



Hayward Area Recreation and Park District

1099 "E" Street, Hayward, CA 94541
(510) 881-6700

MINUTES

November 9, 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 Pereira at 7:00 p.m. on Monday, November 9, 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, Lepore, Ely, Maharaj

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, October 26, 2009 at 7:00 p.m.

Finance

The Invoices payable and Warrants paying the Invoices were prepared and presented for Board of Directors' approval.

R-0910-30
Personnel

Adoption of Resolution No. R-0910-30, authorizing appointments and the separation of Hourly Employees.

PUBLIC COMMENTS

Mr. Ken Martin -
Donut Hole
Open Bocce Ball
Fundraiser -
11/14/09 at
Adobe Park

Mr. Ken Martin, 3785 Somerset Avenue, Castro Valley, extended his personal thanks to the Board of Directors and staff for waiving the rental fee for use of the bocce ball courts at the Adobe Park for the Donut Hole Open Bocce Tournament, hosted by the Buon Tempo Italian American Club on Saturday, November 14, 2009, with a rain date of November 21, to help raise funds for Mr. Sam Nuov, the donut shop operator, who was robbed and severely beaten recently. He said that proceeds from the tournament will go to Mr. Nuov.

Mrs. Betty Moose -
Request to be Put
On 11/23/09
Agenda

Mrs. Betty Moose, 1328 Via El Monte, San Lorenzo, requested to be placed on the November 23, 2009 H.A.R.D. Board of Directors' Agenda to address the Board on the 20th Anniversary Celebration of the Bay Trails held on Saturday June 6, 2009.

CLAIM FOR PERSONAL INJURY

Ms. Juanita Macias,
Claimant - Alleged
Injury – 8/14/09

Staff reported that the District received a claim from Ms. Juanita Macias regarding alleged personal injury sustained by Ms. Macias on August 14, 2009. The claim alleged that Ms. Macias was injured when an errant softball was thrown by a softball player from right field during a softball game at the Hayward Oliver Park, hitting her in the left eye/eyebrow as she sat in the bleachers. The amount of the claim is \$882.74. Staff recommended that the Board of Directors reject the claim under the provisions of Government Code Section 912.6, and that Staff be directed to notify Claimant, District Legal Counsel, and Insurance Broker.

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

Motion to Reject
Claim

Motion carried to reject the claim submitted under the provisions of Government Code Section 912.6, and directed Staff to notify claimant, District Legal Counsel and Insurance Broker.

CASTRO VALLEY CREEK PARK

Conditional License
Agreement with
Alameda County

Staff reported that as the future park property, located next to the Castro Valley Library on Norbridge Avenue is Alameda County property, it is necessary for the Hayward Area Recreation and Park District to enter into a Conditional License Agreement with Alameda County. Staff stated that they worked with Alameda County Staff to formulate an appropriate Agreement, which has been reviewed by the Hayward Area Recreation and Park District's Legal Counsel. Staff requested authorization to enter into a Conditional License Agreement with Alameda County for use of the future park to be developed on the Castro Valley Creek property.

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

R-0910-31
Entry into
Conditional License
Agreement with
Alameda County
For the Castro Valley
Creek Property

Resolution No. R-0910-31, authorizing the General Manager to enter into a Conditional License Agreement with Alameda County for the Castro Valley Creek property that would be developed as a park and operated by the Hayward Area Recreation and Park District.

Name of Future
Park Site, Next
To Castro Valley
Library

On October 30, 2009, the Board of Directors' Park Naming Committee convened to discuss a name for the future park site, next to the new Castro Valley Library, located on Norbridge Avenue in Castro Valley. Following due deliberation on a suitable name, Staff submitted the following recommendations for the park name for

**CASTRO VALLEY
CREEK PARK**
(Continued)

Recommendations
For Park Name

further discussion by the Board: Castro Valley Creek Park, Castro Valley Library Park, Teachers' Park, Educators' Park, James Kerr Park, Donald "Dobie" Gelles Park, Cascade Park, Molcaye Park, "Name of an Author" Park, Daylight Park, Boulder Park, Boulder Creek Park and Creek Park. Moreover, Staff recommended that the Park site next to the Castro Valley Library be named *Castro Valley Creek Park*.

