

**MINUTES
REGULAR MEETING**

WEDNESDAY, JUNE 25, 2008

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

6:00 P.M.

LARKSPUR NORTH

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, Lora Cohen, Jill, Kirk, Michael Kyle, Gretchen Sommers

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

The workshop was called to order by President Goodman at 6:03 p.m. All Directors were present except Director Kamena.

2. ADJOURNMENT TO A WORK SESSION ON THE PRELIMINARY OPERATING AND CAPITAL IMPROVEMENTS BUDGETS FOR FISCAL YEAR 2008/2009

2.2 Recommendation for F/Y 2008/2009 Capital Improvement Budget

General Manager Barry recommended that the Board receive the report on Agenda Item 2.2 first. President Goodman agreed. Mr. Barry reviewed the Capital Improvement Plan Budget, referring to reports that categorized this budget by Project and by Fund, as well a list of unfunded projects. President Goodman clarified that the Board is approving the Capital Improvement Budget, and not necessarily the prioritization of the project list.

President Goodman invited Director questions. Directors requested clarification on the following items: Sycamore Grove Park Coastal Conservancy Grant; Master Plan Update for Carnegie Park; Ravenswood parking lot; the District's efforts toward ADA compliance and retrofitting of LARPD facilities; Friendship Center relocation; conversion of soccer fields at Robertson Park to synthetic turf; Arroyo Crossing playground, trail and respite area projects; Denton House/Ranger Station project; and universally accessible playgrounds.

2.1 Report on Survey Findings Regarding Retirement Benefits

General Manager Barry stated that the additional information requested by the Board at the June 4 meeting has been provided for this workshop. He noted that, in performing the survey, staff discovered interesting information, in that comparing LARPD's retirement program with other agencies is like comparing apples and oranges. Fiscal Supervisor Lora Cohen said that she has discovered how complicated a subject this is and explained LARPD's retirement formula and how it differs from some of the other public agencies which have found themselves in financial difficulties. She described how LARPD's retirement plan has been very well managed and financed.

Discussion ensued regarding the retirement pension formula. Mr. Barry stated that he would like to select October 1 as the starting date for the formula change in order to prepare for it. He reported that employees will have the option to select the new formula, which is 2.5% at 55 years of age, or retain the current retirement formula, which is 2% at 57 years of age.

The workshop adjourned to Regular Meeting at 6:50 p.m.

3. CONVENE TO REGULAR MEETING

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

The meeting was called to order by President Goodman at 7:02 p.m. All Directors were present except Director Kamena.

5. PUBLIC FORUM

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

6. CONSENT AGENDA:

6.1 BOARD MINUTES

6.1.1 Meeting of June 4, 2008

6.2 COMMUNICATIONS:

6.2.1 General Manager's Monthly Report (#61/11)

6.2.2 Year End Capital Improvement Projects Report

6.2.3 Status Report on Current Planning Projects

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.

7. CONSENT AGENDA RESOLUTIONS:

7.1 HIRING RELATIVES OF EMPLOYEES

Resolution No. 2121, a resolution approving the hiring of relatives of employees.

7.2 AMENDMENT TO IMPROVEMENT AGREEMENT

Resolution No. 2122, a resolution approving an amendment to the Improvement Agreement with the City of Livermore regarding Trail Segment E-1.

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. 2121, approving the hiring of relatives of employees and Resolution No. 2122, approving an amendment to the Improvement Agreement with the City of Livermore regarding Trail Segment E-1, passing by the following roll call vote:

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

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *Director Kamena*

8. BIDS AND PUBLIC HEARINGS: None.

9. **OLD BUSINESS:** None.

10. **NEW BUSINESS:**

10.1 FISCAL YEAR 2008/2009 EMPLOYEE SALARIES AND BENEFITS

President Goodman stated the Board will receive a report regarding the salary and benefit proposal for next Fiscal Year.

General Manager Barry stated that the salary and benefit proposal has been reviewed and approved by the Personnel and Budget committees. He listed the details of the proposal, stating that he held employee meetings to discuss staff's priorities. Mr. Barry said the proposals reflect the priorities expressed by the employees, particularly the enhancement to the retirement benefit. He stated that all of the changes would take effect July 1, 2008, except for the change to the retirement formula, which would take effect October 1, 2008.

President Goodman asked for comments or questions from Directors. Director Faltings said she wished to clarify that all of the improvements that are included in the draft budget are items the District can afford.

Director Faltings made a motion, seconded by Director Furst to adopt the Annual Salary Resolution designating employee compensation for Fiscal Year 2008/2009. President Goodman invited discussion from Directors. No discussion.

Resolution No. 2123, adopting the Annual Salary Resolution designating employee compensation for Fiscal Year 2008/2009, passed by the following roll call vote:

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

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *Director Kamena*

10.2 RETIREMENT BENEFIT FORMULA

President Goodman stated that the Board will consider approving a separate resolution adopting the new retirement benefit formula, as required by the Alameda County Employees' Retirement Association (ACERA).

President Goodman asked for Director discussion. No discussion.

