

12/8/2004

USTA NorCal Board of Directors Meeting
December 8, 2004--Corrected Version
ClubSport Fremont

Board Members Present: President Dwight Johnson, Fred Tierney, Betty Cookson, Dave Sperry, Jean Hassoun, Philip Stromer, Terry Cossette, Brian Cory, Patrick King, Bill Schoen, Sandi Kaney, Deb Petersen, Bill Hansen, Rosie Bareis, Jack Drimmer, Randy Becker and Margie Peterman.

Past Presidents Present: Paul Kepler, John Frank, Don Jacobus, Mark Manning, Gary Lee. Kim Fuller, Liz Blum

Staff Present: Bruce Hunt, Karen Hirtzel, Jim Coyne, Bob Manalo, Fred Alleman, Mike Friedman, Craig Stephens, Loretta Strickland, and Sharon Smith-Mauney

Delegate Present: Tony Silveria

Guests Present: Alvin Hom, Rick Kepler, Linda Peltz, John Cervantes, Suzy Cossette, Mike Dickey, Bill Patton and John Dale Evans, and David Shapiro to conduct parliamentary training.

The first meeting of the newly elected USTA NorCal Board of Directors was called to order by President Dwight Johnson at 6:35 p.m.

An agenda with a different order of consideration was passed out and a motion was made by Past President Mark Manning to conduct the meeting according to the newly ordered agenda. An amendment to the motion was made to add the verbal request from the Delegate to include the Delegate's report after the President's Report. The amendment was accepted by Mark.

Vote was taken by secret ballot. Simple majority.

Vote Yes 12 vs No 10. Motion passed.

Introductions were made by Bruce Hunt, Executive Director.

Public Comment: Bill Patton and John Cervantes, both made separate public comments.

Bill stated that he felt discomfort after receiving an e-mail with the evaluations of some of the board members. He stated further that he felt these evaluations should have been confidential. As some of the comments were derogatory, he felt that the e-mail was entirely inappropriate.

John Cervantes said that he was appalled at receiving an e-mail (regarding the evaluations) and that he considered (the action) was wholly unprofessional.

John Cervantes was commended by Tony Silveria for all his good work in community tennis.

Approval of minutes: The minutes of the November 6, 2004 meeting were approved as written. Vote: Yes 19 vs No 0 with 2 abstentions.

Two of the newly elected board members abstained as they felt they could not approve minutes to a meeting that they had not attended.

Delegate's Report: President Dwight Johnson invited Tony to give the Delegate's Report before the President's Report. Tony reported the surplus monies for 2004 will be approximately \$12 million dollars (\$5 million coming from the US Open and the bulk of the balance from the Davis Cup and the Fed Cup.)

Tony told the Board that NorCal had helped to open up the national nomination process and that NorCal was also responsible for sectional representation on the national budget committee. He has been pushing for sectional representation at the US Open and mentioned that next year will be critical as many decisions will be made regarding how the sections will be paid in future years.

Moving forward, Tony made a suggestion (to the Board) for future delegates: Vote the delegate in for 2 years with a term opposite to that of the President so that we would always have someone with experience to deal with Nationals.

President's Report: Dwight Johnson presented a slide show depicting the USTA NorCal organizational chart titled "Form vs Function" for his report. He made several suggestions to the Board:

1. Define the President's role as well as objectives.
2. Define the Executive Director's role as well as objectives.
3. Recognize the challenge of communication between volunteers and staff.
4. All Board members should be involved in committees and chairs.
5. Committees should meet face-to-face at least quarterly.
6. Celebrate and honor our volunteers.

Dwight further went on to say:

1. Directors should take an active role in managing the affairs of the section
2. We need a Leadership Retreat
3. Emphasize "softer" communications
4. We need clearer management by objectives for the President and the ED.
5. We need to emphasize the Section's objectives for the volunteers and staff.

Treasurer's Report: Terry reported that there was an expected surplus for 2004 of approximately \$13,575.

Election of Officers: After nominations and before the votes were taken, each candidate gave a little talk as to why they wanted to serve in a particular office.

Votes for all positions was by secret ballot. Simple Majority.

Nominated for Delegate: John Frank Votes received 15

Terry Cossette Votes received 7

Tony Silveria - declined

John Frank was elected as Delegate.

Nominated for Vice-President: Margie Peterman Votes received 14

Fred Tierney Votes received 8

Margie Peterman was elected as Vice-President.

Nominated for Treasurer: Jack Drimmer

Jack Drimmer was unopposed and was elected as Treasurer by unanimous vote.

Nominated for Secretary: Bill Schoen

Bill Schoen was unopposed and was elected as Secretary.

Nominated for Parliamentarian: John Dale Evans

Linda Peltz -declined

Alvin Hom -declined

John Dale Evans was unopposed and was elected as Parliamentarian.

