

**DOWNTOWN HAYWARD BUSINESS IMPROVEMENT AREA
ADVISORY BOARD**

**Regular Meeting
Wednesday, July 2, 2008 8:00 a.m.**

**Room 2A, 2nd Floor
Hayward City Hall
777 B Street
Hayward, CA 94541**

The Public Comments section provides an opportunity to address the City Council on items not listed on the agenda. The Council welcomes your comments and requests that speakers present their remarks in a respectful manner, within established time limits, and focus on issues which directly affect the City or are within the jurisdiction of the City. As the Council is prohibited by State law from discussing items not listed on the agenda, your item will be taken under consideration and may be referred to staff.

A G E N D A

- I. Call to Order
- II. Public Comment
- III. Approval of Special Meeting Minutes for May 14, 2008
- IV. Updates:
 - Marks Historic District Guidelines and Policies
 - Follow-up Discussion of FY 2008-2009 Budget
 - Briefing of Upcoming Downtown Alameda Tour
- V. Adjournment

Assistance will be provided to those requiring accommodations for disabilities in compliance with the Americans with Disabilities Act of 1990. Please request the accommodation at least 48 hours in advance of the meeting by contacting Maret Bartlett at 583-4261 or by using the TDD line for those with speech and hearing disabilities at (510) 247-3340.

MINUTES
DOWNTOWN HAYWARD BUSINESS IMPROVEMENT AREA
ADVISORY BOARD

Special Meeting
Wednesday, May 14, 2008

ATTENDANCE:

<u>BIA Member</u>	<u>Present</u>	<u>Absent</u>
Lyman Menger (Chair)	X	
Ned Carleton (Vice Chair)	X	
Tina Martinez	X	
Meg Shaw		X
Laura Swan	X	
Lisa Tyler	X	
Keith West	X	
Chris Zaballos	X	

VISITORS: Jim Wieder, Hayward Chamber of Commerce

STAFF: Gloria Ortega, Redevelopment Project Manager; Suzanne Philis, Redevelopment Secretary (Minutes)

I. Call to Order

Chairman Lyman Menger called the meeting to order at 8:00 a.m.

II. Public Comments

No public comments

III. Approval of April 2, 2008 Minutes

Minutes were approved unanimously.

IV. Presentation of FY 09 Budget

Gloria Ortega explained that this special meeting was called so the BIA could approve a budget for FY 09 that will then be presented to City Council for approval on May 27, 2008.

At the May 7th meeting, at which a quorum was not present, the committee members could not decide whether to fund the Art & Wine Festival, which would replace the fourth Summer Street Party, or the Gala Opening for Cinema Place. Both would cost approximately \$10,000 and money would have to be pulled from reserves to fund both.

In a report written by staff to go to council, funding the Art & Wine Festival was not recommended due to the lack of time to organize it and the associated costs. Because the opening of Cinema Place is a one-time event, staff recommended funding an opening event.

Lisa Tyler asked if the developer would be contributing to the Gala Opening of Cinema Place. Staff explained that the developer, Blake Hunt, is a small company and they have not budgeted any money for an opening. Cinemark, the theater company, may have money to fund an opening; however, they have not indicated an amount they are willing to contribute.

Laura Swan suggested a committee be formed to hire a production company to organize a benefit so proceeds could go back to the community. To save money the committee should hire the company directly.

Lyman asked if \$10,000 would be enough to pay for a Gala Opening and a fundraiser. Jim Wieder, of the Chamber of Commerce, said he knew of someone who could help and that \$10,000 would reserve the necessities like security and spotlights. Laura confirmed that the person she spoke to about the idea said \$20,000 was more realistic, but perhaps the BIA could loan the money to the committee and get paid back from the benefit proceeds.

Laura asked if the banners need to be replaced. Because of the trees and buildings she said she doesn't really notice them and the money could be used elsewhere (like the Gala Opening). Or, rather than banners, what about decorative brass signs downtown or a marquee at the entrance of downtown listing events.

Chris Zaballos suggested historic-looking street signs for downtown, but he also like the marquee idea.

When Gloria said that corporate sponsorship could be gathered to pay for signs and a marquee, Lisa pointed out that it takes at least a year for a potential sponsor to actually generate the funds. She suggested that companies on the west side of the city be contacted (like Pepsi and Annabelle Candy Co.) even though they aren't downtown. She expressed concern that the Gala Opening and LUTS would conflict.

Jim said when he spoke to Cinema Place developer Jim Wright, he indicated that the theater was on track to open mid-November. If that's the case, Gloria said, then the opening would probably get postponed to January 1st. It's her understanding that either the theater opens in time for Thanksgiving releases or the opening will get pushed to the new year.

Keith West said the original intent of the banner program was to add color and warmth to the downtown. He suggested more flowing banners by Cinema Place and at Foothill Blvd. and Main Street.

Gloria reminded the group that the City had already contracted with a lighting company to upgrade and add to lighting downtown but that individual businesses could also up-light or wrap the trees in front of their businesses.

Because the exact timing of the theater opening is unknown, Lisa suggested a contingency plan. If the theater opening conflict with Light Up the Season then maybe that should be scaled back.

Lyman pointed out, however, that residents expect LUTS to be as good as, or better, than it was last year, not smaller.

Playing the devil's advocate, Keith said the City might receive criticism for focusing so exclusively on the theater opening; this much attention wasn't given to the other business openings. But Gloria said the hope is that the theater will galvanize downtown to the advantage of all businesses.

Lisa reminded the group that Pete's Coffee was scheduled to open around the same time as the theater so they could be part of the festivities also.

Lyman asked for consensus from the group. Ned Carleton said the group didn't have enough information to make a decision. He asked if the budget could be approved as is and changed later as dates and times became more concrete. Staff said yes, with Council approval.

Chris said to be careful not to use all funds on the Cinema Place Gala Opening because that doesn't benefit all businesses that pay fees for things like banners. He liked the budget as is but wanted to put \$10,000 more towards the opening.

Laura asked if the BIA committee does a good enough job on the Cinema Place opening (and possible fundraiser) could they borrow money from the reserve and then pay it back? Staff responded that the BIA would have to assume that they WON'T get the money back, but be happy if they did.

Lisa asked if fundraisers are mentioned in the BIA by-laws because there might be some tax implications.

Tina pointed out that other major fundraisers would be going on at the same time (for example St.Rose's) so there might be competition for participants.

Keith said the developer or Cinemark really should contribute to any opening event; the BIA shouldn't have to fund the entire bill. Laura said Cinemark definitely has a budget for the opening and that they should pay the \$10,000. Chris asked if the opening was mentioned in the development agreement.

Lyman suggested the BIA approve the budget as stated in the meeting report with a contingency to add \$10,000 from reserves, if needed, for the Cinema Place opening. Chris seconded the motion. Lisa added that Cinemark should be approached formally to fund the opening and that the committee receive legal clarification regarding the tax implications of holding a fundraiser.

Gloria requested clarification regarding the banners; did the committee want to replace the banners or hold off for another year? The group decision was to replace the banners but explore other ideas like historic signs, one-time brass embellishments or a marquee.

The budget was approved with the above-stated conditions 6-1 (with one person absent).

VI. Adjournment

Meeting adjourned at 8:55 a.m.