



Hayward Area Recreation and Park District

1099 "E" Street, Hayward, CA 94541

(510) 881-6700

MINUTES

April 12, 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, April 12, 2010 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, Gouveia, Lepore, Ely, Maharaj

B.O.D. BUDGET WORK SESSION

The Board of Directors met in a Budget Work Session at 5:30 p.m. to discuss the Hayward Area Recreation and Park District's Proposed Budget for fiscal year 2010/2011.

PUBLIC COMMENTS

Mr. Ernest Pacheco -
Presented Updated
Information on
Emissions from the
Proposed Russell
City Energy Center
Power Plant in
Hayward

Use of H.A.R.D.
In Calpine's Publicity

Shoreline Use
Survey

Copies of Letters
And Emission Data
Distributed

Mr. Ernest Pacheco, 22650 Main Street, Hayward, addressed the Board of Directors about Russell City energy Center's proposed 600-megawatt fossil fuel power plant, to be located at 3862 Depot Road in Hayward. He updated information previously presented to the Board of Directors relative to the emission of toxic air contaminants and greenhouse gas emissions. Mr. Pacheco reiterated their support of the H.A.R.D. Board of Directors' decision to not support construction of the Russell City Energy Center in Hayward. He pointed out that CalPine is using the Hayward Area Recreation and Park District's Shoreline Interpretive Center, and stock photos in their Press Releases and communication with other agencies, which reflects that CalPine is working with H.A.R.D. and the E.B.R.P.D. who support the power plant. Mr. Pacheco said that it is important for the Hayward Area Recreation and Park District to communicate with CalPine to reiterate their position on the subject of the power plant. Mr. Pacheco also requested information on the Shoreline Use Survey being conducted by H.A.R.D. on use of the Hayward Shoreline amenities should there be a power plant constructed. He said that if there is going to be a serious impact on the resources and programs of H.A.R.D., that the results be communicated to the regulatory agencies; otherwise, he said that H.A.R.D. will be left out. Copies of letters to State Legislators from the Sierra Club, Chabot Las Positas Community College District, along with data on emissions from the power plant were distributed to the Board and Staff for their review and information.

PUBLIC COMMENTS

Mr. Andy Wilson -
California Pilots
Association -
H.A.R.D. Board to
Reiterate Their
Power Plant Decision

Mr. Andy Wilson, 31438 Greenbrier Lane, Hayward, said that he concurred with comments made by Mr. Pacheco and also expressed concerns about CalPine using H.A.R.D.'s name in their publicity. He said that he would like to see the H.A.R.D. Board of Directors reiterate their position to CalPine on the Russell City Energy Center. Mr. Wilson referred to issues and problems of the California Pilots Association with regard to hazards to the Hayward Executive Airport from the power plant, including limitation of airspace use if the power plant is constructed.

Mr. Rob Simpson -
Complimented
H.A.R.D.'s Services
And Facilities

Mr. Rob Simpson, 27126 Grandview Avenue, Hayward, commended the Board of Directors and Staff. He extended his appreciation for the services that H.A.R.D. provides for the enjoyment of the community, along with their many beautiful resources, all of which would be impacted by construction of a huge, ugly, and noisy power plant and, undoubtedly, a diversion from the assets of H.A.R.D. He referred to CalPine's \$10 million donation to the City of Hayward to help build a new public library. Mr. Simpson said that H.A.R.D. should mitigate the huge impact of the power plant on their assets. He referred to the involvement and ongoing activities of various groups and individuals who are opposed to the Russell City Energy Center in Hayward, along with appeals at the Federal level. He stated that he appreciates H.A.R.D.'s decision on the matter, which he felt should be reiterated to help clarify their position and move forward.

Impact on H.A.R.D.'s
Assets from Power
Plant – Mitigate
Impact; and Reiterate
H.A.R.D.'s Decision on
the RCEC

Director Waespi referred to comments about the use of stock photographs of the Interpretive Center, in CalPine's publicity and the legality thereof.

Director Andrade -
H.A.R.D.'s Decision
To Be Reiterated;
Refer Item to a
B.O.D. Ad Hoc
Committee

Following the conclusion of the Public Comments, Director Andrade stated that the Hayward Area Recreation and Park District has made a decision on the Russell City Energy Center, which he said can be misinterpreted. Therefore, he said that it would be beneficial to the Hayward Area Recreation and Park District to clearly reiterate their decision. He requested that the matter be referred to a Board of Directors' Ad Hoc Committee.

Russell City Energy
Center Ad Hoc
Committee Formed

President Hodges appointed the Board of Directors Program, Policy and Public Relations Chairperson (Director Pereira), and Director Jameson, who volunteered her services on the Ad Hoc Committee.

CONSENT CALENDAR

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

CONSENT CALENDAR
(Continued)

The Minutes of the Regular Meeting of the Board of Directors on Monday, March 22, 2010 at 7:00 p.m.

Finance

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

R-0910-54
Personnel

Adoption of Resolution No. R-0910-54, authorizing appointments and the separation of Hourly Employees.

