

MINUTES

June 14, 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 5:00 p.m. on Monday, June 14, 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 5:00 p.m. to meet with designated Staff representatives under the provisions of Government Code Section 54956.8 to discuss real property located at 2071 Manchester Road, San Leandro.

RECONVENE TO REGULAR SESSION

The Board Meeting reconvened at 5:30 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 (Absent), Waespi

Staff: Shue, Gouveia, Lepore, Ely, Maharaj

CLOSED SESSION ANNOUNCEMENT

President Hodges reported that the Board of Directors voted to authorize Staff to begin negotiations for purchase of the real property located at 2071 Manchester Road, San Leandro, Alameda County, California.

PUBLIC COMMENTS

Mr. Bud Eckert -
Use of the Greenbelt
Trails by the Public

Placement of
Restrictive Signs by
Woodland Knolls
Homeowners'
Association -
*No Loitering,
Trespassing or Parking*

Mr. Bud Eckert, 3884 Oakes Drive, Hayward, addressed the Board of Directors to express his concerns about an urgent matter and to talk about short-term and long-term solutions to stop the Greenbelt Trail users from being harassed by the Woodland Knolls homeowners who leave notes on car windows that he has observed for over two months. He stated that he would be happy to place a H.A.R.D. sign on his property stating that the trail users can park along his property. Mr. Eckert referred to two large signs on Durham Way, which connects to Oakes Drive, placed by the Woodland Knolls Homeowners' Association stating *Private Property. No Loitering, Trespassing or Parking.* He said that since placement of the sign has been a great inconvenience to the trail users who have had to detour as they are afraid of a violation. Mr. Eckert urged the Board of Directors to take action at a later date to have those restrictive signs

PUBLIC COMMENTS

(Continued)

Requested B.O.D. to Seek Long-Term Solution – Dedicated Easement

taken down as residents were able to park along Durham Way for more than thirty years. He referred to a possible long-term solution being a dedicated easement to allow the public to continue to park there and be able to conveniently access the Greenbelt Trail. In conclusion he thanked the Board of Directors for all the enjoyable amenities in the community and encouraged them to take action for the good of everyone.

Mrs. Ostorello - History of the Greenbelt Trails and And H.A.R.D. Easement for Access to the Greenbelt Trails - Restrictive Signs In Violation of Easement

Mrs. Georgiandra Ostorello, 26655 Durham Way, Hayward, referred to the Greenbelt Trail as being decades old, with H.A.R.D. assuming responsibility of the trails in the 1960's, and referred to the expansion and development of seventeen lots on Durham Way, pointing out the existence of a H.A.R.D. easement for access to the Greenbelt Trails. She also referred to the *No Trespassing or Parking* signs, which she pointed out, is in violation of the easement. She requested that the Board of Directors write to the Woodland Knolls Homeowners' Association to request removal of the signs which discourages public access to the H.A.R.D. trail, which the trail users have a right to.

General Comments And Possible Reason For Initiation of Sign

Brief discussion ensued on placement of the *No Trespassing* signs due to possibly increased crime since the matter of placement of a gate on Durham Way was first brought to the attention of the Board by the Woodland Knolls residents in August 2008. The speakers responded that they were not aware of any new reports of crimes and vandalism that would have prompted the signs, other than the Woodland Knolls homeowners being upset because their request for installation of a gate was denied by the City of Hayward.

Staff to Communicate With the City of Hayward About Easement

Director Andrade directed Staff to communicate with the City of Hayward to find out what H.A.R.D's rights are, and to discuss the subject of an easement to not only preserve the trails, but allow maximum access to the H.A.R.D. trails with the help of directional signs, thereby saving the rights of both H.A.R.D. and the general public.

PLEDGE TO FLAG

The Pledge of Allegiance was followed by Roll Call.

PRESENT

Directors: Andrade, Hodges, Jameson, Pereira (Absent), Waespi

Staff: Shue, Gouveia, Lepore, Ely, Maharaj

CONSENT CALENDAR

The Consent Calendar was approved as follows:

Minutes

The Minutes of the Regular Meeting of the Board of Directors on Monday, May 24, 2010 at 7:00 p.m. Moved by Director Jameson, second by Director Waespi. (Ayes: Andrade, Hodges, Jameson, Waespi. Absent: Pereira).