Comments -
Director Waespi
Park Name in
Honor and in
Recognition of
Community Members'
Many Years of
Meaningful
Contribution to
The Community

The Board of Directors deliberated on the most appropriate name for the park site. Director Waespi said that Park Naming Ad Hoc Committee of the Board considered the names outlined by Staff in their report, some of which were suggested by members of the community. However, he said that it was his personal opinion that the park be named after a person to honor and recognize their many years of contribution and service to the community. He referred to the significant contributions of James Kerr and Donald "Dobie" Gelles to education in Castro Valley for many years. He said that they were great individuals and naming the park in their honor would be appropriate and not controversial. Likewise, he said that naming the park *Teachers' Park, Educators' Park, Name of the Author Park*, would attribute the contribution of teachers and educators to the community, and relevant.

Comments -
Director Andrade
Park Site Be Named
*Castro Valley Creek
Park* in the Interim

Discussion ensued on other suggested names for the park that were coherent with the immediate surroundings and the natural environment, as well as the new library and the creek (*Castro Valley Creek Park, Castro Valley Library Park, Cascade Park, Molcaye Park, Boulder Creek Park and Creek Park*). Director Andrade suggested that in the interim the park be given a generic name and be named Castro Valley Creek Park, which he pointed out, is very descriptive. Moreover, he pointed out that following development of the park, the District could receive input from the community, and consider a name that would be more widely accepted.

H.A.R.D's Naming
Of Parks and
Facilities Policy

Staff referred to the Hayward Area Recreation and Park District's *Naming of Parks and Facilities Policy* that outlines the manner in which new parks shall be named, existing areas renamed and specific areas within parks and facilities shall be named.

Comments -
Director Hodges
Re-visit the Naming
Following Development

Director Hodges said that naming the park *Castro Valley Creek Park* seems appropriate for now and suggested that the Board of Directors re-visit the naming following completion of development of the new park.

Comments -
Director Jameson

Director Jameson said that the *Castro Valley Creek Park* is a very nice name as it includes the creek and the new park in the name. She added that basic names are practical and help identify parks, for

**CASTRO VALLEY
CREEK PARK**
(Continued)

example, *Castro Valley Library Park* that precisely describes the park at the Castro Valley Library, and does not confuse it with another park.

Mrs. Betty Moose -
Encouraged the
Castro Valley Creek
Park Name

Mrs. Betty Moose, 1328 Via El Monte, San Lorenzo, speaking as a member of the community encouraged the Board of Directors to consider the Castro Valley Creek Park name for the simple reason that the name says it all, that is, the creek and the park at that location.

Comments -
Director Waespi

Director Waespi said that although he would be happy to go along with Castro Valley Creek Park, he reiterated his earlier comments that naming something after someone who has contributed a great deal to their community is very appropriate and should not be contentious.

Motion Carried to
Name the Park Site
Castro Valley Creek
Park in the Interim

Following Board of Directors comments and discussion, it was moved by Director Jameson, second by Director Hodges, and unanimously carried to name the future park site next to the Castro Valley Library on Norbridge Avenue, *Castro Valley Creek Park*, in the interim and to re-visit the subject of a permanent name for the *Castro Valley Creek Park* following development and at the Board's discretion.

Staff Comments -
Reflect Name in
The Scope of Work
And Documents

Staff said that they would reflect the *Castro Valley Creek Park* name in the scope of work for the contractor and in the construction documents, and for reference and identification of the site for the benefit of the public.

Approval of the
Castro Valley Creek
Park Master Plan -
Presentation of Staff
Report

Staff reported that they have been working with Gates and Associates, Landscape Architects of San Ramon, on the design of the new Castro Valley Creek Park. As the park area is very small, Staff said that the amenities in the park would be limited to seating, walkways, a play area and access to the bridge crossing Castro Valley Creek and to the existing amphitheatre on the Creek's bank that would be fenced off. Alameda County Public Works has installed a section of the walkway and access to the bridge. Staff presented some of the pertinent details that will be included in the park that would consist of synthetic rocks and ropes, benches and a seat wall around the perimeter of the play area. Staff briefly referred to the synthetic rocks that include New River Limestone, Tahoe Granite and Southwest Sandstone that blend with the surrounding area and will prove to be a nice addition and enhance the park.

Park Amenities

Comments -
Director Andrade

Director Andrade said that the future Castro Valley Creek Park would prove to be a popular venue and, undoubtedly, will be used to the maximum following completion. He suggested that a seating wall, 15 feet to 20 feet, that would also serve as the outlook, be considered in the design for use by students, the public, library staff

**CASTRO VALLEY
CREEK PARK**
(Continued)

and patrons during their visit to the park. With reference to security of the park, Staff responded that both H.A.R.D. and Alameda County would have a key for access to the park as necessary.