General Manager Barry stated that a resolution that is separate from the District's salary and benefit resolution and which addresses only the retirement formula change is a formality, and is required by ACERA. Mr. Barry stated that there has never been an improvement to LARPD's retirement formula in its 60-year history. This change to the formula, from 2% at 57 years to 2.5% at 55 years, will put the District in the middle of the marketplace.

On a motion by Director Wilson, seconded by Director Furst, approved Resolution No. 2124, adopting the new District retirement benefit formula, passing by the following roll call vote:

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

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *Director Kamena*

10.3 FISCAL YEAR 2008/2009 PRELIMINARY BUDGET

President Goodman stated that the Board will consider adoption of the District's Preliminary Operating and Capital Improvement Budget for Fiscal Year 2008/2009.

General Manager Barry referred to the reports provided in the Board packet. He complimented the staff and Board committees, which have prepared and reviewed the budget. He said that this is a balanced budget, reflecting the funding of the District's highest priorities. He provided information on some of the details of the budget.

Director Kamena arrived at 7:14 p.m.

President Goodman invited questions from Directors. Directors asked for clarification on the following items: the figure of 67% of the budget which will be devoted to salaries and benefits; budget for outreach to the non-English speaking community; transportation and travel in Camp Shelly budget; small tools budget; part-time designated position in the Senior Services department; rock gym projected revenue; planning and capital improvement project administration office supplies; and Ravenswood utilities.

President Goodman said that he was pleased with the budget. He said he wished to acknowledge the concerns expressed by the public regarding the parks being kept greener. He said that this budget reflects this concern. President Goodman noted that, due to the state of California ERAF shift, LARPD has lost over \$7 million per year in property taxes; he said the District is doing the best it can under the circumstances.

Director Faltings made a motion, seconded by Director Wilson, to approve Resolution No. 2125, adopting the Fiscal Year 2008/2009 Preliminary Operating and Capital Improvement Budget.

Director Kamena said he wished to express his appreciation for the increases to the irrigation budget, and talked about water rationing. He stated that he supports the improvement to the retirement formula. He said that he had had many questions, and that he had not realized how complicated it is. Director Kamena said that staff had answered all of his concerns and questions. He added that this improvement is the right thing to do and the fiscally responsible thing to do, for the staff and for the District. Director Faltings complimented the staff on its efforts. She added that, due to having a good safety record, the District saved \$33,000 on its insurance premium. Director Wilson complimented and thanked the staff for doing an excellent job, and said that she was impressed that the District will be able to sustain a 19% reserve fund.

Resolution No. 2125, adopting the Fiscal Year 2008/2009 Preliminary Operating and Capital Improvement Budget, passed by the following roll call vote:

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

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *None*

10.4 CONTRACT TO STAFF AFTER-SCHOOL ENRICHMENT PROGRAM

President Goodman stated that the Board will consider approving a Livermore Valley Joint Unified School District contract to provide staffing for the “Believes” after-school enrichment program at Portola and Marilyn Elementary schools in 2008/2009.

General Manager Barry stated that the District will incur no costs for this program, which will provide programming in conjunction with the School District. Senior Recreation Supervisor Jill De Bow-Kirk described the Believes program.

President Goodman invited Director questions. Director Faltings inquired if District Legal Counsel had reviewed the agreement. Mr. Kyle responded that he had not thoroughly reviewed it. Director Furst requested that Legal Counsel review the agreement, and requested correction of the District’s name in the agreement. Director Kamena asked for details about the program, which Ms. Kirk provided.

On a motion by Director Faltings, seconded by Director Kamena, Resolution No. 2126, approving a Livermore Valley Joint Unified School District contract to provide staffing for the “Believes” after-school enrichment program at Portola and Marilyn Elementary Schools in 2008/2009, passed by the following roll call vote:

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

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *None*

11. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

1) President Goodman talked about the Friendship Center closure and his attendance at the program’s farewell celebration. He said that it was a wonderful program that the District hopes that it will be resurrected. He announced that there will be a community meeting this Saturday, June 28, at 10:00 a.m. at City Council Chambers, for those who would like to participate in trying to find a solution to restarting the program.

2) President Goodman announced that more volunteers are needed to help at the July 4 event.

12. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

1) General Manager Barry invited the public to attend the July 4 event at Robertson Park.

2) General Manager Barry thanked the staff for doing a fine job preparing the budget. He said that staff tried to address the needs expressed by the Board, particularly greening of the parks, by improving that element of the budget.

Meeting adjourned to Executive Session at 7:42 p.m.

13. EXECUTIVE SESSION

13.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: One

13.2 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Section 54957 of the Government Code.

Title: Contract for Legal Counsel

13.3 PUBLIC EMPLOYEE PERFORMANCE EVALUATION

Pursuant to Section 54957 of the Government Code.

Title: General Manager

14. RECONVENE TO OPEN SESSION

Meeting reconvened to Open Session at 9:57 p.m.

15. REPORT ON ACTION TAKEN IN EXECUTIVE SESSION

No action to report.

16. ADJOURNMENT

Meeting adjourned at 9:59 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