**TRI-CED COMMUNITY
RECYCLING, UNION
CITY**

Staff introduced Mr. Richard Valle, Executive Director of Tri-CED Community Recycling, Union City, for a presentation to the Board of Directors on their proposed community partnership program, T.R.E.E. Trailer, a mobile education trailer that will provide environmental education to students, K-5, in Union City and Hayward.

Tri-CED Recycling
Environmental
Education
Trailer -
T.R.E.E. Trailer

Mr. Valle presented general background information on Tri-CED Community Recycling, formed in January 1980 as a non-profit corporation and headquartered in Union City. He shared statistics of Tri-CED's employees who have an opportunity to turn their lives around and achieve academic success. Mr. Valle outlined plans for creation of a \$4 million environmental education center at Tri-CED in conjunction with Chabot College and the New Haven Unified School District, who will be taking the lead role in creating an environmental education curriculum. He outlined pertinent details of the Tri-CED Recycling Environmental Education (T.R.E.E.) Trailer, a collaborative funding effort of various agencies, which will consist of state of the art electronic equipment and work stations, including logos of the participating partners that he hoped would include H.A.R.D., which will be driven to schools, parks and other public places to deliver environmental education programs to students year-round. He spoke about the success of similar mobile learning centers in the City and County of Los Angeles and other parts of the country. Mr. Valle stated that with the successful collaboration of various community partners, which he hoped would include H.A.R.D., the Recycling Environmental Educational Trailer would be in operation by the next school year. He referred to the City of Union City's approval of Import Mitigation Fee Funds from the Alameda County Waste Management Authority to help with construction of the T.R.E.E. Trailer, and said that the City of Hayward is in the midst of reviewing their support from a similar funding source.

Presentation to the
Board of Directors
By Mr. Richard Valle,
Executive Director,
Tri-CED

Collaborative
Funding Project and
Components of Mobile
T.R.E.E. Trailer

T.R.E.E. Trailer
Anticipated to be
In Operation in the
New School Year

Continue to Work
With H.A.R.D. Staff
To Seek Support

Mr. Valle said that he would follow up his presentation with more information to Staff to further discuss the potential of H.A.R.D.'s assistance with a one-time investment to help the project and the addition of the H.A.R.D. logo on the T.R.E.E. trailer.

**TRI-CED COMMUNITY
RECYCLING, UNION
CITY (Continued)**

B.O.D. Complimented
T.R.E.E. Trailer
Concept and Use
Thereof

Requested Staff to
Research Mitigation
Fund Availability and
Work with Tri-CED

Following Mr. Richard Valle's presentation, the Board of Directors complimented the environmental education concept of the mobile trailer and discussed the use of the T.R.E.E. trailer in the Hayward Area Recreation and Park District programs, fairs and events. Board Members also referred to the limited access of the 40-foot mobile trailer to the Hayward Shoreline Interpretive Center and the Sulphur Creek Nature Center. Director Hodges suggested that Staff explore the availability of similar mitigation funds to determine the scope of the Hayward Area Recreation and Park District's partnership, and requested Staff to continue working with Tri-CED. Director Waespi in extending his compliments to the project, said that he hoped that mitigation funds could be found to deliver the program to Castro Valley and San Lorenzo.

**SHORELINE PROPERTY
LEVEE REPAIR**

Purchase of
Rip Rap Rock
Report on Bid Opening -
4/9/10; 1:30 p.m.
Four (4) Bids
Submitted

Presentation of
Staff Report

San Francisco Bay
Conservation and
Development
Commission (BCDC)
Fund Availability

Phase I
Repair of the
Levee

Comments -
Director Andrade
Completion of
Entire Levee Repair

Staff reported that four bids were received and opened at 1:30 p.m. on Friday, April 9, 2010 for purchase of 1,866 tons of rip rap rock for the Shoreline property levee repair. The bids ranged from a high bid in the amount of \$94.50 per ton, to a low of \$37.34 per ton submitted by Foothill Materials of Valley Springs. Staff recommended acceptance of the low bid and award of the purchase contract to Foothill Materials of Valley Springs, California, in accordance with the terms of the bid submitted by said contractor.

With reference to funding for repair of the levee, 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. BCDC has now made available approximately \$69,676, the current balance of the fund with accrued interest, to purchase rip rap rock for repair of the San Francisco Bay Trail levees.

For information of the Board, Staff reported that the price per ton was considerably lower than originally quoted, because of the quantity ordered. Staff stated that 1,866 tons of rip rap rock is sufficient for completion of the first phase of the levee repair.

Discussion ensued and Director Andrade said that it would seem practical to complete repair of the entire levee and not have to do it twice. Staff pointed out that as funds for the first phase of the levee repair are exclusively from a BCDC grant, the District is precluded from combining the purchase of additional rip rap rock under the current contract and, therefore, would have to come back to the Board for purchase of the balance of the material

**SHORELINE PROPERTY
LEVEE REPAIR**

(Continued)

from Foothill Materials, the low bidder, who has the material in stock.

