

LIVERMORE AREA RECREATION AND PARK DISTRICT

MINUTES

**REGULAR MEETING OF THE
BOARD OF DIRECTORS**

WEDNESDAY, JULY 30, 2008

**ROBERT LIVERMORE COMMUNITY CENTER
4444 EAST AVENUE, LIVERMORE, CALIFORNIA**

7:00 P.M.

CRESTA BLANCA BALLROOM

DIRECTORS PRESENT: Director Faltings, Director Furst, Director Kamena, Director Wilson and President Goodman

DIRECTORS ABSENT: None

STAFF MEMBERS PRESENT: Tim Barry, Jim Brandenburg, Lora Cohen, Michael Kyle, John Lawrence and Gretchen Sommers

CITY STAFF PRESENT: Debbie Bell, Susan Frost, Ingrid Rademaker

1. CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE

Meeting was called to order by President Goodman at 7:00 p.m. All Directors were present except Director Kamena.

2. PUBLIC FORUM

President Goodman opened public comment. No public comment. President Goodman closed public comment.

3. CONSENT AGENDA:

3.1 BOARD MINUTES

3.1.1 Meeting of July 9, 2008

3.2 COMMUNICATIONS: None.

3.3 CLAIMS AGAINST THE DISTRICT

3.3.1 A claim against the District has been filed on behalf of Dorothy Clarkson. Staff recommends denial of the claim.

President Goodman asked if Directors wished to remove any items from the Consent Agenda. No items removed. On a motion by Director Faltings, seconded by Director Furst, approved the Consent Agenda, passing 4-0. Director Kamena was absent.

4. CONSENT AGENDA RESOLUTIONS:

4.1 AGREEMENT FOR LEGAL SERVICES

Resolution No. 2127, a resolution approving execution of one-year contract for legal services.

4.2 HIRING RELATIVES OF EMPLOYEES

Resolution No. 2128, a resolution approving the hiring of relatives of employees.

4.3 ACCEPTANCE FOR PERMANENT MAINTENANCE THE CONSTRUCTION AND LANDSCAPE IMPROVEMENTS TO THE ARROYO MOCHO TRAIL EXTENSION

Resolution No. 2129, a resolution accepting for permanent maintenance the construction and landscape improvements to the Arroyo Mocho Trail Extension.

4.4 AMENDMENT TO THE RULES OF PROCEDURE FOR THE LIVERMORE AREA YOUTH ADVISORY COMMISSION

Resolution No. 2130, a resolution amending the Rules of Procedure for the Livermore Area Youth Advisory Commission to change the meeting location and the day of the month for the meeting.

President Goodman asked if Directors wished to remove any items from the Consent Agenda Resolutions. No items removed. On a motion by Director Faltings, seconded by Director Wilson, adopted Resolution No. 2127, approving execution of one-year contract for legal services; Resolution No. 2128, approving the hiring of relatives of employees; Resolution No. 2129, accepting for permanent maintenance the construction and landscape improvements to the Arroyo Mocho Trail Extension; and Resolution No. 2130, amending the Rules of Procedure for the Livermore Area Youth Advisory Commission to change the meeting location and the day of the month for the meeting, by the following roll call vote:

AYES: *Director Faltings, Director Furst, Director Wilson and President Goodman*

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *Director Kamena*

5. BIDS AND PUBLIC HEARINGS: None.

6. OLD BUSINESS: None.

7. NEW BUSINESS:

7.1 PUBLIC REVIEW DRAFT OF LARPD PARKS, RECREATION AND TRAILS MASTER PLAN

President Goodman stated that the Board will review the draft District Parks, Recreation and Trails Master Plan and environmental documents and adopt a schedule for public hearings and review of these documents.

City of Livermore project consultant Ingrid Rademaker, reviewed the staff report, which covered the following elements: recommendation that the Board approve the schedule for public hearings and review of the draft Master Plan and environmental documents; background information regarding the City's involvement in developing the Master Plan; proposed public review schedule; and purpose, organization and contents of the Master Plan. Ms Rademaker invited questions and comments from Directors.

Director Kamena arrived at 7:08 p.m.

Directors inquired and commented about the following items: in light of the fact that the last District Master Plan was developed in 1995, how long might this plan last; pleased with the layout of the Plan; pleased that Directors' earlier questions and comments had been addressed; congratulations to staff, especially City staff, for a well written and comprehensive document, which is a major step forward from the District's previous master plan; clarification on the number of acres per 1,000 people for regional parks; feeling that the descriptions of neighborhood, community and special use parks need to be clarified; uncertainty about why certain parks are labeled as they are; clarification on what the District's western boundary is; clarification on community vs. stakeholder vs. staff meetings that were held--not clear who was invited or eligible to attend which meetings; and request to refine the difference/meaning between regional vs. open space parks.

