



# Hayward Area Recreation and Park District

1099 "E" Street, Hayward, CA 94541

(510) 881-6700

## MINUTES

April 27, 2009

### **MEETING**

The Regular Meeting of the Board of Directors of the Hayward Area Recreation and Park District was called to order by President Carol A. Pereira at 7:00 p.m. on Monday, April 27, 2009, in the Board Room of the Administration Building at 1099 'E' Street, Hayward, California.

### **PLEDGE TO FLAG**

The Pledge of Allegiance was followed by Roll Call.

### **PRESENT**

Directors: Andrade, Hodges, Jameson, Pereira, Waespi

Staff: Shue, Silva, Gouveia, Lepore, Maharaj

### **B.O.D. BUDGET WORK SESSION**

The Board of Directors held a Budget Work Session at 5:30 p.m. to discuss the Hayward Area Recreation and Park District's fiscal year 2009/2010 Proposed Budget.

### **MONTHLY VOLUNTEER RECOGNITION AWARD**

Ms. Emily Courchaine -  
March 2009 Volunteer  
Of the Month -  
Castro Valley  
Community Center  
Gymnastics Program

Participant in the  
Gymnastics Program  
For Four (4) Years

President Pereira congratulated and presented Ms. Emily Courchaine with the Monthly Recognition Award for March 2009 in recognition of her dedication and hard work in the Gymnastics Program at the Castro Valley Community Center where she has been a volunteer for the past eighteen (18) months.

Staff reported that Emily participated in the District's Gymnastics Program for over four years and looked forward very much to becoming a volunteer so that she could give back to the program that gave her so much. Emily helps teach gymnastics to children ages 3-1/2 to 6-1/2. She comes in every Saturday morning for two hours to lead the young children in warm-up exercises, circle time, stretches, help them build their skill, self-esteem, self-confidence, and feel comfortable on bars and beams, thereby allowing instructors to give much-needed individual attention to the students. But, most importantly, Emily keeps everyone very happy and the students look forward to returning to the program every year.

Comments – Ms. Jean  
Clark, Recreation  
Supervisor

Ms. Jean Clark, Recreation Supervisor responsible for the Gymnastics Program, extended her congratulations and thanked Emily for her dedication. She was pleased to add that it is important to have Volunteers like Emily to help establish focus in the Gymnastics Program.

**MONTHLY VOLUNTEER  
RECOGNITION AWARD**  
(Continued)

Upon acceptance of her award, Emily was happy to introduce her parents, and family members, who accompanied her to the Board Meeting.

Eligible for the  
VOY Award

Her picture will be displayed in the District Administration Office and on the District website as the Monthly Volunteer Recognition Awardee for March 2009. In addition, she will be eligible for the Volunteer of the Year Award for 2009.

**CONSENT CALENDAR**

It was moved by Director Jameson, second by Director Hodges, and unanimously carried to adopt the Consent Calendar as set forth below.

Minutes

The Minutes of the Regular Meeting of the Board of Directors on Monday, April 6, 2009 at 7:00 p.m.

Finance Report

Acceptance of the Finance Report for March 2009.

**ROWELL RANCH  
RODEO ASSOCIATION**

Staff reported that the 89th Annual Professional Rodeo will kick off with a parade on Saturday, May 9, 2009 at 10:00 a.m. on Castro Valley Boulevard. Rodeo festivities will continue throughout the week with the Annual Barbecue and Team Penning on Wednesday, May 13, 2009, slack events on Friday, May 15, 2009 and the main rodeo on Saturday and Sunday, May 16<sup>th</sup> and May 17, 2009.

