



Hayward Area Recreation and Park District

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

MINUTES

March 22, 2010

MEETING

The Regular Meeting of the Board of Directors of the Hayward Area Recreation and Park District was called to order by President Paul W. Hodges, Jr. at 7:00 p.m. on Monday, March 22, 2010 in the Board Room of the Administration Building at 1099 'E' Street, Hayward, California.

BOARD OF DIRECTORS' CLOSED SESSION

President Hodges announced that the Board of Directors would adjourn the meeting to hold a Closed Session scheduled at 6:00 p.m. to meet with designated Staff representatives to discuss a two-acre property located at 18651 Via Toledo, San Lorenzo.

RECONVENE TO REGULAR SESSION

The Board Meeting reconvened at 7:00 p.m. and was followed by the Pledge of Allegiance and Roll Call.

PLEDGE TO FLAG

The Pledge of Allegiance was followed by Roll Call.

PRESENT

Directors: Andrade, Hodges, Jameson, Pereira, Waespi

Staff: Shue, Silva, Gouveia, Lepore, Ely, Maharaj

CLOSED SESSION ANNOUNCEMENT

President Hodges reported that there was no announcement to make from the Closed Session held at 6:00 p.m. on this date.

MONTHLY VOLUNTEER RECOGNITION AWARD

Mr. Clyde Ortiz -
February 2010
VOM – Senior
Tuesday Program,
Ashland Comm. Ctr.

Staff introduced Mr. Clyde Ortiz who was selected for the Monthly Volunteer Recognition Award for February 2010 for his volunteer work in the Senior Tuesday Program at the Ashland Community Center where he has been a dedicated volunteer for the last seven years. President Hodges congratulated and presented the Monthly Volunteer Recognition Award to Mr. Ortiz and extended the Board of Directors thanks for his fervor and fascination for music that the seniors at the Ashland Community Center continue to derive great entertainment from.

Volunteer Provides
Entertainment

And Plays a Variety
Of Music from his
Personal Collection

Staff reported that Mr. Ortiz goes to great lengths to insure that good music is available. His desire to share his appreciation for music drives him to be a part of a program centered around older adults. In his spare time, he makes CD's from his music collection from the 1940's to the present, aiming to provide the seniors with an opportunity to listen, enjoy and be exposed to various artists and a variety of music that otherwise may not be available to them.

**MONTHLY VOLUNTEER
RECOGNITION AWARD**
(Continued)

Family Members
Introduced

Mr. Ortiz thanked the Board of Directors and Staff for the recognition award and said that it would be a great pleasure to play music from the 40's, 50's and 60's, should anyone be interested. He also introduced family members who joined him to the meeting – his wife, Beverly; daughter, Debbie, and son-in-law George Repoza, who is a District employee at Skywest Golf Course.

Eligible for
VOY Award

His picture will be displayed in the District Administration Office as the Monthly Volunteer Recognition Awardee for February 2010. In addition, he will be eligible for the Volunteer-of-the-Year Award for 2010.

Comments -
Ms. JoAnn Irons,
Ashland Community
Center Coordinator

Ms. JoAnn Irons, Ashland Community Center Coordinator, extended her thanks and appreciation to Mr. Ortiz for the music that he brings every Tuesday to the Senior Program. She was pleased to add that music, which is very important in people's lives, encourages the seniors to attend the program.

PUBLIC COMMENTS

Mr. Ken Martin,
Castro Valley,
Outlined His
Concerns and
Ongoing Problems
At the Adobe Park
Bocce Ball Courts

Mr. Ken Martin, 3785 Somerset Avenue, Castro Valley, outlined problems that the bocce ball players continue to encounter at the bocce ball courts at Adobe Park, which is inundated by bicyclists and skateboarders who cause serious and costly damage to the courts. He pointed out that 95% of the maintenance is provided by the bocce ball players and they now need the District's help with posting a sign to prohibit bicycles and skateboards. Mr. Martin said that such a sign would give them authority to enforce the rules. He further requested that a tool shed be provided for the storage of tools and materials that the bocce ball players need on an ongoing basis to maintain and repair damage to the bocce ball court surface.