CONSENT CALENDAR
(Continued)

Finance

The Invoices payable and Warrants paying the Invoices were prepared and presented for Board of Directors' approval. Moved by Director Waespi, second by Director Andrade. (Ayes: Andrade, Hodges, Jameson, Waespi. Absent: Pereira).

R-0910-79
Personnel

Adoption of Resolution No. R-0910-79, authorizing appointments and the separation of Hourly Employees. Moved by Director Andrade, second by Director Waespi. (Ayes: Andrade, Hodges, Jameson, Waespi. Absent: Pereira).

**ALAMEDA COUNTY
BOARD OF DIRECTORS'
ELECTION**

Two (2)
Director Seats

Staff reported that 2010 is an election year for the Hayward Area Recreation and Park District Board of Directors with two (2) director seats subject to the election; namely, the seats held by Mr. Hodges and Mrs. Pereira. The law requires that the Recreation and Park District must take the following action, by Resolution, prior to the election. They are: Declaration of the Election and Establishment of the Election Date – Tuesday, November 2, 2010; A Resolution Requesting Consolidation of the Election with Alameda County General Election as well as the Statewide General Election on Tuesday, November 2, 2010. This year's election nominations for directorships will open on Monday, July 12, 2010, at the opening of the business day at the Registrar of Voters of Alameda County, and will close on Friday, August 6, 2010 at the Registrar of Voters of Alameda County. Lastly, a Resolution Relative to the Voter's Pamphlet – Candidate's Statement.

Declaration of
Election and
Establish Election
Date – 11/2/10

Registrar of
Voters Establishes
Estimated Costs
For Candidate's
Statement

In order to avoid any misunderstandings or concerns relative to the Candidate's Statement in the Voter's Pamphlet, in the past, the Board of Directors have adopted a Resolution that requires, in part, that Candidate's desiring to place a Candidate's Statement in the Voter's Pamphlet pay to the District the estimated cost (as supplied by the Registrar of Voters of Alameda County) for printing, handling, translating and mailing their Statements at the time of filing nomination papers. Following the election, and upon receipt of the final bill from the Registrar of Voters, the District shall mail a statement to the candidates who have placed a Statement in the Voter's Pamphlet indicating that either a refund is due the candidate or the candidate owes the District an additional sum of money.

Nomination Period -
July 12, 2010 to
August 6, 2010,
8:30 a.m. to
5:00 p.m. at the
Registrar of Voters,
Alameda County

In addition, Staff presented a Voter's Pamphlet—Candidate's Statement—before the Board of Directors' to allow them the opportunity to take action at the time of Request for Consolidation of Election. For purposes of clarification, Staff reiterated that during the nomination period, July 12, 2010 to August 6, 2010 and as directed by the Registrar of Voters Alameda County, the Declaration of Candidacy and other filings for the two (2) four-year director seats will only be issued by the Registrar of Voters Alameda County, Monday through Friday, 8:30 a.m. to 5:00 p.m.

**ALAMEDA COUNTY
BOARD OF DIRECTORS’
ELECTION (Continued)**

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

R-0910-80
Call for General
District Election
And Declare
Nominations Open
For Two (2)
Directorships

Resolution No. R-0910-80, calling for a General District Election on November 2, 2010 and declaring nominations open for two (2) members of the Board of Directors of the Hayward Area Recreation and Park District with nominations for directorships to open on Monday, July 12, 2010, at the beginning of the business day and close on Friday, August 6, 2010 at 5:00 p.m. at the Registrar of Voters Alameda County, 1225 Fallon Street, G-1, Oakland, CA 94612. (Absent: Director Pereira).

R-0910-81
Consolidate with
Statewide General
Election

Resolution No. R-0910-81, requesting that the General District Election on November 2, 2010, for the election of two (2) members to the District Board of Directors be consolidated with the Statewide General Election to be held in Alameda County on Tuesday, November 2, 2010. (Absent: Director Pereira).

R-0910-82
Collecting
Cost in Advance
for Candidate’s
Statement

Resolution No. R-0910-82, authorizing collecting in advance the total cost of printing, handling, translating and mailing the Candidate’s Statement as a condition for the inclusion of said Statement in the Voter’s Pamphlet of the Board of Directors’ Election on Tuesday, November 2, 2010. (Absent: Director Pereira).