89<sup>TH</sup> Annual  
Professional Rowell  
Ranch Rodeo -  
May 16<sup>th</sup> and  
May 17, 2009

Staff introduced Mr. Russ Fields, Board Member of the Rowell Ranch Rodeo Association who was in attendance at the meeting to make a presentation to the Board of Directors. Mr. Fields presented complimentary tickets to the Rodeo and outlined the various events during the week of the Rowell Ranch Rodeo, beginning with a Chilli Cook Off on Friday, May 8<sup>th</sup> at 5:30 p.m., the Rodeo Parade on Saturday, May 9<sup>th</sup>, and other festivities preceding the Rowell Ranch Rodeo on Saturday, May 16<sup>th</sup> and Sunday, May 17<sup>th</sup>. He extended an invitation to the Board of Directors and Staff to the rodeo, and to the cowboy experience, a new addition in 2009 that will be held at 12:00 Noon on both Saturday and Sunday in the rodeo arena to help explain the rodeo and answer questions.

Mr. Russ Fields of  
Rowell Ranch  
Rodeo Association  
Makes Annual  
Presentation to the  
Board of Directors

Mr. Eric Mills,  
Coordinator of  
Action for Animals  
Commended  
H.A.R.D's Rodeo  
Policy and Expressed  
Concerns About  
Inappropriate  
Sponsorship by US  
Smokeless Tobacco

Mr. Eric Mills, Coordinator, Action for Animals, P.O. Box 20184, Oakland, once again extended thanks to the Board for the Hayward Area Recreation and Park District's Rodeo Policy, which he stated is the most progressive rodeo policy in the country. He distributed copies of a letter addressed to Ms. Rita Shue, General Manager, expressing concerns about the inappropriate sponsorship of the Rowell Ranch Rodeo by US Smokeless Tobacco, which he has also addressed with the Alameda County Board of Supervisors and the local State Legislators, and a letter of concern forthcoming. Mr. Mills pointed out that the Rodeo Association should seek more suitable

**ROWELL RANCH  
RODEO ASSOCIATION**  
(Continued)

sponsors for this family-oriented rodeo event than a tobacco company, which he said is inconsistent with the Hayward Area Recreation and Park District's smoking ban adopted by the Board of Directors recently. He requested that the Board of Directors and Staff give this matter their serious consideration.

**HAYWARD SENIOR  
CENTER**

On December 22, 2008, the Board of Directors awarded a contract for the ADA upgrades to the restrooms at the Hayward Senior Center to JMA Construction of San Francisco in the amount of \$138,000. Funds were available from a Community Development Block Grant, and from the Hayward Area Recreation and Park District's Capital Outlay Fund for fiscal year 2008/2009.

ADA Upgrades  
To the Restrooms

Scope of the  
Demolition and  
Refurbishment  
Of the Restroom  
Project

The project included demolition of the interior and refurbishment of the men's and women's restrooms originally constructed in 1976, installation of energy efficient lights and low water flow fixtures, creation of a storage/supply closet in the hallway, and ADA improvements to the entrance doors. Staff reported that there was one (1) Change Order for installation of a maintenance access panel, automatic flush valves, relocation of the air changer, dry rot repair to the floor in the plumbing chase, and credit for replacement of the doorframe in the amount of \$4,917.07, bringing the new contract amount for the ADA upgrades to \$142,917.07. The Architect's estimate for the project was \$240,000.

One (1) Change  
Order; New  
Contract Amount

Inspection  
Completed

Following an inspection of the project, and finding the work completed in accordance with the plans and specifications, Staff recommended acceptance of completion of the contract.

It was moved by Director Andrade, second by Director Waespi, and unanimously carried to adopt the following:

R-0809-87  
Acceptance  
Of Contract

Resolution No. R-0809-87, accepting completion of the contract for the ADA upgrades to the restrooms at the Hayward Senior Center in accordance with the plans and specifications and terms of said contract.

Board and Staff  
Comments

Director Andrade stated that the Hayward Senior Center Programs were successfully relocated to the Kenneth C. Aitken Senior Center in Castro Valley during the duration of the project. Staff stated that the refurbishment and the new fixtures are working well, and added that the participants are very happy with the upgrades. The Board of Directors complimented the renovation in general, including the automatic front entrance doors. Director Hodges referred to the

Seniors Compliment  
ADA Upgrades And  
Improvements

**HAYWARD SENIOR CENTER (Continued)**

Architect's estimate in the amount of \$240,000, and completion of the aforementioned project in the amount of \$142,917.07, which included the Change Order.

