



## **A Brief Review & Highlands Recreation District Bylaws**

In April, 1957, a movement to establish a homeowners organization among residents of the Eichler Highlands resulted in the formation of the Highlands Community Association. Early in the life of this Association a Recreation committee was appointed to investigate the availability of adequate recreation facilities for the area. Inquiries were made of Mr. Eichler, of the City School District, and of the City and County Recreation Departments. Their responses indicated that no funds were available, nor were plans being made to provide facilities other than those associated with the new Elementary School Playground. The Eichler interest declared themselves unable to provide such facilities as had been built by them in the Greenmeadow development in Palo Alto. However, Mr. Eichler financed a survey by the firm of Hahn, Wise and Barber to establish the primary recreational interests of residents in the new community.

As a result of these investigations, including the interest survey, the Recreation Committee recommended the formation of a Recreation district under the Community Services District Act of the Government Code of the State. Such a District has numerous advantages over a community club or association; it may finance through taxation, while remaining non-taxable; it obtains the most favorable interest rates for its bonds; and it exercises local control while remaining a responsible public body.

In September, 1957, an election was held which formed the Highlands Recreation District and elected a five-person Board of Directors, with fiscal powers over the geographic area contained within the boundaries of the proposed Eichler highlands. The District has power to condemn lands and to levy taxes to repay bonded indebtedness incurred through public bond election voted on by property owners of the District who are registered voters of the county. The District is the first formed in San Mateo - followed by the Ladera Recreation district - under the Act, although preceded by such programs as the Ravenswood Recreation District under other code provisions.

In January of 1958, a second and more specific survey of recreational desires was made, indicating priority of interest and degree of willingness of homeowners to assume a tax burden to provide the facilities chosen. As a result of this survey, it was decided to develop studies and preliminary plans for a facility to include a swimming pool, recreation center building, turfed play area and tennis courts, in that order of priority. A tax burden of between \$35 and \$50 annually was indicated as acceptable to the majority. Five firms of architects were interviewed by the board, and three possible sites considered. Upon completion of these studies, the architectural firm of John Lyon Reid & Partners, who designed Hillsdale High School, was selected and instructed to proceed with plans for a centrally located 3.45 acre site fronting on Lexington Avenue between Yorktown and

Ticonderoga. Upon completion and discussion of preliminary plans and estimates, as well as study by the Board of comparable facility operating costs, a bond issue of \$175,000 was proposed, and in May, was voted upon favorably by Highlands residents. With 90% of those eligible casting ballots, the measure received an 80% majority.

As of this date, the bonds have been sold, final plans have been approved, the property has been purchased and a grading contract awarded. It is expected that the facility will be in operation on or about July 1, 1959. The swimming pool as designed has been estimated by city and County recreation authorities as adequate for a community of 15,000 population. The Center building, of approximately 2100 square feet, will provide space for large meetings, parties and dances, as well as such organized play activities as exercise classes, table tennis and small court basketball. The tennis courts and turfed play area will provide facilities supplementing but not duplicating those available at the Highlands Elementary School. Under discussion currently are plans for operating the swimming pool and for supervised direction of all facilities. A full time program director will be employed during the summer months and part time during the school year. Extra help such as lifeguards will be hired as needed on a temporary basis.

All Highlands residents will share facilities equally. Through payment of taxes all homeowners share in the repayment of the bonded indebtedness. It was decided that it would be most equitable to defer principal payment until completion of all units of the Eichler development, estimated to be 700 in 1963. The indebtedness is to be paid in full at the end of 30 years, interest and operating expenses only for the first five years. Based on a tax rate of \$1.10 per \$100 assessed valuation, present cost per family under the District plan averages about \$4.00 per month. This amount should decrease upon completion of all homes in the District to an approximate average of \$2.18 per month per family, including principal payment, interest and operating expenses. Payment of this tax is made as part of the annual County tax, in most cases as a part of the monthly mortgage payment.

The Recreation Center has been designed for the use of Highlands residents and their guests, and attendance will be restricted by adequate identification procedures. Its success will be a measure of the planning and programming interest of all residents, as the Board will exercise no direct control over program, but only over administrative and financial matters. It is hoped that all residents will share equally the responsibility for establishing desired programs and for recommending operating rules which will make the Recreation Center a model community facility.

Original Board members are as follows:

Raymond P. Lawrence, President

Gloria D. Berg

Robert A. Burkhardt

David G. Parkes

William A. Shackelford

This manual was proposed as a guide to the Board of Directors and the management and employees of the Highlands Recreation District, to assist them in administration and operation of the Recreation Center.

