

3/17/04

USTA NorCal Board of Directors Meeting
March 17, 2004--Corrected April 21, 2004
Club Sport Fremont

Board Members Present: President Paul Kepler, Betty Cookson, Rick Kepler, Linda Peltz, Shar'ron Smith, Dave Sperry, Fred Tierney, Jean Hassoun, Philip Stromer, Patrick King, Andrea Norman, and Margie Peterman.

Past Presidents Present: Kim Fuller, Don Jacobus, and Mark Manning

Parliamentarian Present: Rosie Bareis

Delegate Present: Tony Silveria

Staff Present: Executive Director Bruce Hunt, Jim Coyne, Bob Manalo, Summer Verhoeven and Jason Scalse

Guests Present: Bill Hansen, Dennis Kanemitsu, Mike Dickey, Pua Johnson, Jack Drimmer, Karla Barnett, Tom Epley and Joyce Englert of the TL team.

Meeting: The regular meeting of the USTA Northern California Board of Directors was called to order by President Paul Kepler at 6:35 p.m. The guests and staff were introduced.

Karla Barnett was presented a gift from the NorCal Board thanking her for her past service on the Board.

Public Comments:

1. Dennis Kanemitsu of Mission Hills addressed the issue of the TPI Pilot Program and the results of the survey that he conducted on the web. He stated his willingness to help update the info on TPI.

Minutes: The minutes of the last meeting were approved as amended.

1. typo on item 3 of the Treasurer's Report – change the to they.

2. Action Item G – Add - the weighted order is from least weight to greatest weight.

3. Motion on the implementation program – Item 4 change soft costs of approximately \$80,000 to no more than \$80,000.

4. Motion on the implementation program – Item 5 eliminate no more than - Line should now read – 5.

Kim's technical team will implement the system for \$40,000.

Minutes of the Executive Session of 2/18/04 was approved.

Much controversy about the minutes of the Special Session of 2/25/04 and why they were not available at the meeting. Since the minutes were not available no motion to approve or correct were made.

Minutes of the Executive Committee of 3/11/04 was presented to the Board. There was a Motion to retract the action.

Executive Session called at 6:55 p.m.

Regular meeting resumed at 7:40 p.m.

President's Report:

1. Paul announced that several people had resigned from the Adult League Committee and that he had appointed 3 replacements – Jean Hassoun, Sandi Kaney and Rich Cardiff.

2. Informed the Board that there would be a Presentation made at the Annual Meeting for a waiver to use TPI for the Leagues

3. Announced that we are presently beating Eastern in membership and are now #4 in terms of membership.

Executive Director's Report:

1. Bruce added to the Executive Report that he handed out that 2 boys – Eric Ramos and Philip Kao had received National Grants.

2. Bruce informed the Board that 7 member orgs had been loaded into TPI out of 43 orgs that wanted to be loaded.

Treasurer's Report: - included in packet

Delegate's Report:

1. Attendees to the annual meeting will meet and discuss the Call items on the agenda. Mike Mee and Tony Silveria are to present Call Item #6. A clarification on Call Item #6 was asked for as there seemed to

be a conflict with our By Laws.

2. Report that Courtside has the most Nationally ranked junior players (more than 100) in all of NorCal.

Question asked as to when Mike Friedman who have the opportunity to work on other IT issues. – Kim stated that not for a minimum of 60 days but more likely not for 90 – 120 days.

Action Item A: Change delivery of Budget Committee recommendations to the Board from August to September – Passed unanimously.

Action Item B: Review progress of TDM and its use vs the use of TMS

Motion: To allot \$6,000 during the next 90 days for the conversion of data from TMS to TDM with the time for tournaments to submit their data shortened to 48 hours (from 72 hours) for only those tournaments that need to be converted. Permission to use TMS must be requested from either the Director of Junior or Adult Tennis.

Passed 9 for vs 5 against

Comment from Joyce Englert (of TL) This is the only section that is giving feedback – questions, complaints, etc. Improvements to the system are made daily and packaged weekly. There have been 1000 tournaments that have been published on TDM since January 2004. TL converted 35 tournaments. Scheduling is being improved – it is not perfect – at this time, TDM uses the straight Garman system, TMS uses an enhanced Garman system. This is the main difference between the 2 scheduling systems. A manual for using TDM is scheduled to be unveiled at the annual meeting in PR. Tom Epley gave a report regarding TDM and Pua Johnson provided comments to the discussion.

Action Item F: TPI requirement of belonging to a member org.

Motion: NorCal to create a dummy organization to register players not associated with an org.

Amended motion: NorCal to create an organization for captains of teams to be able to register players.