General Manager Barry stated that further comments may be addressed in the errata document. He said that public comment regarding the Master Plan may be forwarded to LARPD or to the City consultant.

7.2 HOLDENER PARK MITIGATION PROJECT

President Goodman stated that the Board will consider a resolution approving a Negative Declaration for the Holdener Park Mitigation Project based upon the Initial Study.

Assistant General Manager John Lawrence summarized the staff report. He reported that the Chevron Pipeline Company is required to do mitigation work to offset the environmental impact of a Chevron pipe line relocation project. The proposed mitigation project involves improvements to a stream bed channel running through Holdener Park. Mr. Lawrence stated that the project has been determined to have no negative environmental impact and staff is recommending that the Board make a negative declaration based on the Initial Study. Director Kamena asked about the public review process. District Legal Counsel Michael Kyle said there is a 30-day public review period.

Director Kamena made a motion, seconded by Director Faltings, to approve Resolution No. 2131, approving a Negative Declaration for the Holdener Park Mitigation Project based upon the Initial Study. Director Faltings stated that the Facilities Committee had reviewed this matter and that it is a win-win situation.

Resolution No. 2131, approving a Negative Declaration for the Holdener Park Mitigation Project based upon the Initial Study, was adopted by the following roll call vote:

AYES:	<i>Director Furst, Director Wilson, Director Kamena, Director Faltings and President Goodman</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>None</i>

7.3 RECLASSIFICATION OF AN EMPLOYEE

President Goodman stated that the Board will consider the General Manager and Personnel Committee's recommendation to reclassify the District Bookkeeper to the position of Administrative Assistant-Finance.

General Manager Barry stated that the description for the position of Administrative Assistant was refined last year, and that there is now distinction between the areas of Human Resources, Finance and the General Manager's office. Fiscal Supervisor Lora Cohen reported that there are currently Administrative Assistants working in the General Manager's office and in Human Resources. Ms. Cohen said that the District's Accounting Department has grown tremendously since moving to the RLCC, and that LARPD has hired more people, who are supervised by the District Bookkeeper. She said that the Bookkeeper is working outside her classification. Ms. Cohen added that the District would benefit by more redundancy in the Finance area.

President Goodman invited Director questions. No questions. Director Faltings made a motion, seconded by Director Furst, to approve the reclassification of the District Bookkeeper to the position of Administrative Assistant-Finance. President Goodman invited Director discussion. No discussion. The motion to reclassify the District Bookkeeper to the position of Administrative Assistant-Finance, passed 5-0.

7.4 AMENDMENT TO DEVELOPMENT AGREEMENT FOR ARROYO CROSSING

President Goodman stated that the Board will consider approving a resolution requesting that the City of Livermore approve a Development Agreement Amendment for Arroyo Crossing, providing for a payment plan for the required contribution to LARPD.

General Manager Barry reported that the District has been approached by Jim Pollart of O'Brien Homes with the request for an extension of the payment which is due to LARPD this August. Mr. Barry noted that Mr. Pollart is in attendance this evening. Mr. Barry said that staff has worked out a payment plan that he thinks the District can handle and that will help the developer. He said the District does need the funds. Mr. Barry said that the initial request from O'Brien Homes was for an 18-month payback; the District is recommending a one-year payback period so that the transaction will occur in the same fiscal year. He added that two LARPD Directors have participated in meetings and given feedback on this matter. He said the Board action would be to make a recommendation to the City of Livermore to amend the development agreement, and that the City will then decide if it will do so.

President Goodman invited Director questions and comments. Directors inquired about and commented on the following: timeline for delivering the proposed Resolution to the City; that the developer will pay extra interest, at the rate of 8%; the feeling that this arrangement is fair, considering the homes aren't selling; that the extension will help O'Brien Homes, and the District will still get its money in a timely manner.

Director Faltings made a motion, seconded by Director Furst, to approve a resolution requesting that the City of Livermore approve a Development Agreement Amendment for Arroyo Crossing, providing for a payment plan for the required contribution to LARPD. President Goodman asked for Director comments. President Goodman said that he appreciates staff working with O'Brien homes on this matter, and that he supports it.

Resolution No. 2132, a resolution requesting that the City of Livermore approve a Development Agreement Amendment for Arroyo Crossing providing for a payment plan for the required contribution to LARPD, was approved by the following roll call vote:

AYES: *Director Wilson, Director Kamena, Director Faltings, Director Furst and President Goodman*

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *None*

Mr. Pollart thanked the Board.

7.5 CALIFORNIA CHILDREN’S OUTDOOR BILL OF RIGHTS

President Goodman stated that the Board will consider approving a resolution expressing support of the California Children’s Outdoor Bill of Rights.