Item Referred
To Staff

President Hodges referred the matter to Staff for their review and to discuss resolutions.

Mr. Jesus Armas,
Former Hayward
City Manager, and
Newly Appointed
Interim Board
Member of the
Hayward Unified
School District

Mr. Jesus Armas, 22561 Main Street, Hayward, former Hayward City Manager, and recently appointed as Interim Board Member of the Hayward Unified School District, said that he was very happy to be in attendance at the meeting to let Board Members and staff know how much he enjoyed working with H.A.R.D. as Hayward City Manager, during which time a great deal was accomplished by working together. Some of those he highlighted as the Alden E. Oliver Sports Park of Hayward, Stonebrae, enhancement of the Hayward Shoreline, and the Burbank School/Cannery Park Redevelopment, which he referred to as the *jewel*, all made possible by three government entities who enjoyed working together.

Continue to Work
Collaboratively with
H.A.R.D.

In his capacity as Interim School Board Member, Mr. Armas reiterated his commitment, and pledged to work collectively and collaboratively with the H.A.R.D. Board of Directors and Staff.

CONSENT CALENDAR

It was moved by Director Pereira, second by Director Waespi, and unanimously carried to approve the Consent Calendar as set forth below.

Minutes

The Minutes of the Regular Meeting of the Board of Directors on Monday, March 8, 2010 at 7:00 p.m.

Finance

Acceptance of the Finance Report for February 2010.

CALIFORNIA SPECIAL DISTRICTS ASSN. - ALAMEDA COUNTY CHAPTER

Honorable Doug Siden, President of Alameda County Chapter CSDA and President 2010 of the East Bay Regional Park District Addressed Board of Directors

Honorable Doug Siden, President of the Alameda County Chapter of the California Special Districts Association, and 2010 President of the East Bay Regional Park District Board of Directors, addressed the Board and made comments on the 20th Anniversary of the Alameda County Special Districts Association, formed in 1990. He briefly referred to the history of the Alameda County Chapter and acknowledged the Hayward Area Recreation and Park District's role in the formation of the Chapter, which he was pleased to report continues with the active participation of the H.A.R.D. Board Members and Staff. Mr. Siden, in extending his appreciation and thanks, acknowledged Director Andrade's leadership and representation on the Alameda County Special Districts Association, and his service as Special District Alternate Member on the Alameda Local Agency Formation Commission (LAFCo), to which he was automatically re-elected as no other nomination was received by April 12, 2010. He referred to the participation of the East Bay Economic Development Alliance in the events of the Alameda County Special Districts Association, for example the annual banquet.

20th Anniversary of Of Alameda County Chapter Formed in 1990

"Repair California" Coalition to Revise The California Constitution

Mr. Siden spoke about the "Repair California," a coalition that was formed to revise the California Constitution. He pointed out that the Bay Area Council that filed the *Citizens' Limited Constitutional Convention* initiative included other forms of local government, but not Special Districts in the delegate selection process, which necessitated adoption of a Resolution by the Alameda County Chapter Special Districts Association to explicitly support including Special Districts in the County selection process, a copy of which he shared with the Board and Staff. He said that it is important for all special districts to be vigilant, remain visible, and make their presence known as an important part of local government.

Initiative Excludes Special Districts In the Selection Process; Adoption Of Resolution

Comments - Director Andrade, Member of Alameda County Chapter CSDA And Special District Alt. Member on LAFCo

Director Andrade on behalf of the Board extended thanks to Mr. Siden for his comments and for recognizing the Hayward Area Recreation and Park District and his participation on the Alameda County Chapter and LAFCo. He referred to the important services that all Special Districts provide, yet they continue to operate under severe financial constraints caused by the State's annual budget deficit.

CALIFORNIA SPECIAL DISTRICTS ASSN. - ALAMEDA COUNTY CHAPTER (Continued)

Director Waespi extend his appreciation to Mr. Siden for his hard work and contribution on the Alameda County Chapter CSDA since 1990. He was pleased to add that it is a pleasure to attend the events of the Chapter, which are always enjoyable and enlightening.