Amended motion: The office would look at teams not associated with any member org and facilitate those teams in finding and org that they can be a part of.

Concern of Bruce Hunt: NorCal should not be in competition w/member orgs whose members possibly pay dues.

Motions defeated 2 for vs 10 against

Action Item G: Realignment of Lower Peninsula

Referred to Adult League Committee

Action Item H: An explanation of the change in grant procedure was requested. Bruce gave a satisfactory explanation.

Action Item I: Umpires and Referees

Deferred

Executive Session resumed 10:30 p.m.

Respectively submitted by
Margie Peterman, Secretary,

BOARD OF DIRECTORS' MEETING AGENDA

Wednesday, Mar. 17, 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 Refreshments—6 PM

II. Call to Order—6:30 PM

III. Introductions

IV. Public Comments-10 minutes, 2 minutes per speaker

V. Approval of Minutes

VI. Executive Committee Activities

VII. President's Report

VIII. Executive Director's Report

IX. Treasurer's Report

- A. Variance Report (Green)
- B. Monthly Grants (Red)
- C. Budget Requests (Purple)

X. Delegate's Report

XI. Committee Decisions/Meeting Schedule (Yellow)

XII. Action Items (Blue)

- A. Budget Process Time Table Change
- B. TDM – TMS Discussion
- C. Consolidate April 14 Special Meeting & April 21 Regular Meeting into April 21 Regular Meeting with a Limited Agenda
- D. Parliamentarian for Special Meeting
- E. Election of General Counsel
- F. TPI Requirement of Belonging to a USTA Member Organization
- G. Realignment of Lower Peninsula and South Bay League Areas
- H. Grant Process Explanation
- I. Officials Grievance Procedure

XIII. Old Business

XIV. New Business

XV. Adjournment of Meeting

Next Regular Meeting: Wednesday, April 21, 2004 at site to be determined

Special Meeting: Wednesday, April 14, 7 PM, Marriott Fremont

March 2004 A

Presenter(s): Jack Drimmer, Chair, Budget Comm.; Paul Kepler, President

Statement of Action Item: To change the Budget Committee resolution of 1/19/00 that the Board approved from "Deliver Budget recommendations to the Board by August 1 of each year" to "by September 1 of each year" and from "Require the Board to vote on budget recommendations at its October meeting each year" to "at its November meeting each year."

Rationale for Action: To permit the Budget Committee and the Board to have more time to prepare, present and approve the Annual Budget.

Fiscal Impact: None

Staff Comments: Staff agrees.

March 2004 B

Presenter(s): Paul Kepler, President; Bruce Hunt, Executive Director

Statement of Action Item: To review the progress that has been made by TDM as the replacement tournament software for TMS. Some Tournament Directors and Referees have used TDM in the Section since January 1, 2004 while others have used TMS.

Rationale for Action: There was a change in the relationship between the USTA and Sirius Software as of 12/31/03 that necessitated this action. Becky Lenhart has reported that an amicable agreement between USTA and Sirius Software was recently signed by both parties. The agreement included the right to use TMS tournament information until the end of February. Beginning March 1, 2004, TDM will be used exclusively for USTA tournament data and rankings.

Fiscal Impact: All expenses for converting TMS tournaments to TDM for ranking and Internet purposes have been paid by USTA National for tournaments that closed registration through Feb. 29. There has been no allowance for USTA National to pay the conversion cost for tournaments that use TMS and close registration after Feb. 29 to my knowledge.

Staff Comments: There appears to be no other option for our Tournament Directors and Referees than to use TDM for tournaments that close registration after Feb. 29. If TMS still accepts TennisLink tournament entries, a Tournament Director or Referee might opt to use TMS and convert the results to TDM at their own time or USTA NorCal could decide to cover the cost. See other documents attached. Joyce Englert from TennisLink will be attending the meeting to answer questions. Tom Epley

who prepared a report about TDM may also be able to attend to answer questions, too.
March 2004 C

Presenter(s): Tony Silveria, Andrea Norman, Mark Manning, Brian Cory, Rick Kepler, et. al.

Statement of Action Item: To consolidate the April 14 Special Meeting and April 21 Regular Board Meeting to April 21 and to limit the agenda at the consolidated meeting.

Rationale for Action: To make it easier for all Board members to attend without additional personal sacrifice and to provide as much time as possible to discuss the issues.

Fiscal Impact: There may be cancellation fees due the hotel of \$470.

Staff Comments: As the Board wishes.