General Manager Barry stated that this item was placed on the agenda at the request of Director Wilson. Director Wilson said she’d heard about the California Children’s Outdoor Bill of Rights from staff several months ago, and that it was also seminar topic at the recent California Trails and Greenways Conference which she attended. Director Wilson said that a growing number of organizations are getting behind the Bill of Rights and publicizing it. She said that the Governor is behind it, as is the East Bay Regional Park District. Director Wilson said she thinks it would be good for the District to sponsor it. Director Faltings said that the National Recreation and Park Association is also pushing the idea of combating childhood obesity and that the park and recreation field can take the lead in that effort by encouraging activity in kids. President Goodman invited comments and questions. No comments or questions.

On a motion by Director Kamena, seconded by Director Wilson, approved Resolution No. 2133, expressing support of the California Children’s Outdoor Bill of Rights, by the following roll call vote:

AYES: *Director Kamena, Director Faltings, Director Furst, Director Wilson and President Goodman*

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *None*

7.6 TREE REMOVAL IN CARNEGIE PARK

President Goodman stated that the Board will receive a report on a tree removal project in Carnegie Park.

Senior Park Supervisor Jim Brandenburg presented a report accompanied by slides. Mr. Brandenburg stated that the City of Livermore had a report prepared in 2006 to evaluate the perimeter trees in Carnegie Park. LARPD and the City have been keeping an eye on the trees, which are undergoing continual decline. Mr. Brandenburg said that many trees have been marked for removal, due to serious concern for public safety as well as potential property damage. He showed slides demonstrating the poor health of the trees. Mr.

Brandenburg said that the District has put in a tree removal request to the City which has been approved. He described the tree removal process and schedule, noting that press releases will be issued prior to the work and notices will be posted on the trees. He said that there will also be a “farewell to the trees” event at the farmers’ market prior to the trees being removed.

President Goodman invited Director questions and comments. Directors discussed the following: replacement of the trees; master plan for Carnegie Park; cause of the trees’ ill health; that the Facilities Committee received an extensive report at last week; emphasis on public safety concerns; importance of letting the public know what the process and next steps will be; the possibility of having the arborists’ reports available to the public; importance of ensuring that funding for new trees is in the budget; and the feeling that the sooner that replacement trees are planted, the better.

8. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

- 1) Director Faltings reminded the public about the 13th annual Ravenswood Ice Cream Social on Sunday August 10, from noon to 4:00 p.m. She listed the many activities that will be offered at this event.
- 2) Director Wilson thanked Director Faltings for inviting her to a recent historic house museum meeting held at Peralta Hacienda in Oakland. She said it was an interesting, nice meeting.
- 3) Director Wilson stated that each Director received a thank you note and hand made soap from children in the ESS/KZ program at Marilyn Avenue School. She said she was invited to a field trip to Ardenwood Farms in Fremont, and that she went along as a chaperone. She said the children were very nice and she thanked staff for allowing her to participate.
- 4) President Goodman thanked the Livermore Youth Soccer Club, and the Dougherty and Kellman families for attending the ceremony for the rededication of Kellman Fields. He explained that the park is named for Michael Kellman, a 10-year old boy who was killed by a drunk driver, while he was on the way to soccer practice. President Goodman said there is a beautiful memorial plaque, and that the event was a wonderful tribute.
- 5) Director Faltings said that there was a recent article in the Valley Times about an LARPD program in Sycamore Grove Park. The program was a virtual archaeological dig for children, and is one example of LARPD’s wonderful summer programs.
- 6) Director Goodman announced that there is a volunteer appreciation event next week to recognize LARPD’s volunteers. He encouraged volunteerism.

9. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

- 1) General Manager Barry encouraged people to get out of their homes and get involved in recreation this summer by taking advantage of LARPD activities. He commended the District staff in all of the programs for the good job they are doing.
- 2) Mr. Barry stated that the LARPD park and building staff have done an outstanding job. He noted that the parks are greening up, and the he appreciates all of the hard work staff does.

Meeting adjourned to executive session at 8:00 p.m.

- 10. EXECUTIVE SESSION**
 - 10.1 PUBLIC EMPLOYEE PERFORMANCE EVALUATION**

Pursuant to Section 54957 of the Government Code.
Title: General Manager
- 11. RECONVENE TO OPEN SESSION**

Meeting reconvened to Open Session at 8:28 p.m.
- 12. REPORT ON ACTION TAKEN IN EXECUTIVE SESSION**

No action to report.
- 13. ADJOURNMENT**

Meeting adjourned at 8:31 p.m.

APPROVED,



Steve P. Goodman
President, Board of Directors

ATTEST:



Timothy J. Barry
General Manager and ex-officio
Clerk to the Board of Directors