There was a motion to postpone the election of legal counsel until a later date.

Secret ballot,. Simple Majority

Vote: For 6 vs Against 14.

Motion defeated.

Nominated for Legal Counsel: Jim Drimmer, Esq. Votes received 18

Ron Carter, Esq. Votes received 2

Abstentions 1

Jim Drimmer, Esq. was elected as Legal Counsel.

Action Items:

A: Removal of Dwight Johnson as President and President-Elect.

Dwight asked the board to vote on whether an officer can bring forward an action item. According to our rules, an officer can bring an Action Item. NorCal By-Laws state that the Parliamentarian is an officer.

The chair ruled that Rosie Bareis, as Parliamentarian, is considered an officer and eligible to bring forward an Action Item.

Margie took over chairing the meeting.

Motion for Removal of Dwight Johnson as President and President-Elect.

Secret ballot, Simple majority.

Vote: Removal 12 vs Don't Remove 10

Dwight was removed as President of USTA NorCal Board of Directors.

B: Election of President and/or President-Elect.

Motion for a new election.

Secret ballot, Simple Majority

Vote: Yes a new Election 15 vs No Election 6 Abstain 1

Motion passed

Nominations for President:

Patrick King - declined

Terry Cossette – declined

Paul Kepler

Bill Schoen - declined
Dwight Johnson

The chair declined to recognize staff members present to speak for or against the election or the nominees.
Motion to allow staff to speak at the board meeting.
Secret Ballot, Simple Majority
Vote: Yes staff to speak 14 vs No staff cannot speak 8
Staff allowed to speak.

Election for President between Paul Kepler and Dwight Johnson.
Secret Ballot. Simple Majority.
Vote: Paul Kepler 12 vs Dwight Johnson 10
Paul Kepler was elected President.

Paul takes over the chair and declares a break.

Of the 43 people attending the board meeting 19 did not return after the break, 6 of whom were Directors.

C: Inside Tennis Article Submission.

Motion: To remove the requirement that Inside Tennis Magazine submit “controversial” articles to USTA NorCal.

Amendment to motion: To include the words “and letters” between articles and to USTA.
Vote: Yes 14 vs No 2 Amendment passes.

Vote on amended motion: Yes 8 vs No 7 Abstentions 1
Motion passes.

D: Extent of TPI ratings shown for league players.

Before the Action Item could be discussed, the board had to make a determination as to when newly elected Directors could present an Action Item.

Motion: Any newly elected member of the Board of Directors may propose an Action Item (with 2 other Directors) during the time between their election and their first meeting to be presented at their first Board Meeting.

Vote: For 14 vs Against 0
Motion passes.

Motion: To limit the ratings shown on TPI for league players to their DNTRP ratings and to round off the ratings for non-league players to a ½ point, using the same algorithm as used by DNTRP.

Discussion: TPI is a national program so changes made to TPI will have an affect nationally.
Vote: For 9 vs Against 3 Abstentions 3
Motion passes.

Motion: To table the rest of the Agenda until the next meeting.
Motion passes

Meeting adjourned at 11:00 p.m.

Respectively submitted by
Bill Schoen, Secretary and aided by Margie Peterman, secretary emeritus

BOARD OF DIRECTORS' MEETING AGENDA

Wednesday, December 8, 2004
ClubSport Fremont
46650 Landing Parkway
Fremont, CA 94538

Directions: Driving South on 880, take the Mission Blvd/Warren Ave Exit.
Continue on W. Warren and turn right on Landing Pkwy.
Driving North on 880, take the Gateway Blvd Exit. Continue on Gateway Blvd
and turn right on Bayside Pkwy. Bayside turns into Landing Pkwy

I. Food and Beverage—6 PM
II. Call to Order—6:30 PM
III. Introduction of Guests

- IV. Public Comments-10 minutes, 2 minutes per speaker
- V. Approval of Minutes
- VI. Orientation for 2005-06 Board
 - A. President's Report
 - B. Presentation by S. David Shapiro, Parliamentarian
 - C. Explanation of Meeting Format
 - D. Adoption of 2005 Meeting Schedule and Location
 - E. Overview of 2005 Budget
 - F. Distribution of Board Resolutions
- VII. Election of Officers, Parliamentarian and Legal Counsel
- VIII. Executive Committee Activities
- IX. Executive Director's Report
- X. Treasurer's Report
 - A. Monthly Financial Statements (Green)
 - B. Monthly Grants (Red)
- XI. Committee Decisions/Reports-(Yellow) Constitution and Rules
- XII. Action Items (Blue)
 - A. Inside Tennis Article Submission
 - B. TPI Rating Display-Pending Board Decision about Bylaws
 - C. Removal of Dwight Johnson as President & President-Elect
 - D. Election of President and or President Elect
- XIII. Old Business
- XIV. New Business
- XV. Adjournment of Meeting

Next Regular Meeting: Tentatively scheduled for Wed., Jan. 19 at a site to be determined.

