: Shifra de Benedictis-Kessner & Bill Lambert

4. Adjournment/Reception