

City's power play blindsides CAC members

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Barnes showed The Extra the dates of communications between his office and the city attorney's showing that, despite such erratic attendance by Paul and others, the situation was not under official review until April.

Losing those four members, combined with three existing vacancies, means the committee's four surviving members can no longer conduct official business, as the required quorum for the 11-member body is six.

"The members of the CAC were taken aback," said Mara Blitzer, who as senior project manager for TNDC holds Seat 9, which is reserved for an expert in commercial real estate leasing. "In my opinion, it is really unfortunate that the (city's administrator's) staff took the stance that they did. It's disruptive to the process. We really struggled with how the city has supported this committee."

The committee's rules and regulations, as described on the city administrator's website, simply say: "If any member cannot attend a meeting of the Committee, he or she should notify the Office of the City Administrator in advance of the meeting about the absence. Any member who misses four meetings within a 12-month period, without the approval of the Committee shall be deemed to have resigned."

For an absence to be excused, it must be voted on by the CAC and the result noted in the minutes of the meeting, Barnes said.

'ADMINISTRATIVE SNAFU'

Back in 2011, when the Citizen's Advisory Committee was formed, "It was never clear about what we were supposed to do," Blitzer, one of four members who have been on the CAC from the beginning, told The Extra. "Some people were emailing (their excuse to) the chair, some were emailing the city administrator. ... The city administrator sets the agenda and was supposed to put the topic of excused absences on the agenda. That was a massive administrative snafu. There was no procedure in place."

Jessica Huey, of the city administrator's office who has been drafting the CAC agendas and taking the minutes throughout the committee's existence, said knowledge of the rules was left for the committee members to figure out for themselves.

"It wasn't something on anybody's immediate radar in starting the committee," she said. "Now that it has become an issue it's being dealt with. It just happened. There's no story behind it other than it came to the committee's attention."

Huey confirmed that both the city administrator's office and the committee chair, Dina Hilliard, would get messages from committee members about upcoming absences. But although she was in frequent communication with the committee and Hilliard about agenda items, Huey said they never discussed adding absences to the agendas. Although she literally types up the agendas, Huey said, "All the agenda items are set by the chair. Obviously, there's conversations that happen between the chair and the city administrator's office, but whatever's been set at the meeting or communicated in an email" would be what was reflected in the agenda.

"The way to get excused is to have the committee excuse you," Barnes said. "The chair never included a separate agenda item on it."

Hilliard, who chaired the committee from its inception until she resigned in April to welcome her new baby, told The Extra that "I had no idea" about the procedure for excusing absences. "I assumed an excused absence was when you let it be known that you'd be missing a meeting," she said. "I'm really sur-

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Dina Hilliard
FORMER CAC CHAIR

prised and disappointed that this has happened.

"The people removed from the committee had a lot of really great contributions to make to the committee. I don't know if the city administrator talked to them offline, I certainly hope they did. Rules are rules, but before you bring the hammer down, I do feel like there could be some kind of warning and discussion and a head's-up."

Eva Perring, who's held Seat 1, which represents low-income families in the neighborhood, since the committee was formed, said she was unaware of the unfamiliar procedure.

Paul, a veteran community activist, said the procedure is a first for him.

Paul, who also sits on the SoMa Community Stabilization Fund Community Advisory Committee, which is former Supervisor Chris Daly's precursor to the CAC, said he repeatedly brought up the time conflict between the two committees that look out for the community's best interests.

But when asked for alternative dates to accommodate members' schedules, Blitzer recalled, "They (the city administrator) wouldn't change. They couldn't find available rooms ... (they) limited their search to City Hall, when there's the whole community. It also took them a long time to provide us with copies of the meeting minutes. It seemed to me that they were very short-staffed and not paying attention."

At the May 2 CAC meeting, for which minutes are not available as its lack of quorum made it not an official meeting, Barnes apologized for the confusion created by the purging of the four members, and encouraged the just-ousted panelists present to reapply for their seats.

He also said the city would be hiring someone to work exclusively with the CAC and another citizen's advisory committee in the Bayview. That person, since hired, is Tim Ho, who will be taking over Huey's role with the CAC.

"We were going to try to start the process of reviewing applications for tax breaks sooner," Paul said. Citing the way that the Twitter and One Kings Lane CBAs were finalized with only minimal community input, in part because the CAC was unable to field a quorum in late December and early January and hold a hearing for public comment, he said, "The way to avoid that in the future is to start the process sooner."

QUARTERLY REPORTS HELD UP

Paul also said that the committee hoped to get an early start in framing and reviewing CBAs with companies that recently applied for the payroll tax exclusion, but the Office of Economic and Workforce Development, which reviews those applications, said none had applied this year, though the tax break application deadline isn't until November.

On May 30, Web music streamer Spotify announced it had leased three floors of the Warfield building, within the tax break boundaries, and reportedly has the \$1 million-plus payroll that would mandate a new CBA.

In any case, the CAC anticipated being busy this month reviewing the first quarterly reports on the CBA progress. Those agreements were finalized Jan. 31, so quarterly reports covering February through April activity were expected by the end of May.

But quorum or no, those reports are nowhere in sight. Zendesk made a presentation to Market Street for the Masses in late May, describing various CBA activities including: 359 volunteer hours by its staff at Glide, Episcopal Community Services and the Tenderloin Tech Lab out of its goal of 625 hours this year; almost \$15,000 in local spending at two catered events; film screenings; walking tours, partnerships with Luggage Gallery on art installations, and donating eight bikes to the Tenderloin After School Program.

Zendesk also listed community investments that it described as being outside of its CBA, including sponsoring a float in the 2013 Pride Parade, Sunday Streets, the TNDC birthday dinner on May 17, Luggage Gallery's ArtPad event and the CHEFS Summertime Program.

Barnes, however, said he had not seen Zendesk's accounting, nor any others, and blamed "a state of flux in the CAC," but not the lack of a quorum, for the holdup in producing the quarterly reports. He said CAC members had expressed concerns about the reports' content and format, so the city administrator staff is considering various formats. Barnes said he'd contact The Extra when a format had been agreed to and forms delivered to the CBA firms. No word yet by June 3.

"They (the CAC) wanted a more consistent and transparent form of reporting," he said, "Now that there's this extra delay, we're writing up three or

four different options."

He also said that more important, in his view, would be the six-month report the CAC is required to give the Board of Supervisors and the annual report on the CBAs the city administrator must make to the board.

"I think most (CBA companies) have been pretty good about notifying the community and city about their efforts," he said, citing Twitter's grants and Yammer's volunteer days as examples. But "there's obviously some stuff that's below the radar."

APPLICATIONS PUSHED BACK

The CAC vacancies were posted May 7 based on information Barnes provided to Rules Committee Chairman Norman Yee aide Matthias Mormino.

Kim's aide Ivy Lee said the supervisor had been personally recruiting CAC applicants and mentioned the openings in her newsletter.

"We're really pushing to fill the seats not with just anyone, but people with real expertise who could have an impact on building relationships between the neighborhood and community and these companies," Lee said.

The mayor's Office of Economic and Workforce Development, which reviews applications for the payroll tax exclusion, on May 23 sent an email through its Central Market Partnership organization mentioning a May 24 application deadline and describing the application process.

Vacancies must be posted for 30 days and applications received 10 days before the Rules Committee can act on them. A dozen applicants met the May 24 deadline (See sidebar on Page 6.)

Ultimately, however, the Rules Committee finalized its agenda for the June 6 meeting without including the CAC vacancies. Barnes on May 28 cited "concern about the level of outreach" and said the Memorial Day holiday had af-

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