No set of rules can cover all contingencies nor can they ever substitute for the use of sound judgment. This manual shall be amended promptly subsequent to the approval of minutes reflecting any policy changes enacted by the Board of Directors. The date of the minutes reflecting the change of policy is to be included immediately following the affected paragraph. All section numbers are in reference to California Government Code Re. # 61,000. (Unless stated otherwise.)

## HRD Bylaws

### A. FORMATION

1. Original Authorization and Purpose

The San Mateo Highlands Recreation District was organized as a Community Services District pursuant to Sections 61,000 *et seq.* of the Government Code of the State of California on the 24<sup>th</sup> day of September, 1957, for the purpose of providing public recreation by means of parks, playgrounds, swimming pools, recreation buildings, a community meeting hall, and such other buildings and facilities as are necessary to the operation of such a district, including, but not limited to, the acquisition of lands, rights of way, easements, or other rights of real property therefore, the purchase, construction, furnishing, or equipping of building and other facilities therefore, and the performing of all work auxiliary to any of the above which may be necessary to complete or maintain the same.

2. Additional Purposes

The functions and purposes of the District may in the future be expanded to such other matters as are legally permissible under the appropriate sections of the Code in the manner specified therein. Ref: #61000---61934

### B. BOARD OF DIRECTORS

1. Governing Body

The Board is the governing body of the District. Ref: #61300

2. Number of Directors, Qualifications and Election

The District shall have a Board of five Directors, as stated in the petition for formation, all of whom shall be registered electors residing within the boundaries of the proposed District and all of whom shall be elected at large. Ref: #61200 (Revised 6/9/98)

3. Elections of Directors

Elections are held in accordance with the Uniform District Election Law, Section 23500 *et seq.* of Government Code. Ref: #61400

4. Time of Election

Elections will be held on the first Tuesday after the first Monday in November in each odd numbered year, to choose successor, whose office will expire on the first Friday of December in the year of successor's election. Ref: #23509  
(Revised 6/9/98)

5. Term of Office

The term of office of each Director other than Directors first elected shall be four years. Elections will be held every two years with two Directors elected in the November election following the California gubernatorial election and three Directors elected in the November election following the Presidential election.  
(Revised 6/9/98)

6. Filling of Vacancies

All vacancies occurring in the office of a Director shall be filled by appointment by the remaining Directors elected. A nominee for appointment must receive at least three (3) affirmative votes to be appointed; otherwise, a new nomination for appointment must be made until such time as a nominee receives at least three (3) affirmative votes. Ref: #61204 (Revised 6/9/98)

7. Appointee's Term of Office

Such appointment shall be for the balance of the unexpired term or until the next election prescribed in Section 2504 of the Election code that is scheduled 90 days or more after the date of such appointment, whichever occurs first, at which time the vacancy shall be filled by election. That Director shall then be up for election again at the regular election date of his/her predecessor. Ref: #1780 (Revised 6/9/98)

8. Oath of Office

Before entering upon the duties of his/her office each Director shall take and subscribe the official oath before the secretary or any officer authorized by law to administer oaths and shall file it with the secretary. Ref: #61209

9. Recall of Directors

Every incumbent of the office of Director, whether elected by popular vote for a full term or appointed, may be recalled by the voters in accordance with the recall provisions of the Uniform District Election Law. Ref: #61452

10. Compensation of Directors

The board may authorize a Director to receive compensation for performing duties for the District other than attending board meetings:

- a. Not to exceed twenty-five dollars (\$25) for each day but payment is limited to five (5) days in any calendar month. Ref: #61208
- b. Traveling and other expenses incurred by him/her in performing such duties. (Revised 6/9/98)

## **C. CONDUCT OF BUSINESS**

### **1. President and Vice President of the Board**

At the regular December Board meeting following each general election of the District, the Directors shall meet and organize as a Board. At this time a President and a Vice-President shall be elected. Ref: #61220-61221 (Revised 6/9/98)

### **2. Committees**

At the regular December Board meeting following each general election, appointments shall be made by the President of Directors to serve on various committees. A committee shall consist of two Directors. Each committee is authorized to meet with staff members, and/or contractors, etc. to review pertinent matters within the scope of its jurisdiction. The committee shall report on its meetings at the next general Board meeting, making recommendations if it so desires. No final actions may be taken by a committee unless specifically authorized to do so by a majority vote of the Board members.