**DISTRICT-WIDE**

Resurfacing of Seven (7) Tennis Courts - Presentation of Staff Report

Staff reported that on February 23, 2009, the Board of Directors awarded a contract for the resurfacing of seven (7) tennis courts in the District to American Asphalt Repair and Resurfacing of Hayward in the amount of \$30,150. Staff's estimate for the resurfacing of three (3) tennis courts at Castro Valley Community Park, two (2) tennis courts at Bay Trees Park, and two tennis courts at Stonybrook Park was \$70,000. Staff stated that due to the low bid received, Staff accepted the add-on alternate for resurfacing an additional tennis court as part of the contract, located at Stonybrook Park. Funds were available in the Repair and Maintenance of Buildings and Grounds Account for fiscal year 2008/2009.

Scope of Resurfacing Project

The scope of work included power-blowing the courts, cleaning the cracks with an air-hose, applying a leveling course of asphalt emulsion and two preparation coats prior to application of the final color coat, which consisted of two applications of full color acrylic mixed with sand, and a third coat without sand. The courts were stripped to the U.S. Tennis Association's specifications. Staff outlined one deductible Change Order for the Bay Trees Park tennis courts in the amount of \$2,860 for asphalt that was not needed, bringing the new contract amount to \$27,290.

One Deductible Change Order And New Contract Amount

Inspection Completed

Following an inspection of the project, and finding the work completed in accordance with the plans and specifications, Staff recommended acceptance of completion of the contract.

It was moved by Director Hodges, second by Director Jameson, and unanimously carried to adopt the following:

R-0809-88 Acceptance Of Contract

Resolution No. R-0809-88, accepting completion of the contract for the resurfacing of seven (7) tennis courts District-wide in accordance with the plans and specifications and terms of said contract.

Comments Director Andrade - Recent Favorable Bids Beneficial to H.A.R.D.

Director Andrade referred to the aging asphalt, coupled with the wear and tear throughout the District that he said Staff should inspect and pursue renovation should that be needed, especially in view of the favorable bids received by the District recently. Staff responded that they would be happy to explore the suggestion; however, would be dependent on funds available in the District's Capital Outlay budget.

**BOARD OF DIRECTORS'  
COMMITTEE REPORTS**

Personnel: It was moved by Director Andrade, with great pleasure, second by Director Hodges, and unanimously carried to adopt the following:

R-0809-89  
Appointment of  
Recreation  
Superintendent -  
Ms. Kerrilyn Ely

Resolution No. R-0809-89, appointing Ms. Kerrilyn Ely to the position of Recreation Superintendent, Item No. 1166, Compensation \$8,668/month; \$104,016 annually, effective May 1, 2009.

Presentation of  
Staff Report

Staff reported that a vacancy existed in the Recreation Department for the operation of the District's Recreation Department, facility scheduling and registrations. Staff received the eligible list from the Alameda County Human Resources Department and interviewed the top four (4) candidates on April 1, 2009 with Director Andrade, Chairperson of the Personnel Committee. Staff reported that Ms. Ely holds a Master's in Public Administration and is an active member of the Bay Area Pool Operators' Association (BAPOA), the California Park and Recreation Society (CPRS) and the National Recreation and Park Association (NRPA).