March 2004 D

Presenter(s): Linda Peltz, Betty Cookson, Dwight Johnson

Statement of Action Item: We direct Bruce Hunt, Executive Director, to retain the services of a registered parliamentarian for the April 14 Special Meeting.

Rationale for Action: The use of a professional parliamentarian would help ensure that the meeting ran properly.

Fiscal Impact: The cost is \$75 per hour for the meeting and \$.375 per mile for travel.

Staff Comments: I will do as the Board directs me to do.

March 2004 E

Presenter(s): Andrea Norman, Don Jacobus, Mark Manning

Statement of Action Item: To elect the office of general counsel

Rationale for Action: This election was overlooked at the Dec. 2003 meeting when the other officers were elected

Fiscal Impact: None

Staff Comments: Les Hausrath of Wendel, Rosen, Dean and Black is the most recent elected legal counsel of USTA NorCal and he would serve again if elected.

March 2004 F

About the TPI Requirement of belonging to a USTA Member Organization to Play in the Leagues

Sponsored by: Jean Hassoun, Philip Stromer & Betty Cookson

Statement of Action Item:

Change: the current TPI requirement is such that to be able to register in TPI and then qualify to for league play, a player needs to belong to USTA member organization (an organization with USTA paid dues).

Motion Part 1: Only USTA member organizations (with their USTA dues) will receive the benefit of TPI as a registration system (copy of TPI on a computer, automated player registration process after qualification).

Motion Part 2: Players will be able to register in TPI on the web without being associated with an organization.

Rational for Action:

Until today, a team could be formed anywhere, with the only requirement of having access to courts. Players had to be USTA members and paid their league registration fees.

With TPI, they are now denied that right, and are now required to either belonging to a member organization or to create one for the sole purpose to be allowed to play in the leagues.

This would especially hurt and exclude teams based on public courts and low income players.

Also, many organizations were identified as proper sites for league play, but were not required to pay USTA dues. With TPI, they would no longer be allowed to field teams in the USTA leagues. Many of those organizations are not current in their USTA dues.

Instead, what is proposed here is to identify TPI as a benefit much worth the small cost of the USTA membership for the organization.

Still, organizations could operate just as they did in the past, or could elect to become a USTA organization and take full advantage of access to TPI in their clubs.

Important: The current TPI setup would be very damaging to NorCal (even potential legal issues) as it excludes many of our public park players.

Risk for a TPI failure if we adopt that proposal? *** None!!! ***

None. In fact this would facilitate the registration in TPI and accelerate the process in getting a critical mass of players in TPI.

Fiscal Impact:

Almost none from the proposal: The actual revenue for USTA from the organizations is tiny versus either the player membership revenue or the league registration.

Yes for leaving things as they are: Losing league players will hurt the \$725k league revenue critical to NorCal.

We were told that we could lose (and were willing to lose) 20 to 30% of the current league players. This would represent perhaps \$145k to \$217k of lost revenue.

Are we really willing to lose that much critical revenue when a simple and fair accommodation could help prevent it?

Staff Comments:

The resolutions passed by the Board under which the TPI Pilot is moving forward for the 2004 Combo League were based upon individual member players being associated with a member organization. A change in that approach would trigger the clause that allows the TPI Support Team to increase their charge to perform the pilot from \$40,000 up to \$80,000 based upon expenses incurred and to step away from the project.

Realignment of Lower Peninsula and South Bay League Areas

March 2004 G

Presenters: Jean Hassoun, Andrea Norman & Philip Stromer

Statement of Action Item:

Realign the Lower Peninsula and South Bay League Areas in a way that:

1. Generally splits the geographic area encompassing both League Areas horizontally
2. Places the Mango USTA Member Organization in the Lower Peninsula (LP) League Area
3. Places the Sunnyvale Tennis Center USTA Member Organization in the South Bay (SB) League Area

Mandate for Sunnyvale Tennis Center: Sunnyvale Tennis Center agrees to move some of its teams so that they are registered under the Mango USTA Member Organization.

The effective date of the realignment should coincide with the start of team registration for the 2004 USTA NorCal Combo League.

Rational for Action:

Sunnyvale Tennis Center has experienced massive growth in the number of teams it is able to field for league play in the wake of the league rules allowing players to compete on multiple teams. The experience of Sunnyvale illustrates the enthusiasm with which many of our Section's members commit themselves to USTA Leagues in NorCal - an enthusiasm that should be nurtured and replicated throughout the Section.

The explosion of team registrations at Sunnyvale has had some negative impact on the SB League Area that the presenters believe will be solved by the proposal:

- Diversity of Club Representation in League Areas. One of the benefits of playing on a USTA League

Team is the ability to play in a number of different club environments throughout the season. The current alignment of the SB and LP League Areas has resulted in approximately twice as many USTA Member Organizations fielding USTA League Teams in the LP League Area than in the SB League Area.