Following comments, it was moved by Director Pereira, second by Director Waespi, and unanimously carried to adopt the following:

R-0910-55
Award of
Contract

Resolution No. R-0910-55, awarding the contract for the purchase of 1,866 tons of rip rap rock for Phase I repair of the levee at the Hayward Shoreline to Foothill Materials, Valley Springs, CA, in accordance with the terms of the bid submitted by said contractor.

Authorization to
Execute Contract
With Bay
Conservation and
Development
Commission

At the request of the San Francisco Bay Conservation and Development Commission (BCDC), Staff requested adoption of a resolution by the Board of Directors to authorize Staff to execute a contract to accept funding in the amount of \$69,676 from BCDC for the planning, design, and purchase of rip rap rock to repair a portion of the San Francisco Bay Trail at the Hayward Shoreline that sustained damage from an erosion. Execution of the Contract with the Bay Conservation and Development Commission would allow Staff to proceed with the levee repair.

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

R-0910-56
Execution of
Contract with
San Francisco
Bay Conservation
And Development
Commission (BCDC)

Resolution No. R-0910-56, authorizing the Park Superintendent to execute a contract with the San Francisco Bay Conservation and Development Commission to accept funding in the amount of \$69,676 for the planning, design, and purchase of 1,866 tons of rip rap rock for improvement of the San Francisco Bay Trail at the Hayward Shoreline.

**WEEKES COMMUNITY
CENTER**

ADA Upgrades to
The Restrooms
And Construction
Of the Pathway

Additional Costs
Incurred - \$4,438.37

Staff reported that on January 11, 2010 the Board of Directors awarded the contract for the ADA upgrades to the restrooms, and construction of the pathway at Weekes Community Center to JMA, Inc. of San Francisco in the amount of \$181,000. During the course of construction, additional costs were incurred in the amount of \$4,438.37 for removal and replacement of two outside valves, two catch basins and all necessary piping; replacement of insulation in the walls and ceiling, and installation of two shut-off valves with stainless steel access covers, bringing the new contract amount to \$185,438.37. Funds in the amount of \$100,000 are available from a City of Hayward Community Development Block Grant, with

WEEKES COMMUNITY CENTER (Continued)

remaining funds from the Hayward Area Recreation and Park District's Park In-Lieu Fund. Staff requested approval of Change Order No. 1 in the amount of \$4,438.37 for additional costs incurred for the ADA upgrades to the restrooms and construction of the pathway at Weekes Community Center.

Completion of Project

With reference to completion of the project, Staff reported that they were waiting for final inspection of the piping and electrical, which Staff hoped would be completed by Friday, April 16th.

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

R-0910-57
Approval of
Change Order
No. 1

Resolution No. R-0910-57, approving Change Order No. 1 in the amount of \$4,438.37, for the ADA upgrades to the restrooms and construction of the pathway at Weekes Community Center.

ASHLAND COMMUNITY CENTER

On November 23, 2009 the Board of Directors awarded the contract for the ADA upgrades to the restrooms and kitchen at Ashland Community Center to JUV, Inc. of Oakland in the amount of \$124,000. Staff reported that during the course of construction, additional costs were incurred and requested approval of Change Order No. 1 in the amount of \$15,461.51 for installation of insulation in the walls and ceilings in both restrooms; installation of two new electrical light fixtures and switches in closets to comply with the code requirement of Alameda County; installation of twelve recessed light fixtures in both restrooms; installation of new wall and base cabinets in the kitchen, corridor and classroom, and replacement of an electrical panel, bringing the new contract amount to \$139,461.51. Funds for the project are available from an Alameda County Community Development Block Grant and the District's Capital Outlay Fund for fiscal year 2009/2010.

ADA Upgrades
To the Restrooms
And Kitchen

Additional Costs
Incurred -
\$15,461.51

Funding
Sources

Staff requested approval of Change Order No. 1 in the amount of \$15,461.51 for the additional costs incurred for the ADA upgrades to the restrooms and the kitchen at the Ashland Community Center.

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

R-0910-58
Approval of
Change Order
No. 1

Resolution No. R-0910-58, approving Change Order No. 1 in the amount of \$15,461.51 for the ADA upgrades to the restrooms and kitchen at the Ashland Community Center.

ASHLAND COMMUNITY CENTER (Continued)

Staff Comments -
Ashland Community
Center Open for
Use

For information of the Board, Staff responded that the plans and specifications for the project at Weekes Community Center and at the Ashland Community Center did not call for replacement of the insulation in the walls, but became necessary during the course of the project to comply with the current code requirements of Alameda County. Staff was also pleased to add that the Ashland Community Center staff moved back in the building and the programs have resumed at the Center also.

DOUGLAS MORRISSON THEATRE

Upgrades to the
Sound System

In-House Direct
Labor for the
Electrical Work

Staff reported that upgrades to the sound system at the Douglas Morrisson Theatre were recently completed by Deck Productions. The project included purchase of an upgraded sound board, electrical supply and speakers in the amount of \$12,446.40. Staff was happy to report that District personnel provided direct labor for the electrical work that was necessary to support the new sound system in the amount of \$7,542.68, bringing the total for the project to \$20,008.98. Funds for the project were made available by the Greater Hayward Area Recreation and Park Foundation.