Development
Of Plans and
Specifications
Following Approval
Of Master Plan

Following discussion, Staff requested approval of the Castro Valley Creek Park Master Plan to allow Staff to proceed with development of plans and specification that would be presented to the Board of Directors in a future Board meeting for approval and to request authorization to advertise for bids for the development of the Castro Valley Creek Park.

Comments -
Mrs. Betty Moose

Mrs. Betty Moose, 1328 Via El Monte, San Lorenzo, said that she has visited the park site, which is ideally located and she could not think of a more perfect place for students to enjoy the atmosphere, learn about the creek and experience the feeling of life along the creek.

Adoption of
Castro Valley Creek
Park Master Plan

It was moved by Director Hodges, second by Director Jameson, and unanimously carried to adopt the Master Plan for the Castro Valley Creek Park.

**MISSION HILLS OF
HAYWARD GOLF
COURSE**

On September 8, 2009, Mr. Sherman Balch, Sr. contacted Staff about the extension of the cart path on the three par four holes at Mission Hills of Hayward Golf Course and any assistance that he could provide to help accomplish the work. Staff explained to Mr. Balch that due to the Hayward Area Recreation and Park District's current financial situation, funds were not available for the project at this time. Staff was pleased to report that Mr. Balch, Sr. generously offered to donate the installation of three cart paths, approximately 1,500 linear feet and seven feet wide, on hole number 3, 6 and 8. Staff said that the project would be completed by a licensed and reputable contractor at no cost to the District. Staff reported that plans and specifications for the cart path project were prepared by Mr. Wes Sakamoto, Landscape Architect.

Extension of
Cart Paths at
Mission Hills of
Hayward Golf
Course - Generous
Donation from
Sherman Balch, Sr.

H.A.R.D.'s Letter
Agreement with
Sherman Balch, Sr.
Reviewed by Legal
Counsel & B.O.D.
Standing Committees

With reference to the Hayward Area Recreation and Park District's Agreement Letter with Mr. Sherman Balch, Sr., Staff reported that the document was reviewed by Legal Counsel to insure that the project complies with the requirements of the California Labor Code, was reviewed by the Board of Directors' Standing Committees, including Mr. Balch, Sr., who is in agreement with the requirements.

Staff recommended that the Board of Directors accept the generous offer of Mr. Sherman Balch, Sr., and requested authorization for the General Manager to enter into an Agreement with Mr. Balch, Sr. to extend the cart paths at Mission Hills of Hayward Golf Course on Hole #3, #6 and #8.

MISSION HILLS OF HAYWARD GOLF COURSE (Continued)

Staff
Comments

For information of the Board, Staff briefly outlined the scope of the project that would not cause disruption to play at Mission Hills of Hayward Golf Course. Staff noted that all necessary steps would be taken by the contractor and staff to insure that both the workers and the golfers are safe during the duration of the project, which is estimated to take approximately seven days following the Board of Directors' acceptance of Mr. Sherman Balch, Sr.'s proposal. Staff said that delivery of cement to the project site would be closely monitored and limited to smaller trucks and smaller loads to minimize damage to turf, which Staff does not anticipate. Staff noted that re-useable dirt, soil and remnants from the project would be put away in the storage area for use in the future.

With no further discussion, it was moved by Director Waespi, second by Director Jameson, and unanimously carried to adopt the following:

R-0910-31
Entry into
Agreement
With Mr. Sherman
Balch, Sr.

Resolution No. R-0910-32, authorizing the General Manager to enter into an Agreement with Mr. Sherman Balch, Sr. to extend the cart paths on hole #3, #6 and #8 at Mission Hills of Hayward Golf Course under the terms of the Agreement Letter attached hereto.

The Board of Directors extended their heartfelt thanks to Mr. Balch Sr. for his generosity and thoughtful donation.

BOARD OF DIRECTORS' COMMITTEE REPORTS

Annual Board of
Directors' Awards
Committee -
2000

President's Report: The Board of Directors adopted a revised Annual Board of Directors' Awards Policy in February 1992, to recognize individuals and/or groups who have distinguished themselves on a voluntary basis to assist the District in its mission. The Policy states that the Board President shall appoint the Program, Policy and Public Relations Chairperson, and one other Board Member, plus two Staff representatives, to serve on a Committee to solicit nominations and select recipients for the Board of Directors' Awards each year.