Currently teams registered for the 2004 Adult League Season in the SB League Area come from 6 USTA Member Organizations, one of which is Sunnyvale Tennis Club and one of which is Mango Park, a facility that fields teams associated with Sunnyvale Tennis Club. In comparison, currently teams registered for the 2004 Adult League Season in the LP League Area come from 13 USTA Member Organizations.

To illustrate the lack of diversity on competition at various NTRP levels, in 2003, the 3.5 Women's League had two flights of 9 teams. There were 4 Sunnyvale teams in each flight. Every non-Sunnyvale team played Sunnyvale in 1/2 of their matches. Another example would be the 2003 8.5 Combo Women's League that had 4 teams, 3 of which were Sunnyvale. The round robin format had each team play the other teams three times. The one non-Sunnyvale team played all 9 matches against Sunnyvale. In contrast, the LP 8.5 Women's Combo League had 6 teams, only 2 of which were from the same organization.

Members from several organizations in the SB League Area (Kona Kai, Silver Creek and Almaden Swim & Racquet Club) have expressed their dissatisfaction with the lack of diversity. Additionally, the AVAC member-run tennis committee has unanimously agreed that more equitable distribution of organizations was necessary. The presenters believe that improved club representation in the League Areas would be created for realignment.

- **Minimizes Driving Times to Matches.** The current League Area boundaries do not optimize travel times to matches. The boundary is generally divided along north-south along Highway 17/Interstate 880. Some organizations that are only a 5-minute drive from each other are in separate League Areas. For example Almaden Valley Athletic Club and Almaden Swim & Racquet Club are in a separate League Area from Los Gatos Swim & Racquet Club, JCC and Courtside. The same is true for Decathlon and Sunnyvale Tennis Club. Redrawing the boundaries east-west would better optimize driving times between organizations.

- **Supports League Growth.** Much of the growth in the number of teams fielded at Sunnyvale has been from players who belong to clubs that have limits on the number of teams they can field. These limits relate to both to the number of courts at a facility and the number of courts a facility reserves for lessons and non-league play. Sunnyvale believes it has the capacity to field a significant number of additional teams. This continued growth will further impact the diversity of the SB League Area and the number of matches a non-Sunnyvale team plays against one organization.

Providing for means for Sunnyvale to continue to field additional teams will facilitate the growth of league competition in the geographic areas that make up the LP and SB League Areas.

Fiscal Impact: None.

Staff Comments:

Jean brought this proposal to the ALC earlier this season. It was considered at great length, but the Committee could not resolve its concerns that this change of area boundaries would result in the appearance, if not the result, of preferential treatment for Sunnyvale teams. The Mango courts are one mile from Sunnyvale, and are used primarily, if not exclusively, by the Sunnyvale Tennis Club members. This proposal would allow STC players twice the opportunity to play on more than one team. In fact, entire teams could play at both sites, since rules allow players on more than one same level teams only if the teams are in different areas. How do we explain this privilege to other facilities who would like the same arrangement?

While STC has every right to be proud of its huge and growing tennis population, in fact Sunnyvale teams represent only a small percentage of total teams in each of our leagues. In our present Adult League season, there are 50 teams registered under the STC umbrella (45 at Sunnyvale, 2 at Mango and 3 at Santa Clara). This is barely 4% of the total 1,332 Adult league teams.

Re travel time. Again, in the big picture of driving to matches in the entire Northern California section, the travel times between and among the South Bay teams are relatively short, compared to areas such as Sacramento or Sonoma Mendocino. There are no geographic boundaries that please all teams, but in an area as densely populated with tennis facilities as South Bay, any boundary will separate facilities that are in fact quite close.

March 2004 H

Presenter(s): Linda Peltz, Kim Fuller, Don Jacobus

Statement of Action Item: We are asking for an explanation about the change in grant procedures mentioned in the Feb. 4 Community Tennis document from the Feb. 18 Committee Decisions document about the restructuring of the Community Tennis Committee. See the following:

The shifting of responsibility and money has been decided based on the direction the President has outlined. With the establishment of a new Jr. Rec committee under the leadership of Marge Peterman and the oversight of Jim Coyne, the growth of junior recreational tennis is in good hands. The new direction will impact the Community Tennis Committee by shifting over all directional and funding responsibility to this new committee. Based on last years funding summary . . . we (CTC) funding approximately \$38,000 to youth oriented programs. Given that we added about an 8% increase in our (CTC) budget request for funding in 2004, we will shift over \$40,000 to the JR. Rec. Committee. As I had mentioned before, Sherri Nordahl who headed our Jr. Rec. subcommittee will chair a new subcommittee responsible for handling youth requested funding. The process will basically be the same with these request no longer going to the Community Tennis Committee, but instead to the new Jr. Rec. Committee.