Eligible List from  
Alameda County  
Human Resources -  
Interviews Held on  
4/1/09

Ms. Ely First Hired  
By H.A.R.D. in  
March 2006 as  
Recreation Supervisor  
Responsible for the  
Aquatics Program

Ms. Ely came to work for the Hayward Area Recreation and Park District in March 2006 as Supervisor of the District's Aquatics Program and, since then, she has successfully supervised the Adult and Youth Sports Program, Camp Program, Tennis Program and the Disabled Program. She has earned the respect of her co-workers and continues to demonstrate her commitment to the District. Ms. Ely previously worked for the City of Oakland, the City of Union City and the City of Milpitas, where her reputation earned her the respect and admiration of colleagues from throughout the Bay Area. Staff stated that Ms. Ely has consistently shown her professionalism and dedication to the District and to the recreation profession at both the State and the National level. Staff concluded that Ms. Ely's background, expertise and reputation would be a tremendous asset to the District

Commitment and  
Professionalism to  
Recreation Profession

Staff Introduced  
Ms. Kerrilyn Ely  
Seated in the  
Audience

Staff introduced Ms. Kerrilyn Ely who was seated in the audience with her co-workers and friends. Ms. Ely extended her thanks to the Board of Directors and Staff for their confidence and thanked everyone for their support. Ms. Ely added that she was happy to take on the new challenges, excited for the opportunity and looked forward to working with everyone. Director Pereira thanked District personnel for their attendance and for their support of Ms. Ely, newly appointed Recreation Superintendent.

It was moved by Director Jameson, second by Director Waespi, and unanimously carried to adopt the following:

**BOARD OF DIRECTORS'  
COMMITTEE REPORTS**

(Continued)

R-0809-90  
Retirement of  
Senior Caretaker

Resolution No. R-0809-90, accepting the retirement of Mr. Jim Uhlik, Senior Caretaker, Item No. 1134, Compensation \$5,181/month; \$62,172 annually, effective April 30, 2009.

Mr. Uhlik First  
Hired on  
11/1/89 and  
Promoted to  
Senior Caretaker  
In 1990

Mr. Jim Uhlik was first hired by the District as a full-time Caretaker on November 1, 1989. During his employment with the District, Mr. Uhlik worked at Kennedy Park, Adobe Park, Carlos Bee Park and Sorensdale Park. In 1990 Mr. Uhlik was promoted to the position of Senior Caretaker, responsible for the north section crew, which covers the greater Castro Valley area.

It was moved by Director Andrade, with regret, second by Director Hodges, and unanimously carried to adopt the following:

R-0809-91  
Retirement of  
Caretaker

Resolution No. R-0809-91, accepting the retirement of Ms. Barbara Thomas, Caretaker, Item No. 1136, Compensation \$4,406/month; \$52,872 annually, effective May 31, 2009.

First Hired By  
H.A.R.D. on 5/1/89

Ms. Barbara Thomas was first hired by the District as a full-time Caretaker on May 1, 1989 and, prior to that, worked as an Hourly Caretaker at Kennedy Park. Barbara Thomas worked as a Caretaker at Fairmont Terrace Park, Fairmont Drive Linear Park, Ashland Park, Edendale Park, and Hillcrest Knolls Park and, more recently at Castro Valley Community Park, Eden Shores Park, Birchfield Park, Longwood Park and La Placita Park. Staff was pleased to add that Barbara Thomas has been a valuable employee and always maintained a high standard at all the parks that she was assigned.

Staff Outlines  
Park Facilities  
Assigned to  
Ms. Thomas

The Board of Directors extended their best wishes to the Mr. Uhlik and Ms. Thomas on their retirement.

It was moved by Director Jameson, second by Director Andrade, and unanimously carried to adopt the following:

R-0809-92  
Termination of  
Equipment  
Mechanic

Resolution No. R-0809-92, terminating the employment of Mr. Frank Mele, Equipment Mechanic, for cause, Item No. 1139, Compensation \$4,879/month; \$58,548 annually, effective March 26, 2009.

**BOARD OF DIRECTORS'  
COMMITTEE REPORTS**  
(Continued)

May 2009 is Drowning  
Awareness Month  
In Conjunction with  
C.P.R.S. and N.R.P.A.

