



HAYWARD AREA RECREATION AND PARK DISTRICT

AGENDA BOARD OF DIRECTORS Monday, March 13, 2017

REGULAR MEETING – 6:30 p.m.

**District Office, 1099 'E' Street, Hayward, CA 94541
(510) 881-6700**

Public Comments on Items on the Agenda

If you wish to speak on an item under discussion by the Board of Directors which appears on this Agenda, you may do so upon receiving recognition from the President of the Board. Please state your name and address and whether you are speaking as an individual, or are speaking for an organization, in which case, please state the name of the organization.

Public Comments on Items Not Appearing on the Agenda

Any citizen desiring to speak on a matter not appearing on this Agenda may do so under Public Comments at such time the President of the Board will request remarks from the audience. Those comments, by State Law, are limited to items of interest to the public that are within the subject jurisdiction of the Board of Directors. You should be aware that the law prohibits the Board from discussing or taking action at this meeting on items not on the Agenda except for very limited situations. Those situations are:

1. If an emergency exists. This generally requires the existence of work stoppage or a crippling disaster, which impairs the public health or safety. This requires the affirmative vote of three members of the Board; or
2. The Board finds that the need to take action arose after the Agenda was posted. If five Board Members are present, this action will require a 2/3 Vote or four votes. If only three or four Board Members are present, this action will require a unanimous vote of all Board Members present; or
3. This matter had been placed on Agenda and posted previously at prior meeting within the last five-days and was continued until this meeting.

In order to provide an opportunity for all members of the public who wish to address the Board, a time allocation of 5 minutes for each individual speaker and 30-minutes total time for public testimony on a particular item has been established by the Board of Directors.

Americans with Disabilities Act

In compliance with the Americans with Disabilities Act, special assistance for participation in this meeting can be obtained by contacting the General Manager's Office at (510) 881-6711. A 48-hour notification will enable the District to make reasonable accommodations to ensure accessibility to this meeting (28 CFR 35.102-35.104 ADA Title II).

***Louis M. Andrade, President
Board of Directors***

6:30 P.M. BOARD OF DIRECTORS REGULAR MEETING

1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

3. ORAL COMMUNICATIONS

3.1 Monthly Program Report-Performing Arts Gala

Executive Summary: The Board will receive a report and oral presentation for the April 29, 2017 benefit for the Douglas Morrisson Theatre, from Committee Chair Ms. Christina Sonas, introduced by Recreation Superintendent, Ms. Kerrilyn Ely.

Financial Impact: None.

Staff Recommendation: Receive the oral presentation.

Description of Item: On April 29, 2017 from 6:00 p.m. to 10:00 p.m. a gala benefit has been planned at the Japanese Gardens and Hayward Senior Center for the Douglas Morrisson Theatre. A volunteer committee comprised of mostly chorus members, assembled over a year ago to plan and implement the fundraiser.

Ms. Christina Sonas has worked with a group of volunteers to plan this fundraising event. Ms. Sonas will provide the Board with a report on the fundraising event entitled "One Enchanted Evening".

3.2 PUBLIC COMMENTS

(Note: For matters not otherwise listed on this agenda. The Board of Directors welcomes your comments under this section but is prohibited by State Law from discussing items not listed on the agenda. Your item will be taken under consideration and referred to Board of Directors' Committee(s) and/or Staff.) In order to provide an opportunity for all members of the public who wish to address the Board, a time allocation of 5-minutes for each individual speaker and 30-minutes total time for public testimony on a particular item has been established by the Board of Directors.

4. CONSENT CALENDAR

4.1 Approval of DRAFT Minutes of the February 23, 2017 Special Meeting

Executive Summary: The Board of Directors will consider approval of the DRAFT Minutes from the meeting.

Financial Impact: None.

Staff Recommendation: Approve Minutes of the February 23, 2017 Special Meeting.

Description of Item: **Attachment #1** is the DRAFT Minutes from the February 23, 2017 Special Meeting.

4.2 Approval of DRAFT Minutes of the February 27, 2017 Board of Directors Meeting

Executive Summary: The Board of Directors will consider approval of the DRAFT Minutes from the meeting.

Financial Impact: None.

Staff Recommendation: Approve Minutes of the February 27, 2017 Board of Directors Meeting.

Description of Item: Attachment #2 is the DRAFT Minutes from the February 27, 2017 Board of Directors Meeting.

4.3 Authorization to Appoint and Separate Hourly Employees as Approved in Resolution No. R-1617-61

Executive Summary: The Board of Directors will consider approval of the appointment and separation of hourly employees of the District.

Financial Impact: None.

Staff Recommendation: Adopt the Resolution approving the appointment and separation of employees as presented.

Description of Item: Attachment #3 is **Resolution No. R-1617-61** attached to the Resolutions includes the most recent appointments and separations. Pursuant to the Resolution the Board of Directors will consider the appointment and separation of employees that work hourly for the District.