December 2004 A

Presenter(s):

Philip Stromer, Jean Hassoun, Bill Hansen, Deb Petersen, Liz Blum, Mark Manning, Gary Lee, Don Jacobus, Hunter Delatour, Margie Peterman, Rosie Bareis

Statement of Action Item:

Remove the requirement that Inside Tennis Magazine submit "controversial" articles to USTA NorCal.

Rationale for Action:

Promoting the growth of tennis does not include censorship of the press of controversial topics. Inside Tennis is an award-winning tennis magazine, and we should not infringe on the publisher's right to run the magazine as he sees fit.

Fiscal Impact:

None.

Staff Comments:

We will follow the directive from the Board.

December 2004 B-Pending decision by the Board regarding the interpretation of the bylaws for presenters.

Presenter(s):

Dave Sperry, Sandi Kaney, Deb Peterson & Jean Hassoun.

Statement of Action Item:

If/when the league players are listed in TPI, the only ratings shown for them will be their DNTRP ratings, when it exists.

For non-league players, unless they have a tournament rating that would be used and posted, their ratings should be computed by TPI and rounded to a ½ point, using the same algorithm as used by DNTRP.

Rationale for Action:

If TPI is deployed in the organizations as recommended by the staff and approved by the Adult League Committee, and if the league players are loaded in TPI, the players can use the information obtained by TPI to 'manage' their league rating by avoiding receiving strikes. One of the main requirements for DNTRP to operate as planned is to not provide a league player about any knowledge of what his/her actual rating is, so he/she can receive a strike when he/she deserves it.

Several years ago, USTA National League published NTRP to the tenths (3.5, 3.6, 3.7, 3.8, etc) and it created division and decision within teams because some players were benched who had a low NTRP.

Additionally, it was suggested that the players who were borderline might tend to sandbag in order to lower their NTRP. Therefore, USTA National League published NTRP's with a plus () and a minus (-), such as 3.5 or 3.5-. Again, this did not work. To date USTA National League now only publishes dynamic NTRP as 2.5, 3.0, 3.5, 4.0, 4.5, 5.0 and 5.5.

Comment: TPI can still compute a TPI rating for those players with 3 decimals, so the computing of match results would be done with precision, but those ratings will be internal to TPI, not shown anywhere.

Timely need to consider this action item: As part of the committee decisions submitted to the December board meeting will be an ALC decision to support the loading of all leagues players into TPI (to allow the recording of all leagues match in TPI). This action item would directly impact how that decision would be implemented.

Fiscal Impact: About four hours of programming time would be needed to change the display of TPI on the web pages.

Staff Comments: Here are several thoughts to alleviate the concerns about displaying TPI ratings for league players.

We could publish the rating after X number of matches are calculated. This could be any number of matches we deem necessary. The rating that is published will then be based on their DNTRP but would be a rating based on a number of matches played. If we start with the 2004 adult league season players should have plenty of matches in place. Doing this would not divulge a players DNTRP. This would make manipulation of the ratings for the sake of deception more difficult.

If everyone has full access to the numbers, everyone has the same advantage. All players will see their TPI ratings to the thousandths or hundredths giving everyone equal advantage to be honest or to cheat. Are those ratings the same as DNTRP? No, the algorithm used for each one is different. As to players knowing when they will receive a strike. That will not happen. The strike level is not public and players do not know if they have one or two strikes until they receive the third strike. A captain or player will not know when a player generates a strike by looking at their TPI rating. If a captain thinks they can control the strikes a player receives by benching a player and using that player later in the season, let them do it. All that means is they are now limited to use a player who is presumably out of level. The thought that they are avoiding a second or third strike by keeping such a player out will be better for those who play honestly. The opportunity to steamroll everyone is remote and difficult to pull off. If they are willing to go through all the effort required to cheat, no matter what system is in place they will do it. In this case, it would take a large # of players participating in a conspiracy to cheat.

Action Item December C

From: Mark Manning [mark.manning@sbcglobal.net]

Sent: Wednesday, November 24, 2004 3:04 PM

To: Hunt, Bruce

Subject: Action Item For Board

Presenters: Mark Manning, Rosie Bareis, Brian Cory

Action : Removal of Dwight Johnson as President and President Elect

Rational: To be discussed at board

Action Item December D

From: Mark Manning [mark.manning@sbcglobal.net]

Sent: Wednesday, November 24, 2004 3:08 PM

To: Hunt, Bruce

Subject: Action Item

Presenters: Mark Manning, Rosie Bareis, Brian Cory

Action Item: To hold election for president and or president elect at Dec meeting