Staff requested post-authorization to expend funds in the amount of \$20,008.98 for the upgrades to the sound system at the Douglas Morrisson Theatre.

Mr. Andy Wilson
Encouraged
Continued
Investment at the
Theatre; Expansion
Of Fine Arts and
Commercial/Film
Shoots in Hayward

Mr. Andy Wilson, 31438 Greenbrier Lane, Hayward, encouraged the Board of Directors to continue to invest in the Douglas Morrisson Theatre. He said that it is important to tie-in, explore and expand fine arts in Hayward. He referred to commercial/film shoots that are in the works, initiated by Councilmember Anna May, which he said the Hayward Area Recreation and Park District ought to consider in relation to potential spots and properties of the District that he said can be included in the commercial/film shoots. Mr. Wilson encouraged the District to invite the Chabot College Jazz Band and the Mt. Eden High School Choir, both very successful and famed, to perform at the Douglas Morrisson Theatre. He concluded that Hayward has a great deal to offer and encouraged the Board and Staff to interact to help develop Hayward, a destination city.

Board and Staff
Comments

Director Jameson referred to the recent low attendance at the Douglas Morrisson Theatre, which Staff responded is primarily due to the economic challenges that everyone is currently experiencing. Moreover, Staff stated that the Douglas Morrisson Theatre staff continues to implement marketing strategies to help promote live theatre at the Douglas Morrisson Theatre. In reference to Mr. Wilson's comments about the commercial/film shoots, Staff responded that they are aware and have been working on those aspects as well.

DOUGLAS MORRISSON THEATRE (Continued)

Invite Outside School/College Performances

Director Andrade agreed that it is important to explore the expansion of fine arts in Hayward and, likewise, invite the Mt. Eden High School choir to perform at the Douglas Morrisson Theatre. Director Hodges concurred.

Director Waespi was pleased that in-house Maintenance and Construction personnel were utilized to complete the electrical work to the new sound system, which undoubtedly was cost-saving to the District.

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

Post-Authorization To Expend Funds - \$20,008.98

Post-authorization to expend funds not to exceed \$20,008.98 for purchase and installation of an upgraded sound system at the Douglas Morrisson Theatre, in accordance with Article V, Section 4 of the District's Bylaws.

CASTRO VALLEY SANITARY DISTRICT

Recusal – Dir. Waespi

Prior to presentation and discussion of the Castro Valley Sanitary District item on the Board of Directors' Agenda, Item IX, Director Waespi recused himself from this item due to a conflict and left the Board Room.

Payment of Sewer and Garbage Disposal Charges for Fiscal Years 2008/2009 and 2009/2010

Staff reported that in January 2010, the District received a request under the California Public Records Act for sewer and garbage disposal charges in fiscal years 2008/2009 and 2009/2010 for all District facilities within the boundaries of the Castro Valley Sanitary District. In fulfilling the request, Staff of the Hayward Area Recreation and Park District discovered that no billing for sewer charges had been received from the Castro Valley Sanitary District for those years. The Sanitary District was contacted and informed of the oversight. Staff further reported that as the aforementioned billing charges transpired, H.A.R.D. also discovered that the City of Hayward had been billing H.A.R.D. for sewer services at both the Hayward Area Senior Center and the Douglas Morrisson Theater, which fall under the jurisdiction of the Castro Valley Sanitary District. Staff reported that the City of Hayward issued a refund in the amount of \$4,304.72 for the billing errors covering the previous three (3) years, which is in compliance with the California Code of Civil Procedure.

Billing Errors of City of Hayward For Hayward Area Senior Center and Douglas Morrisson Theatre Rectified

Last Billing Occurred In Fiscal Year 2001/2002

In a letter dated March 5, 2010 from the Castro Valley Sanitary District's General Manager, the Sanitary District verified that the last sewer billing that took place was for the 2001/2002 fiscal year.

**CASTRO VALLEY
SANITARY DISTRICT**

Invoices Received
For fiscal Years
2002/2003 through
2009/2010 for
\$30,883.80

Invoices were attached reflecting the charges for fiscal years 2002/2003 through 2009/2010 along with a request that H.A.R.D. consider paying all of the charges dating back to when the error first began, a total of \$30,883.80, rather than three years and \$17,967.00 as required by law. Staff reported that they have discussed the matter with H.A.R.D's Legal Counsel, who cautioned H.A.R.D. that paying more than H.A.R.D's Legal obligation might be construed as a gift of public funds. Staff made it clear that as soon as H.A.R.D. Staff became aware of the oversight, the omission was brought to the attention of the Sanitary District.

Staff Recommendation
In the Amount of
\$17,967.00 for Fiscal
Years 2007/2008 to
2009/2010 Per Calif.
Code of Civil Procedure

Staff recommended that the Board of Directors approve payment in the amount of \$17,967.00 to the Castro Valley Sanitary District for sewer charges for fiscal years 2007/2008, 2008/2009 and 2009/2010, which is in compliance with the California Code of Civil Procedure.