Ensure Water  
Safety Awareness

Tragic Statistics is  
A Call for Action

Staff Outlines  
District's Water  
Safety Outreach  
Presentations  
And Community  
Outreach  
Efforts

Program, Policy and Public Relations: The Hayward Area Recreation and Park District in conjunction with the National Recreation and Park Association (NRPA), and the California Park and Recreation Society (CPRS), have joined forces to ensure that the residents of the District are "aware of water safety" during the month of May, which is the National Water Safety Month. Staff said that the District will promote water safety education to prevent drowning and reduce recreational water-related injuries which, according to the Centers for Disease Control and Prevention, is the *second* leading cause of death among children 0 to 14 years. Staff said that these tragic statistics must be a call to action for the residents of the District who are parents, caretakers and lifeguards and, together, everyone needs to be vigilant and attentive whenever a child is near or in any body of water.

During the month of May, the District's Aquatics staff will conduct water safety outreach presentations at local area schools, distribute drowning prevention information and encourage District residents to be aware of water safety and to learn to swim. Staff noted that the Karen M. Gordin Scholarship Fund donated \$500.00 to the Greater Hayward Area Recreation and Park Foundation to cover the promotional costs of this community outreach effort.

With the Board's proclamation, the Hayward Area Recreation and Park District will join forces nationally to promote May 2009 as "Drowning Prevention Month."

It was moved by Director Andrade, second by Director Waespi, and unanimously carried to adopt the following:

R-0809-93  
Proclamation of  
May 2009 as  
*Drowning Prevention  
Month* in the  
District

Resolution No. R-0809-93, proclaiming the month of May 2009 as *Drowning Prevention Month* to help raise the awareness of drowning and encourage all residents of the District to learn to swim and enjoy aquatics activities in collaboration with the California Park and Recreation Society's (CPRS) Drowning Prevention Campaign.

Ms. Kerrilyn Ely,  
Chairperson of  
CPRS *Drowning  
Is Preventable  
(DIP)* Campaign

Staff was pleased to report that Ms. Kerrilyn Ely, Recreation Supervisor, serves as Chairperson of the CPRS *Drowning is Preventable (DIP)* campaign. Director Andrade extended thanks to Staff for their effort in regard to the Campaign, and the promotion and education associated with the Campaign. He concluded that the Board of Directors of the Hayward Area Recreation and Park District is happy to support Staff's effort and the Campaign during the month of May 2009.

**BOARD OF DIRECTORS'  
COMMITTEE REPORTS**  
(Continued)

Tuberculin Skin  
Testing Policy Per  
Public Resources  
Code Section 5163

District Legal Counsel  
Recommended  
Compliance with  
Code; Positions  
Applicable to Code

Staff reported that Public Resources Code Section 5163 states that no person shall be employed by a city or county in connection with a park, playground, recreation center or beach in a position requiring contact with children or as a food concessionaire without being examined and found to be free of communicable tuberculosis. Although the Code does not specifically refer to Special Districts, such as the Hayward Area Recreation and Park District, Staff and District Legal Counsel recommended that the District comply with Section 5163. Staff also recommended that the Policy apply to volunteers and independent contractors, concession contractors, as well as employees whose positions have been designated by the District as required to provide proof of a negative TB test, with the initial test not less than two years old, and done every four years thereafter.

Staff reviewed the Tuberculin Skin Testing Policy with the Board's Program, Policy and Public Relations and Personnel Committee Chairpersons and recommended that the Board of Directors adopt the Tuberculin Skin Testing Policy, attached hereto.

Adoption of  
Tuberculin Skin  
Testing Policy

It was moved by Director Hodges, second by Director Jameson, and unanimously carried to adopt the Hayward Area Recreation and Park District's Tuberculin Skin Testing Policy in compliance with the Public Resources Code Section 5163.

**REPORT ON BOARD  
MEMBER ACTIVITIES**

Dedication -  
6/5/09; 10:30 a.m.

Director Hodges -  
CARPD Conference;  
4/24/09 & 4/25/09  
Cannery Park - *Best  
Renovated Facility  
Award of Distinction*

Director Andrade was pleased to report that the newly renovated Adobe Park in Castro Valley and the amenities therein are very well used and being enjoyed by everyone since the re-opening. He added that the improvements completed at the Park are not only a great asset to the area, but were much needed.