Along these lines, we have decided that we should also direct all request for funding that involves a diversity component to the MPC committee. The idea is to get a better handle on what we are funding, eliminate the overlaps and increase the ceiling for funding request to the committee. We have an opportunity to take the priority one mandate from the USTA and reorganize our sectional direction to establishing and fund programs, individuals and organizations who are in concert with our commitment. With the able leadership of Mark Manning and his committee, as well as Sharon and her broad talents, we should be the model section for diversity directed initiatives and partnerships.

We on the Community Tennis Committee will not only sit in support of these two groups, but will also offer our suggestions and ideas. We will also continue to be responsible for all funding related to facilities and organizations. We will also provide Loretta Strickland, our new Director of fund raising, a liaison committee to work with. Another area that needs some leadership and outreach is in the collegiate area. The goal will be to reach out to colleges and high schools with the intent to establish relationships with them and their respective communities. We have some new funding from the USTA to help this effort.

Rationale for Action: To understand the reasoning and purpose of the change.

Fiscal Impact: None

Staff Comments: None

March 2004 I Action Item

Umpires and Referees Committee

Grievance Subcommittee

- a. The Grievance Subcommittee shall be composed of five persons who are certified under USTA Regulations XI and members of the Officials Council. This Subcommittee shall be responsible for enforcing the requirements of The Officials Code of Conduct and the USTA Regulations as applied to members of the Officials Council.
- b. Whenever a written grievance is filed with the office of the USTA, Northern California Section (hereinafter sometimes referred to as "NorCal") charging that any member of the Officials Council has violated The Officials Code of Conduct or the USTA Regulations, that written grievance shall immediately be sent by post or hand to the Chairperson (or in his/her absence the Vice Chairperson) of the Grievance Subcommittee. NorCal shall also inform such Chairperson or Vice-Chairperson by e-mail or telephone that the grievance has been filed and is in transit. Any such written grievance shall be sent by US post, either certified or registered mail to: Executive Director, USTA Northern California, 1350 S. Loop Rd., Ste. 100, Alameda, CA 94502. Such written grievance shall be posted as above within thirty (30) days of the day on which the alleged incident, which is the subject of the written grievance, occurred.
- c. In the absence of the Subcommittee Chairperson (or pursuant to that Chairperson's request) the Vice-Chairperson of the Subcommittee shall have the same power to act on the Subcommittee's behalf. (Hereinafter the use of the term Chairperson of the Grievance Subcommittee shall include, in the alternative, the Vice-Chairperson of that Subcommittee.)
- d. Upon receipt of the written grievance the Subcommittee Chairperson may choose to hold a hearing on

such written grievance before the Subcommittee or may take action on the written grievance in the form of such investigation as is deemed appropriate in the Subcommittee Chairman's absolute discretion. As a result of the investigation above deemed necessary, the Subcommittee Chairperson may recommend to the Chairperson of the Umpires and Referees Committee action under USTA Regulations XI.H, Denial of Certification and Decertification. Permitted action within the meaning of USTA Regulation XI.H includes the imposition of conditions on the approval of certification and on withholding a recommendation of decertification to the National Chairperson of Officials. The Subcommittee Chairperson shall notify by US post, certified mail, both the Officials Council member who is the subject of the written grievance (hereinafter referred to as the "subject"), and the individual filing that written grievance, of the Grievance Subcommittee's action.

e. If the Chairperson of the Grievance Subcommittee so chooses, in response to a timely filed written grievance, a hearing shall be held before the Grievance Subcommittee and the Grievance Subcommittee shall render a decision as a result of that hearing. In such event the Chairperson of the Grievance Subcommittee shall promptly fix a time and place for a hearing and shall give the subject not less than ten days prior written notice of such hearing, either hand delivered or sent by US post, certified mail. At such hearing the subject shall have the right to appear personally, with not more than one representative, to present testimony or other evidence and cross-examine witnesses. At the conclusion of the hearing the Grievance Subcommittee shall have a reasonable time to recommend such action to the Chairperson of the Officials Committee as is set forth in paragraph "d" above.

f. The procedures for appeal of the actions of the Chairperson of the Officials committee based on the recommendation of the Grievance Subcommittee or the Chairperson of that Subcommittee are found at USTA Regulations XI.I.