President Hodges - Extended Congratulations on 20th Anniversary

President Hodges also extended thanks to Mr. Siden for his attendance and presentation at the Board Meeting and congratulated the Alameda County Special Districts Association on their 20th Anniversary this year.

Presentation of Agenda Adjusted to Accommodate Audit Presentation

Staff requested that the Board of Directors adjust the presentation of the Agenda to accommodate the Hayward Area Recreation and Park District's Fiscal Year 2008/2009 Audited Financial Statement and Management Report by Mr. Jean Batac of Patel & Associates.

BOARD OF DIRECTORS' COMMITTEE REPORTS

2008/2009 Audited Financial Statements And Management Report

Finance: Mr. Jean Batac, representing the auditing firm of Patel & Associates, 266 178th Street, Suite 200, Oakland, California, stated that he was the Audit Manager in charge of the audit of the basic financial statements of the Hayward Area Recreation and Park District for fiscal year 2008/2009. He said that a copy of the Financial Statements and the Auditor's Report was mailed directly to individual Board Members for their review.

Presentation by Mr. Jean Batac of Patel and Associates, Oakland - Auditing Conducted in Accordance with the Generally Accepted Auditing Standards

He reported that the audit was conducted in accordance with the auditing standards generally accepted in the United States and applicable to financial audits contained in Government Auditing Standards, issued by the Comptroller General, which requires the auditor to plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement. Mr. Batac reported that the audit included an examination, on a test basis, of evidence supporting the amounts and disclosures in the financial statements, an assessment of the accounting principles used and significant estimates made by management, including an evaluation of the overall financial statement presentation. Mr. Batac reported that in the opinion of the independent auditor, the financial statements of the District present fairly, in all material respects, the respective financial position of the District as of June 30, 2009 and in conformance with generally accepted accounting principles. In conclusion, he stated that the Independent Auditor's Report in accordance with Government Auditing Standards, was issued on their consideration of the Hayward Area Recreation and Park District's internal control in compliance with provisions of laws, regulations, contracts and grant agreements. With regard to internal control over financial reporting, Mr. Batac said that there were no significant deficiencies that needed to be reported.

Financial Statements Of the District as of June 30, 2009 in Conformance with Accounting Principles

No Significant Deficiencies Reported

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

Director Andrade referred to the Auditor's report and said that he was glad to know that the financial statements of the District for the year ended June 30, 2009, are free of material misstatements, in compliance and operating smoothly and correctly.

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

Acceptance
Of Fiscal Year
2008/2009 Audited
Financial Statements
Of H.A.R.D.

Motion carried to adopt the Hayward
Area Recreation and Park District's
Fiscal Year 2008/2009 Audited Financial
Statements and Auditor's Report as
prepared and presented by Patel & Associates,
Certified Public Accountants of Oakland,
California.

Staff Extended Thanks
To Audit Manager for
Timely Completion
And Presentation of
Audit Report

Staff extended their thanks to Mr. Batac for his hard work and timely completion of the Audit Report, and said that it was a pleasure working with him throughout the process of the audit.

**DISTRICT-WIDE
TELEPHONE
ANSWERING SERVICE**

Presentation of
Staff Report --
Request to
Distribute Request
For Proposals for
Telephone Answering
Service

Staff reported that the District has used an answering service for after-hours communication for decades. The District covers over sixty-four square miles and operates over one hundred parks and facilities, serving over 270,000 residents, so the need for an after-hours answering service is evident. For background information of the Board, Staff stated that the District switches to its answering service beginning at 5:00 p.m. Monday through Thursday, and switches back at 8:30 a.m. the next day. On Fridays the switch takes place at 5:00 p.m. and lasts through the weekend until 8:30 a.m. Monday. The service is used during District holidays. Typical calls can include requests for maintenance or repairs, alarms, to report illegal park activities and the dispatch of the District's Park Rangers. Calls can come from members of the public or staff, sometimes on an emergency basis, and the service is tasked with notifying the proper personnel based on a call-out list provided to the Answering Service by the District. AA Professional Communications of Reno, Nevada, which was previously located in Hayward, is currently providing the answering service.