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

Authorization
To Expend
Funds - \$17,967

Authorization to expend funds not to exceed \$17,967 for payment of sewer charges to the Castro Valley Sanitary District for fiscal years 2007/2008, 2008/2009 and 2009/2010.
(Ayes: Andrade, Hodges, Jameson, Pereira;
Recusal: Waespi).

GOLF DEPARTMENT

Extension of the
Restaurant
Concession Lease
Agreement for
Skywest Golf
Course and
Mission Hills of
Hayward Golf
Course

Staff reported that the Restaurant Concession Lease Agreement with Elite Food Service, Inc., dba Elite Catering, to operate the restaurant and bar concessions at Skywest Golf Course and Mission Hills of Hayward Golf Course are due for renewal.

In early 2010, the District began preliminary discussions with Elite to extend the agreement for the L. A. Critzer, Jr. Clubhouse at Skywest, which expired on February 28, 2010. The rent in the original agreement was \$3,500 per month the first year, and increased by \$250 each year, making the rent in the fifth and final year \$4,500 per month. It became obvious early on in negotiations that Elite Catering suffered from the weakened economy and provided statistics to show that their revenue showed steady increases in the first three years of the contract, had leveled off in the fourth, and declined significantly in the fifth year, falling back to levels almost equal to the first year. In view of a decline in revenue, Elite Catering requested that the District consider lowering the monthly rent.

Mission Hills of Hayward
G.C. Restaurant Lease

Staff went on to report that the Agreement for Mission Hills of Hayward Golf Course restaurant does not expire until November 30,

GOLF DEPARTMENT

(Continued)

2010. However, based on input from Elite Catering it became clear that the agreement there was a bit undervalued at a monthly rent of \$562.

Renewal of
Concession Lease
Agreements to Expire
At the Same Time and
Under the Same
Terms; Rental Increase
At Mission Hills of
Hayward Golf Course

The District has been pleased with the quality of both the food and the service at both facilities and wanted to renew the agreements, as did Elite Catering. The District proposed that both agreements be renewed at the same time and under the same terms, thereby not only placing both facilities on the same time frame, but allowing there to be an increase in the rent for Mission Hills of Hayward Golf Course restaurant that helps offset a decrease for Skywest.

Term of New
Agreements to Begin
March 1, 2010 and
Expire on
February 28, 2013

Staff met with representatives of Elite Catering and, after some negotiation, reached a tentative agreement on renewal of the agreements. The new term for both agreements would begin March 1, 2010 and continue through February 28, 2013, with rent increases due annually. The monthly rent proposed for Skywest was \$3,500, \$3,675 and \$3,850, and \$750, \$775 and \$825 for Mission Hills. The agreements will also include two (2) one-year options that must be mutually agreed on and are subject to re-negotiation of the rental terms.

Staff Recommended
Authorization to
Enter into an
Agreement with Elite
Catering to Operate
The Restaurant and
Bar Facilities at Both
Golf Course

Staff recommended that the Board of Directors authorize the General Manager to enter into an agreement with Elite Catering to operate the restaurant and bar facilities at Skywest Golf Course and Mission Hills of Hayward Golf Course for a period of three (3) years, commencing March 1, 2010 and ending February 28, 2013, plus two (2) additional one-year options in accordance with the terms and conditions in the agreement.

Staff introduced Ms. Marita Cheng, who was seated in the audience to respond to questions from the Board.

Mr. Andy Wilson
Addressed B.O.D.
About Enforcement
Of the No Smoking
Law and to Create
And Promote Hayward
As a Golf Destination

Mr. Andy Wilson, 31438 Greenbrier Lane, Hayward said that during his many visits to the Mission Hills of Hayward Golf Course restaurant, he has witnessed individuals smoking, which he said is clearly in violation of the City of Hayward Smoking Ordinance and requested Staff to take appropriate action to enforce the no smoking law. On the subject of the three golf courses located in Hayward (Skywest Golf Course, Mission Hills of Hayward Golf Course and Stonebrae), Mr. Wilson requested that the Board of Directors and Staff work closely with Stonebrae Country Club to figure out how to create and promote Hayward as a *golf destination*, and explore how Skywest Golf Course can work with the Hayward Executive Airport to make that golf course better known so that visitors to the Hayward Airport can play golf, enjoy dinner before they fly out.

Work with Hayward
Executive Airport

GOLF DEPARTMENT

(Continued)

Comments -
Director Jameson

Discussed
Advertising and
Promotions to
Increase Public
Awareness

Director Jameson requested Ms. Cheng to share information with the Board relative to the extent of their current advertising to promote the two golf course restaurants, for example in newspapers, especially in view of a sizable budget for advertising in the Restaurant Concession Lease Agreement. Director Jameson said that it is a fact that people do not want to spend money to travel too far or go out of town to enjoy a nice dinner on Friday or during the weekend. She requested that Ms. Cheng capitalize on that. For instance provide a nice barbecue that families can enjoy locally. Director Jameson referred to the many businesses that are located in the vicinity of Mission Hills of Hayward Golf Course Restaurant that could very well utilize the facility during the day and for lunch with more widespread advertising, in addition to the advertisement placed in H.A.R.D's quarterly brochure.