1. Financial

2. Personnel

(Revised 11/10/08)

### **3. Mode of Exercising Powers**

The Board shall act only by ordinance resolution or motion passed by an affirmative vote of at least three Board Members. Ref: #61223 & 61225 (Revised 6/9/98)

### **4. Recording Vote**

Except where action is taken by the unanimous vote of all Directors present and voting, the ayes and noes shall be taken upon passage of all ordinances, resolutions, or notions and entered upon the minutes of the Board. Ref: #61226

### **5. Quorum**

A majority of the Board (three Directors) shall constitute a quorum for the transaction of business. Ref: #61224 (Revised 6/9/98)

### **6. Amendment**

These Bylaws may be amended by an affirmative vote of at least four Board Members. (Revised 11/12/98)

## **D. MEETINGS**

### **1. Open Meetings**

All meetings of the Board shall be public except as provided by the Brown Act for special, emergency, or closed sessions. Ref: #54956. -54957.9 and elsewhere (Revised 6/9/98)

### **2. Conduct of Meetings**

Roberts Rules of Order shall be followed.

### 3. Preparation of Agenda

The agenda shall be prepared by the General Manager in consultation with the President, who shall have consulted with each Director to determine which matters should be agendized. The agenda shall be posted by the General Manager at the Rec. Center in a prominent place easily accessible to the public for a period of at least seventy-two (72 hours) before each Board meeting. Copies of the agenda shall be circulated to all members of the Board at least seventy-two (72) hours in advance of each Board meeting. (Revised 6/9/98)

### 4. Notice

Time and place of all open meetings shall be posted at least seventy-two (72) hours in advance. Cancellation shall be posted as soon as possible. (Revised 6/9/98)

### 5. Regular Meetings

The regular meetings of the Board of Directors shall be held on the second Tuesday of each month in the Social Room of the Recreation Center. Time and place may be changed by the Board of Directors after the regular meeting has been called to order. The new time and location shall be posted on the outside of the external door of the Social Room. (Revised 6/9/98)

### 6. Special Meetings

A special meeting may be called by the President of the Board or by a majority of Directors in the event of matters of importance, which cannot logically be delayed until the next general, regular, meeting. Only agenda items may be taken up at these meetings. Notice of such a special meeting must be provided to all Directors twenty-four (24) hours in advance of the meeting. Ref: #54956 (Brown Act) (Revised 6/9/98)

### 7. Emergency Meetings

When a majority of the Board determines that an emergency situation exists, it may call an emergency meeting. All provisions governing special meetings apply to an emergency meeting except for the 24-hour notice. Emergency meetings may not be held in closed session. Ref: #54956.5 (Revised 6/9/98)

### 8. Closed Sessions

Closed sessions are limited to specific matters such as real estate negotiations with a hired agent of the Board; pending litigation with a legal advisor to the board; insurance liability with Board's insurance advisor and/or legal advisor; personnel matters, and threat to public security. Any closed sessions of the Board must be briefly described on an agenda for the meeting. Prior to adjourning into closed session, a Director (usually the President of the Board) must orally announce the items to be discussed in the closed session. Once the closed session has been completed, the Board must reconvene in open session, where it may be required to report votes and actions taken in closed session. Ref: #54956.7 - 54957.1 (Brown Act) (Revised 6/9/98)

9. Minutes

Minutes of all Board meetings shall be posted at the Recreation Center in a place easily accessible to the public and distributed to Board members within six (6) days following each Board meeting. (Revised 6/9/98)

10. Records

Corrected copies of minutes are to be kept indefinitely.

## **E. STAFF**

1. General Manager

The Board shall appoint the General Manager. Ref: #61240 (Revised 6/9/98)

2. Managerial and Supervisory Staff

The General Manager shall appoint managerial and supervisory staff members. (Revised 6/9/98)

3. Compensation – Term

a. The General Manager shall receive compensation as determined by the Board of Directors and shall serve at its pleasure.

b. A Director shall not be General Manager. Ref: #61241 (Revised 6/9/98)

4. Performance Bond

The General Manager and other employees or assistants of the District required so to do by the Board shall each give a bond of his/her duties as the Board may provide. Ref: #61245 (Revised 6/9/98)

Revised June 9, 1998 and November 12, 1998

(Bylaws Committee: Steve Gehre and Wil Pinney)

Board of Directors: President Gordon Chalmers, Vice-President Steve Gehre, Edie Kirschner, Wil Pinney, & Jim Sell.

Revised November 10, 2008

(Bylaws Committee: Brigitte Shearer and Michelle McNeil)

Board of Directors; President Hal Carroll, Vice President Brigitte Shearer, Jim Sell, Pamela Merkadeau, & Michelle McNeil.