Staff reported that the dedication of the Adobe Park is scheduled on Friday, June 5, 2009 at 10:30 a.m.

Director Hodges reported that he was in attendance at the California Association of Recreation and Park District's (CARPD) Annual Conference on April 24<sup>th</sup> and April 25, 2009 in Lake Tahoe. He was pleased to announce that the Hayward Area Recreation and Park District's Cannery Park Renovation Project was selected for the *Best Renovated Facility Award of Distinction* by the CARPD Awards Committee, which he was very happy and proud to receive on behalf of the Board of Directors.

Mr. Richard Sheridan,  
Recipient of  
Outstanding Board  
Member Award

Director Hodges was also happy to report that Mr. Richard Sheridan, retired Board Member of the Hayward Area Recreation and Park District was in attendance at the CARPD Awards Banquet on Saturday, April 25<sup>th</sup> to personally receive CARPD's *Outstanding Board*

**REPORT ON BOARD  
MEMBER ACTIVITIES**  
(Continued)

Mrs. Carol Severin,  
Former H.A.R.D. Board  
Member – Recipient of  
*Lifetime Achievement  
Award*

*Member Award* for his thirty-two (32) years of outstanding and distinguished service as a Board Member.

Staff was pleased to add that Mrs. Carol Severin, former Board Member of H.A.R.D., now serving on the Board of Directors of the East Bay Regional Park District, was the honorable recipient of CARPD's *Lifetime Achievement Award* for her contribution and dedication to the park and recreation movement for many, many years.

Staff reported that the CARPD Awards Program was enjoyable and extended congratulations to Mr. Sheridan and Mrs. Severin on their well-deserved award.

Annual CPRS District  
III Awards and  
Installation Dinner -  
4/2/09  
H.A.R.D. Recipient  
Of Many Awards -  
Mr. Richard Sheridan,  
Recipient of *Lifetime  
Achievement Award &  
Cannery Park Received  
Outstanding Facility  
Design Award*

For information of the Board and for the record, Staff reported that the Hayward Area Recreation and Park District was recipient of many awards at the California Park and Recreation Society District III Awards and Installation Dinner held on Thursday, April 2, 2009 in the City of Dublin. Staff further announced that Mr. Richard Sheridan received the CPRS District III *Lifetime Achievement Award* in recognition of his dedication and contribution to parks and recreation during his term on the Board of Directors of H.A.R.D. (1976 to 2008), and the Hayward Area Recreation and Park District's Cannery Park was selected for the *Outstanding Facility Design Award*.

2009 Easter Egg Hunt  
and Bonnet Parade -  
2/11/09, Kennedy Park

Director Pereira reported that she was happy to attend and thoroughly enjoyed the Easter Egg Hunt and Bonnet Parade at Kennedy Park on Saturday, April 11<sup>th</sup>, where everyone had a great time, and an event that she enjoys annually.

Director Waespi -  
Report on Recent  
Community-wide  
And H.A.R.D  
Events

Director Waespi was happy to report that he too enjoyed the Kennedy Park Annual Easter Egg Hunt and Parade and commended Staff for an enjoyable and a well-run event. Director Waespi reported that he participated in the Earth Day activities and the Clean-up effort at Greenridge Park, which he said was a great community effort. He complimented the dog park at Earl Warren Park and the improvements completed at that park site, which he said are wonderful additions. In conclusion, Director Waespi reported that he attended Bill Owens – Five Decades of Photography Exhibition and Reception hosted by the PhotoCentral Program at the District Office on Friday, April 17<sup>th</sup>, which he also enjoyed immensely.

Next BOD Mtg. ;  
5/11/09; 7:00 p.m.

The next meeting of the Board of Directors will be held on Monday, May 11, 2009 at 7:00 p.m.

**ADJOURNMENT** There being no further business to discuss, President Pereira adjourned the meeting at 7:35 p.m.

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MINANE JAMESON, Secretary  
BOARD OF DIRECTORS