Comments -
Director Waespi
Addressed
\$6,000 for Advertising
And Promotions
In the Restaurant
Concession Lease
Agreement for the
L. A. Critzer, Jr.
Clubhouse

Concessionaire
Needs to Advertise
More Extensively
And Aggressively

Director Waespi said that he found it troubling that while everything else is getting a cutback, the Golf Department is doing better comparatively, yet would absorb a \$10,000 loss under the new three-year Lease Agreement for the L. A. Critzer, Jr. Club that he does not understand. He referred to the clause in the Concession Lease Agreement whereby the Lessee *shall pay at least \$6,000 each year for advertising and promotions of the L. A. Critzer, Jr. Clubhouse, which must be approved in writing in advance by the District.* Director Waespi also referred to the beautiful pavilion built at Skywest Golf Course, where a great opportunity exists; likewise, failed to understand why it is not doing better. He also referred to Staff's report that reflected a substantial decrease in Elite Catering's revenue. Director Waespi said that with suitable promotions and advertising, the resources at the L. A. Critzer, Jr. Clubhouse can be more extensively used. He pointed out that Elite Catering needs to get aggressive to promote that facility, as opposed to their current practice of word of mouth and minimal advertising.

Comments -
Ms. Marita Cheng
DBA Elite Food
Service, Inc.

Outlined Current
Practice of Advertising
And Promotion
And Future Plans
To Set Promotional
Goals and Ideas for
Publicity

Ms. Cheng, with reference to advertising and promotions, responded that repeated customers continue to utilize the Clubhouse, and she now has an opportunity to get the word out with her increased involvement in many community organizations. She referred to use of other means of advertising, such as reward points for credit card use; working with the Hayward Chamber to hold their "Mixers" at the Clubhouse and utilizing the Hayward Chamber mailing to mail flyers out, using the website, and promotional coupons in conjunction with Skywest Golf Course. She outlined her plans in the future to work with Stuart Rentals to help set up her promotional goals and provide publicity ideas, including promoting the pavilion for weddings, etc. as the maximum capacity in the Clubhouse is for 60 to 70 people only. She also pointed that rain is also a deterrent, coupled with golfers cutting back and the downturn in the economy, all of which have contributed to their financial loss. With reference to Mission Hills of

GOLF DEPARTMENT

(Continued)

Ms. Cheng Referred
To Her Issues and
Concerns

Hayward Golf Course, Ms. Cheng referred to the oven capacity at that location, which she said is somewhat limited. Ms. Marita Cheng briefly referred to other issues that were of concern, for example, the inability of the public to find the Skywest Golf Course Clubhouse especially due to poor signage; a tendency for people to back out of a catering contract as music is not permitted after 7:00 p.m., and potential customers who do not find the pavilion attractive for a wedding.

Staff Comments -
Street Signs Pointing
To Skywest G.C.
And Restaurant

With reference to street signs, Staff reported that they are working with the City of Hayward, who is in the process of updating their street signs, to include sign(s) to specifically point toward Skywest Golf Course and the L. A. Critzer, Jr. Clubhouse Restaurant. Director Andrade suggested that in the interim, Staff come up with a directional sign pending the approval of the City of Hayward. With reference to noise, the Board of Directors requested that Ms. Cheng contact the City of Hayward to pursue a Conditional Use Permit to extend the hours that music can be played at private events at the L. A. Critzer, Jr. Clubhouse.

Concessionaire's
Desire to Run A
Successful Concession
For Both H.A.R.D. and
Elite Food Service, Inc.

Ms. Cheng said that she continues to work very hard to promote the L. A. Critzer, Jr. Clubhouse and the Mission Hills of Hayward Golf Course. She added that Elite Food Service, Inc., definitely enjoys their concession at both golf courses, and have every desire to make them successful for both the Hayward Area Recreation and Park District and for herself.

Director Waespi
Requested Inclusion
Of a Business Plan in
The New Three-Year
Restaurant Concession
Agreement, and
Stipulation for
\$6,000 Advertising and
Promotions by Elite
Food Service, Inc.

Director Waespi stated that it is important for the Hayward Area Recreation and Park District to include a Business Plan in the new three-year L. A. Critzer, Jr. Clubhouse Restaurant Concession Lease Agreement to help Elite Food Service, Inc. run a successful business at the Clubhouse where he said the resources are beautiful. With reference to the expenditure of \$6,000 on promotions and advertising for the L. A. Critzer, Jr. Clubhouse, Director Waespi directed Staff to include appropriate language in the Concession Lease Agreement to stipulate that the Hayward Area Recreation and Park District will approve all advertising and promotions, and Elite Food Service, Inc. will provide the District with an annual promotions and advertising expense report.

Comments
Director Andrade -
Current Food
Concession Contract

Director Andrade referred to the history of the food concessions at Skywest Golf Course and said that the current concession has been a better franchise for the Hayward Area Recreation and Park District than in the past. He said that he has been satisfied with the performance of the concessionaire at the L.A. Critzer, Jr. Clubhouse, which he reiterated is a beautiful spot.