Answering Service
Days and Times,
Including Holidays
Provided by AA
Professional
Communications

Staff Requested
Authorization to
Distribute RFP Due
At 5:00 p.m. on
Friday, 4/9/10

Staff said that as there has not been a request for bids for the answering service for quite some time. Staff reported that they have developed a Request for Proposals for the Telephone Answering Services and requested authorization to distribute the RFP to potential bidders, including AA Answering Service, due at 5:00 p.m. on Friday, April 9, 2010. Staff said that a recommendation to enter into an agreement with the most qualified bidder for the Hayward

**DISTRICT-WIDE
TELEPHONE
ANSWERING SERVICE**
(Continued)

Board and Staff
Comments -
District Policy on
Rotation of an
Ongoing Service
Or Contract

Area Recreation and Park District's answering service would be presented to the Board in their meeting on Monday, April 26, 2010. Discussion ensued on the absence of a District policy on the rotation of a service or contract, which Board Members felt would not only be practical, but would help obtain competitive prices for basic services that are ongoing. For information of the Board, Staff reported that the cost of the service provided by AA Answering Service is determined by the volume of calls received per month, and averages around \$400 per month. Staff responded they would be happy to create a District policy with input and a comparison of the policy of other agencies on the subject.

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

R-0910-52
Authorization to
Distribute Request
For Proposals (RFP)

Resolution No. R-0910-52, authorizing the General Manager to distribute the Request for Proposals for the Hayward Area Recreation and Park District's after hours answering service to be submitted by 5:00 p.m. on Friday, April 9, 2010, in accordance with the District's specifications.

GOLF DEPARTMENT

Purchase of
Jacobsen LF-3800
Fairway Mower from
CMAS Authorized
Agent

Staff recommended purchase of a new Jacobsen LF-3800 Fairway Mower from Golf Ventures of Hayward, an authorized agent of the State of California Multiple Award Schedule (CMAS). The District has previously utilized CMAS, which has proven to be cost-effective. The purchase price of the Jacobsen LF-3800 Mower is \$51,935.62. Funds are available from the 2009 City of Hayward In-lieu Fees encumbered for the purchase of a new mower for Skywest Golf Course.

Presentation
Of Staff Report -
Existing Toro 4000
Fairway Mower
Purchased in 2001
And Costly Repairs
Necessary

Staff reported that the new mower would replace the Toro 4000 Fairway Mower that was purchased in February 2001 and has logged 9,300 hours or 558,000 highway miles. For information of the Board, Staff reported that the normal life expectancy of the mower is five years or 5000 hours. Staff also outlined the extent of damage to the existing mower, which is inoperable and in need of costly repairs in excess of \$30,000. For information of the Board, Staff reported that metal parts from the Toro 4000 mower would be salvaged where possible and the mower will eventually be declared surplus to the District.

Staff requested authorization to expend funds not to exceed \$51,935.62 for the purchase of a new Jacobsen LF-3800 Fairway Mower through the State of California Multiple Award Schedule.

GOLF DEPARTMENT
(Continued)

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

Authorization
To Expend
Funds

Authorization to expend funds not to exceed \$51,935.62, for purchase of a new Jacobsen LF-3800 Fairway Mower from Golf Ventures of Hayward, authorized agent of the State of California Multiple Award Schedule (CMAS).

Staff Introduced
Mr. George Repoza,
Skywest Golf Course
Caretaker

Staff introduced Mr. George Repoza, who remained at the Board Meeting after presentation of the Monthly Volunteer Recognition Award, to await Board of Directors' approval for purchase of the Jacobsen Mower for Skywest Golf Course, where he is a full-time Caretaker and operates the mower.