Appointment of
Committee -
Two Board Members
And Two Staff
Members

President Pereira appointed Director Andrade, Chairperson of the Program, Policy and Public Relations Committee to chair the Awards Committee for 2009 with Director Waespi, along with Staff representatives, Mr. John Gouveia, Business Manager, and Ms. Kerrilyn Ely, Superintendent of Recreation, to serve on the Board of Directors' Awards Committee to review nominations and select recipients for 2009.

REPORT ON BOARD MEMBER ACTIVITIES

Director Waespi reported that he attended the Via Toledo Property public meeting on Saturday, November 7th, organized by the Alameda County Redevelopment Agency, which was attended

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

Director Waespi -
Via Toledo Property
Public Meeting

by active and interested members of the San Lorenzo community who presented lots of ideas on what they would like to see on the property that ranged from open space, to a community center/youth center and possibly a COPP Shop. He said that the community's preferences for the site appeared to be widespread. Staff said that the Alameda County Redevelopment Agency hopes to re-convene additional community meetings after close of Escrow in mid-December.

Comments -
Director Hodges

Director Hodges added that he was impressed with the balance in the audience and the attendees in favor of recreation amenities and respectful to the other choices and opinions for the Via Toledo property.

Director Jameson -
Bay Trail Meeting -
10/29/09

Director Jameson reported that she attended a Bay Trail meeting in Richmond on October 29th, and had an opportunity to visit one of the sections of the Bay Trail that she said is coming together quite nicely and will eventually complete an incredible Bay Trail system.

Director Waespi -
New Castro Valley
Library Grand
Opening -
10/31/09

Director Waespi reported that the grand opening of the new Castro Valley Library on Saturday, October 31st was a very successful and enjoyable event and the new Library, undoubtedly, one of the best things in Castro Valley in almost twenty years. He said that he also enjoyed volunteering time to transfer books from the old library to the new Library, held at 7:00 a.m. He said that the new Library is beautiful and will be enjoyed immensely by the community.

Director Pereira -
Meek Estate West
Terrace Community
Meeting – 11/2/09
At H.A.R.D.

Director Pereira reported that she attended the Meek Estate West Terrace Community Meeting at the District Office on Monday, November 2, 2009 at 6:30 p.m. She reported that the meeting was well attended and provided an opportunity for attendees to present their suggestions and ideas for the West Terrace Project, the most favored being an arboretum to include an educational/historical garden element, as opposed to a building. Staff said that they intend to prepare some preliminary sketches for the Board of Directors' review, followed by another meeting with the community. The Board of Directors said that the meeting on November 2nd provided an opportunity for the community to be heard and provide comments on the future design of the West Terrace Project.

Ideas and
Suggestions for
The West Terrace
Project

Director Waespi -
Cherryland Sidewalks
Project
Groundbreaking -
10/28/09

Director Waespi reported that he was joined by fellow Board Members to the groundbreaking ceremony of the Cherryland Sidewalks Project held on October 28th, organized by the Alameda County Redevelopment Agency to celebrate the construction of the sidewalks and improvements. He added that Meek Estate on Hampton Road definitely compliments those improvements.

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

Adobe Art Galllery
Water Color Show
And Maintenance
Of Adobe Park

Director Jameson reported that she enjoyed the Water Color Show of award-winning accomplished watercolor painters exhibited at the Adobe Art Gallery. She encouraged her fellow Board Members to visit the Show that will run until December 8, 2009.

Veteran's Day
Holiday for
H.A.R.D.

Director Jameson complimented the general appearance of the new Adobe Park and extended her thanks to District personnel for maintenance of the facility.

Next B.O.D. Mtg.,
11/23/09; 7:00 p.m.

Staff reported that the District Office will be closed on Wednesday, November 11, 2009 for Veteran's Day and will re-open on Thursday, November 12th for regular business. All emergency services in the District will be covered on November 11th.

The next meeting of the Board of Directors is scheduled on Monday, November 23, 2009 at 7:00 p.m.

ADJOURNMENT

In Memory of Dalmacio
Macadaan, Sr., Retired
H.A.R.D. Caretaker

There being no further business to discuss, President Pereira adjourned the Board Meeting at 7:55 p.m. in memory of the late Dalmacio Macadaan, Sr., Caretaker of the Hayward Area Recreation and Park District, who retired in March 1990 after twenty years of service, and passed away on October 30, 2009.

MINANE JAMESON
Secretary, Board of Directors