GOLF DEPARTMENT
(Continued)

Following extensive discussion and comments, it was moved by Director Pereira, second by Director Andrade, and unanimously carried to adopt the following:

R-0910-59
Entry into a
Restaurant
Concession
Lease Agreement
With Elite Food
Service, Inc.

Resolution No. R-0910-59, authorizing Staff to enter into a Restaurant Concession Lease Agreement with Marita Cheng, dba Elite Food Service, Inc. for the L. A. Critzer, Jr. Clubhouse Restaurant and Mission Hills of Hayward Golf Course Restaurant, commencing March 1, 2010 for a period of three (3) years until February 28, 2013, with an option to extend the term of the lease for an additional two (2) one-year terms, subject to re-negotiation. Further, the L. A. Critzer, Clubhouse Restaurant Concession Lease Agreement to include an annual Business Plan, and an annual promotions and advertising and expense report.

Staff said that they would be making the necessary changes to the L. A. Critzer, Jr. Clubhouse Restaurant Concession Lease Agreement as outlined by the Board.

**JACK HOLLAND SR.
PARK**

Storm Drive
Line Easement
Agreement with
Alameda County
Redevelopment
Agency and the
San Lorenzo Unified
School District

Drainage for the
Youth Center and
Improvements to
The Athletic Fields

Staff reported that they been working with the San Lorenzo Unified School District and the Alameda County Redevelopment Agency on an Easement Agreement for the storm water system. Prior to commencement of development of the Jack Holland Sr. Park, it is necessary to install a storm drain line, which would begin at Jack Holland Sr. Park, run through Edendale Middle School, to Ashland Avenue. The line has been designed to provide drainage for the future youth center and for improvements to the athletic fields at Edendale School. The Storm Drain Easement Agreements have been reviewed by the Legal Department of the San Lorenzo Unified School District, Alameda County Redevelopment Agency and the Hayward Area Recreation and Park District. One Easement Agreement is a tri-party Agreement for the section through Edendale School, while the other Agreement is between the Hayward Area Recreation and Park District and the Alameda County Redevelopment Agency for a section of the Jack Holland Sr. Park. Staff was pleased to add that all parties have agreed to maintain the storm water line in the future.

Staff requested approval of the Storm Drain Line Easement Agreement between 1) the Hayward Area Recreation and Park District and the Alameda County Redevelopment Agency, and 2) between the San Lorenzo Unified School District, Alameda County

**JACK HOLLAND SR.
PARK (Continued)**

Redevelopment Agency and the Hayward Area Recreation and Park District and to direct Staff to execute the agreement.

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

R-0910-60
Entry into Storm
Drain Line Easement
Agreement

Resolution No. R-0910-60, authorizing the General Manager to enter into a Storm Drain Line Easement Agreement with the San Lorenzo Unified School District and the Alameda County Redevelopment Agency for the Jack Holland Sr. Park Development project.

**BOARD OF DIRECTORS'
COMMITTEE REPORTS**

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

R-0910-61
Acceptance
Of Retirement

Resolution No. R-0910-61, accepting the retirement of Mr. Michael Headrick, Caretaker, Item No. 1136, compensation \$4,406/month; \$52,872 annually, effective May 1, 2010.

Presentation of
Staff Report

Staff reported that Mr. Headrick was first hired by the District as a full-time Caretaker on April 1, 2001 and has worked at Haymont Park, Silver Star Veterans Park, Valle Vista Park, Bechtel Tot Lot and Nuestro Parquecito and most recently was assigned to Cannery Park. The Board of Directors and Staff extended their best wishes to Mr. Headrick on his retirement.

Comments -
Director Jameson

Director Jameson was happy to add that Mr. Headrick has done a good job and the parks assigned to him were well maintained and looked good. She extended her thanks to Mr. Headrick.

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

R-0910-62
Nomination of
Ms. Rita Shue,
General Manager
To C.A.R.P.D.
B.O.D.

Resolution No. R-0910-62, approving the nomination of Ms. Rita Shue, General Manager, to run for election for a four-year term on the Board of Directors of the California Association of Recreation and Park Districts (CARPD) and, when elected, approving Ms. Shue as the Hayward Area Recreation and Park District's representative on the CARPD Board of Directors.

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

Staff Report -
California Association
Of Recreation and
Park Districts Board
Of Directors’ Election
In May 2010 at Annual
Conference

Staff reported that the Board of Directors in their meeting on November 24, 2008, took action and adopted a Resolution approving the nomination of Ms. Rita Shue, General Manager, to seek nomination for election to the CARPD Board of Directors as an interim Administrator’s Representative. At the CARPD Board Meeting in January 2009, Ms. Shue was successfully elected to fill the interim vacancy, which expires in May 2010. Since her appointment to the CARPD Board, Ms. Shue has been actively involved and provided perspective on issues and matters addressed by the CARPD Board, served as CARPD’s representative on the California Association of Park and Recreation Insurance (CAPRI), attended their quarterly Board Meeting and the annual Spring Conference in 2009.