**HAYWARD
SHORELINE
PROPERTY LEEVE
REPAIR**

Staff reported that in 1999, the San Francisco Bay Conservation and Development Commission (BCDC) approved the Caltrans permit to widen the San Mateo-Hayward Bridge, which required Caltrans to put \$100,000 into an interest bearing account for the Hayward Area Recreation and Park District's Shoreline Enhancement Plan. In 2005, the District used approximately \$53,000 to undertake repairs of a portion of the San Francisco Bay Trail. Staff said that approximately \$69,676, which is the current balance of the fund, with interest, has been made to the District by BCDC to fund the purchase of approximately 470 tons of quarter-ton rip rap rock for repair of the San Francisco Bay Trail Levees. The rip rap rock will be delivered and stored at the Hayward Shoreline in readiness for the repair phase of the project. Staff requested approval of specifications and requested authorization to advertise for bids to be opened at 1:30 p.m. on April 9, 2010 for the purchase and delivery of quarter-ton rip rap rock for the Hayward Shoreline property levee repair.

Purchase of
Rip Rap Rock -
Presentation of
Staff Report - Funds
From CalTrans
For Enhancement
Project

Staff Comments -
Repair of the Levees
Damaged During the
2006 Storm

For background information of the Board, Staff outlined plans for the rip rap rock that would be stored at the Shoreline until repair of the levees can proceed to restore their original condition.

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

R-0910-53
Approval of
Specs; Call for
Bids; 4/9/10 -
1:30 p.m.

Resolution No. R-0910-53, approving specifications and calling for bids for the purchase of rip rap rock for the Hayward Shoreline property levee repair, with bids to be opened at 1:30 p.m. on Friday, April 9, 2010.

**REPORT ON BOARD
MEMBER ACTIVITIES**

Ashland Community
Center Renovation

Director Andrade requested the status of completion of the Ashland Community Center restroom upgrades and kitchen renovation project. Staff responded that the contractor is currently completing the minor punch list items and acceptance of the project will be presented to the Board in their April 2010 meeting.

Director Andrade -
Visit to the Ellis
Creek Water
Recycling, Petaluma

Director Andrade reported that he visited a water recycling facility in Petaluma that opened last year, which he said is a state-of-the-art system, integrated with hiking, walking and bike trails, along with a diversity of ecosystems, which he said is very attractive and enjoyable.

Director Waespi -
Referred to the
Very Enjoyable
Retirement Party
In Honor of Rick
Silva – 3/18/10,
Skywest Golf Course

Director Waespi referred to the retirement party held on Thursday, March 18th at the L.A. Jr. Critzer, Clubhouse at Skywest Golf Course, in honor of Mr. Rick Silva, the District's Golf Operations Manager, who will be retiring on March 26th, after 22.5 years of service with the District. He said that the reception was very enjoyable and thanked Staff for planning a retirement party that he said Mr. Silva truly deserved.

Director Jameson -
Opening Reception
Of PhotoCentral's
Spring Exhibition -
3/12/10

Director Jameson referred to the Opening Reception of PhotoCentral's Spring Exhibition held on Friday, March 12th, which she said was well attended and very enjoyable. She said that the spring show currently on exhibit in the PhotoCentral Gallery and the Administration Office is phenomenal. Board Members concurred.

Retirement Farewell
Coffee for Mr. Silva;
3/26/10; 8:30 a.m.

Staff reminded the Board that a retirement farewell coffee for Mr. Silva will be held in the District Office Conference Room on Friday, March 26th at 8:30 a.m.

Comments -
Mr. Rick Silva

Mr. Silva, as he attended his last Board Meeting as Golf Operations Manager, extended his sincere thanks and appreciation to the Board of Directors and his fellow Staff members for their help and support over the years. He concluded that it has been a privilege and a great pleasure working for the Hayward Area Recreation and Park District since September 1987. Mr. Silva said that he thoroughly enjoyed his retirement reception on March 18th and thanked fellow Staff members and District personnel for organizing the reception, where everyone had a great time.

In Attendance at His
Last Official Board
Meeting as Golf
Operations Manager

Next B.O.D. Mtg.;
4/12/10; 7:00 p.m.

The next meeting of the Board of Directors will be held on Monday, April 12, 2010 at 7:00 p.m. The Board Meeting will be preceded by a Work Session on the Hayward Area Recreation and Park District's fiscal year 2010/2011 Budget.

ADJOURNMENT

There being no further business to conduct, President Hodges adjourned the Board Meeting at 7:45 p.m.

DENNIS WAESPI, Secretary
Board of Directors