**CLAIM FOR PERSONAL
PROPERTY DAMAGE**

Mr. Santiago S. Majam,
Claimant

Staff reported that the District has received a claim from Mr. Santiago S. Majam regarding alleged property damage sustained to Mr. Majam’s vehicle on May 15, 2010. The claim alleges that Mr. Majam’s vehicle, while parked in the parking lot of Skywest Golf Course, was hit by a golf cart and sustained damage to the rear bumper on the right side of the vehicle. The amount of the claim is \$1,342.23.

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 the Claimant, District Legal Counsel, and Insurance Broker.

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

**CLAIM FOR PERSONAL
PROPERTY DAMAGE**

(Continued)

Motion Carried
To Reject Claim

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

**REPORT ON BOARD
MEMBER ACTIVITIES**

City of Hayward
Water Report

Director Andrade requested Staff to forward a copy of the Water Report completed by the consultants for the City of Hayward for information of the Board. Staff reported that the recommendations in the report were basic and routine maintenance items.

Meek Estate
West Terrace Area
Project -
Community Meeting
To Review Design
Concepts -
June 9, 2010

Director Waespi reported he was in attendance with his fellow Board Members at a community meeting at the Meek Estate Carriage House on Wednesday, June 9, 2010 at 7:00 p.m. at which the architects from RRM Design Group presented the conceptual designs for the West Terrace Area of the Meek Estate Park. He said that the attendees represented a good cross-section of the community. He further reported that the architects' presentation was excellent, and the selection of Concept I, which was unanimous, would certainly compliment the Meek Estate Park. Director Hodges concurred and reiterated that everyone was supportive of the preferred concept. Director Andrade requested Staff to forward a condensed copy of Concept I of the West Terrace Area project for his information.

Director Jameson -
"State of the City"
Presentation -
June 10, 2010

Director Jameson reported that she was joined by Director Hodges and Staff to the "State of the City" presentation on Thursday, June 10, 2010 at Chabot College, Hayward at which presentations were made by Mayor Sweeney and Mrs. Janis Duran, Superintendent of the Hayward Unified School District. She referred to the various reports and statistics made available by the Hayward Unified School District, all of which she said were dismal. However, she reported that the Hayward Unified School District is looking to the community for support, and to provide their time and talents to the District in many ways, for example by helping teach a class and as a volunteer in the K-6 classroom. Director Jameson briefly reflected on the efforts and strategies of the Hayward Unified School District for profound change and improvement, and complimented both Hayward leaders for their vision, and to expect good things in the future as they lead the way.

Presentation by
Mayor Sweeney and
Janis Duran,
Superintendent,
H.U.S.D.

Director Waespi -
Buon Tempo Club
Bocce Ball Tournament -
June 5, 2010 - Adobe
Park, Castro Valley

Director Waespi referred to Buon Tempo Club's benefit bocce ball tournament held at the Adobe Park on Saturday, June 5th. He reported that sixteen (16) teams competed in the tournament, which ran very smoothly. He added that everyone not only received a great deal, but enjoyed playing to help raise funds for the George Barnes Children's House in San Leandro.

**REPORT ON BOARD
MEMBER ACTIVITIES**

Director Waespi added that the Greater Hayward Area Recreation and Park Foundation may wish to consider a bocce ball tournament as a possible fundraiser. Director Hodges concurred and said that H.A.R.D. was well represented at the tournament and everyone enjoyed being at Adobe Park, which he said looked beautiful.

Next BOD Mtg.;
6/28/10; 7:00 p.m.

The next regular meeting of the Board of Directors will be held on Monday, June 28, 2010 at 7:00 p.m.

ADJOURNMENT

In Memory of Late
Judge Robert Fairwell

There being no further business to discuss, President Hodges adjourned the board meeting in memory and in honor of Judge Robert Fairwell, a long-time retired Hayward Judge, who recently passed away at his home in Hayward.

Field Trip

The Board Meeting was immediately followed by a Board of Directors' field trip.

DENNIS WAESPI, Secretary
Board of Directors