H.A.R.D.
Representation on
C.A.R.P.D. Board
Vital for Continued
Legislative Advocacy

As one of the founding members and the largest member District of CARPD, Staff said that it would be in the best interest of the Hayward Area Recreation and Park District to continue to have representation on the CARPD Board and work with other Special Districts on various issues, none more important than legislative advocacy on State funding. If elected, Ms. Shue would serve in her capacity as an employee of the Hayward Area Recreation and Park District and within the scope of the required duties.

The Board of Directors extended their congratulations and best wishes to Ms. Shue on her nomination.

H.A.R.D.
Foundation

President’s Report: The Greater Hayward Area Recreation and Park Foundation Bylaws call for the Hayward Area Recreation and Park District to appoint Board Members and Staff to serve on the Foundation Board of Directors. The terms of office of Director Paul W. Hodges, Jr., Director Carol Pereira and Ms. Rita Shue expires in May, and it is necessary to appoint them for an additional two-year term of office.

Appointment
Of District
Representatives

The Board of Directors of the Hayward Area Recreation and Park District also appoints a liaison to serve on the Executive Board of the Foundation. Director Jameson, who has served in that capacity since 2004, agreed to continue to serve in that role.

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

Reappointment
Of H.A.R.D.
Board of Directors
And Staff

Motion carried to appoint Director Paul W. Hodges, Jr., Director Carol Pereira and Ms. Rita Shue for an additional two-year term of office on the Foundation Board of Directors. Further, Director Jameson was appointed to continue to serve as Liaison on the Foundation Executive Board.

**REPORT ON BOARD
MEMBER ACTIVITIES**

2010 Easter
Egg Hunts District-wide

The Board of Directors extended their compliments to Staff for organizing Easter Egg Hunt events at various locations in the District, all of which were well attended, enjoyable and the community very appreciative of all the great things that the Hayward Area Recreation and Park District does for the community.

Director Pereira -
Kennedy Park
Easter Egg Hunt -
4/3/10 and
Douglas Morrisson
Theatre Spring Concert

Director Pereira reported that, as always, she enjoyed being at the District's annual Easter Egg Hunt and Bonnet Parade at Kennedy Park on Saturday, April 3rd, where everyone had a wonderful time. She reported that she had an opportunity to attend the Douglas Morrisson Theatre's spring concert and extended her thanks and compliments to the Douglas Morrisson Theatre Chorus for an enjoyable concert.

Director Andrade -
Cherryland Comm.
Assn. and H.A.R.D.
Egg Hunt – 3/27/10

Director Andrade added that the Easter Egg Hunt sponsored by the Cherryland Community and Association and the Hayward Area Recreation and Park District at the Meek Estate Park on Saturday, March 27th, was well attended and very successful.

Director Jameson -
City of Hayward
Mission Boulevard
Corridor Specific Plan
Charrette – 4/12/10
To 4/16/10

Director Jameson reported that she attended the opening presentation of the City of Hayward Mission Boulevard Corridor Specific Plan and Form-Based Code Charrette on Thursday, April 8th. The Charrette will begin on Monday, April 12th and conclude on Friday, April 16th. She said that she plans to attend the week-long event, and will be joined by H.A.R.D. Staff who will provide input on opportunities that exist along the Mission Boulevard Corridor for parks and open space, and looked forward to working with the City and the consultants of the project.

Hayward Local
Agencies Committee
Meeting – 3/4/10

Director Jameson reported that she was joined by Director Hodges and Staff to the monthly meeting of the Hayward Local Agencies Committee held on Thursday, March 4th at the Hayward Unified School District. Director Hodges reported that the meeting on March 4th was congenial and productive.

Director Jameson -
HASPA Meeting
4/8/10

Director Jameson extended her thanks to Staff for their summary and report of the Hayward Area Shoreline Planning Agency Meeting on Thursday, April 8th, which she said covered all the highlights of the meeting.

**ADJOURN TO
CLOSED SESSION**

With no further discussion and comments, President Hodges adjourned the Regular Meeting to a Closed Session at 8:50 p.m.:

Closed Session
Items

A. Meeting with Designated Representatives Under Provisions
Of Government Code Section 54956.8

1. Two-Acre Property, 18651 Via Toledo, San Lorenzo

**ADJOURN TO
CLOSED SESSION**
(Continued)

B. Meeting with Designated Representatives Under Provisions
Of Government Code Section 54956.6

1. Manager of Golf Operations

**RECONVENE TO
REGULAR SESSION**

The Regular Board of Directors' meeting reconvened at 10:00 p.m.
President Hodges reported that:

Closed Session
Announcement

- 1) The Board of Directors voted unanimously to authorize Staff to begin negotiations on the two-acre property located at 18651 Via Toledo, San Lorenzo, and
- 2) The Board of Directors discussed the Golf Operations Manager vacant position. No decision was made or action taken on the personnel item.

ADJOURNMENT

There being no further business to conduct, President Hodges adjourned the Board of Directors' meeting at 10:06 p.m.

DENNIS WAESPI, Secretary
Board of Directors