5. WRITTEN COMMUNICATIONS – NONE

6. PUBLIC HEARINGS – NONE

7. UNFINISHED BUSINESS – NONE

8. NEW BUSINESS

8.1 San Lorenzo Community Park Phase I Renovation Approval of Change Order No. 14-Resolution No. R- 1617-62

Executive Summary: The San Lorenzo Community Park Phase I Renovation Project (Capital Improvement Project #6-138D) is currently under construction. The Board of Directors will consider approval of the Change Order.

Financial Impact: The total amount of the Change Order No. 14 is \$3,409.30.

Staff Recommendation: Staff recommends the Board of Directors receive the Staff presentation and Approve Change Order No. 14.

Description of Item: During construction, it was found that additional work was needed for the following:

- An area to the south of the basketball court was found to be lower than the adjacent grades, and holds water during the rain. A small drainage swale (ditch) is required to move the ponding water to the lake in the amount of \$1,739.45 attached to Resolution as **EXHIBIT A**.
- The contract documents require the General Contractor to carry a \$40,000 allowance for permit fees. Additional dewatering was required to complete the job. The actual cost of permits including the required dewatering permit has exceeded the allowance by \$1,669.85.

On September 28, 2015, the Board approved Change Order No. 1 for \$144,104.45; on January 11, 2016, the Board approved Change Order No. 2 for \$5,222.41; on March 20, 2016, the Board approved Change Order No. 3 for \$16,820.73; on May 9, 2016, the Board approve Change Order No. 4 for \$58,105.36; on May 23, 2016, the Board approved Change Order No. 5 for \$5,142.87; on June 13, 2016, the Board approved Change Order No. 6 for \$64,721.65 ; on July 11, 2016 the Board approved Change Order No. 7 for \$1,203.80; on September 26, 2016, the Board approved Change Order No. 8 for \$14,479.35; on October 10, 2016 the Board approved Change Order No. 9 for \$-4,405.60; on November 14, 2016, the Board approved Change Order No. 10 for \$28,874.79; on January 9, 2017 the Board approved Change Order No. 11 for \$3,941.86; on January 23, 2017, the Board approved Change Order No. 12 for \$988.83; and, on February 13, 2017, the Board approved Change Order No. 13 in the credit amount of \$-8,518.58.

Attachment #4 is **Resolution No. R-1617-62** the amount of this Change Order is \$3,409.30 bringing the new contract amount to \$11,208,091.03.

8.2 Adoption of Reserve Policy – Resolution No. R-1617-63

Executive Summary: The Board of Directors will consider adopting a Resolution approving the Reserve Policy for the District.

Financial Impact: None.

Staff Recommendation: Adopt the Resolution approving the Reserve Policy for the District.

Description of Item: The Board established a strategic goal to update the District’s Reserve Policy this Fiscal Year. The purpose of the proposed Reserve Policy is to have adequate designations for reserves, which are funds set aside for various District purposes. Reserves are critical to the successful and stable, short and long-term operation of the District. Adequate reserves ensure that both the public experience the level of service they are accustomed to, and the security that the District will have sufficient funds available to meet its cash flow, operating, capital, debt service obligations and contingencies needs.

Attachment #5 is the District’s current “Contingency Reserve Policy” that establishes a minimum level of contingency reserve that is required to be placed in the budget to protect the District from sudden unexpected changes in revenues and expenses. At the end of year any remaining contingency is rolled over into the following year’s budget as revenue. The new Reserve Policy would deem any remaining contingency as surplus and transferred to the General Fund Reserve.

Staff would still include a contingency in the budget to prepare for unforeseen circumstances; however year-end funds would be saved in one of four reserve funds including:

- Cash Flow Reserve
- Operating Reserve
- Liability Reserve
- Capital Replacement Reserve

Attachment #6 is **Resolution No. R-1617-63** to approve the proposed Reserve Policy, which is attached to the Resolution. This Policy was reviewed by the Policy and Finance Committees on February 22, 2017 and discussed at the Board Study Session on February 23, 2017. **EXHIBIT A** to the policy is the Classification of Fund Balances/Reserves in the Annual Audited Financial Reports.

9. OTHER BUSINESS

Brief informational-only reports from the Board of Directors and/or Staff, including Board Member activities, Committee Reports and Reports by the Board of Directors related to meetings attended on behalf of the District or at the District's expense (AB1234).

10. ADJOURNMENT

In honor and memory of Ed Avelar's wife, Barbara Lou Avelar and David Wilhite's mother, Idabelle; "Ida" Wilhite.

The next Board of Directors' Meeting will be held on Monday, March 27, 2017, Regular Meeting at 6:30 p.m., at the District Office (1099 'E' Street, Hayward, CA 94541).

This AGENDA is posted in accordance with Government Code Section 54954.2(a)

NOTICE: DISCLOSABLE PUBLIC RECORDS RELATING TO THE OPEN SESSION AGENDA ITEMS:

Documents that are disclosable public records required to be made available under California Government Code Section 54957.5 (b)(1) and (2) are available to the public for inspection at no charge during business hours at our Administrative Offices located at 1099 'E' Street, Hayward, California.
