

**LIVERMORE AREA RECREATION AND PARK DISTRICT**

**MINUTES**

**REGULAR MEETING**

**WEDNESDAY, JUNE 30, 2010**

**ROBERT LIVERMORE COMMUNITY CENTER  
4444 EAST AVENUE, LIVERMORE, CALIFORNIA  
7:00 P.M.  
CRESTA BLANCA BALLROOM**

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

**DIRECTORS ABSENT:** None

**STAFF MEMBERS PRESENT:** Tim Barry, Jim Brandenburg, Jim Carlson, Jill De Bow-Kirk, Sheryl Hardin, Sandra Kaya, Michael Kyle, John Lawrence, Lynn Loucks

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

President Furst called the meeting to order at 7:04 p.m. All Directors were present except Director Kamena.

**2. PUBLIC FORUM**

President Furst opened public comment. No public comment. President Furst closed public comment.

**3. CONSENT AGENDA**

**3.1 BOARD MINUTES**

3.1.1 Meeting of June 16, 2010.

**3.2 COMMUNICATIONS**

3.2.1 Letters regarding Senior Services trip program and staff.

3.2.2 Letters regarding Valley Rock Gym.

3.2.3 Letter regarding July 4 Celebration.

Moved by Director Wilson, seconded by Director Faltings, approved the Consent Agenda, passing 4-0. Director Kamena was absent.

**4. CONSENT AGENDA RESOLUTIONS**

**4.1 FISCAL YEAR 2010/2011 APPROPRIATIONS LIMIT**

Moved by Director Goodman, seconded by Director Wilson, approved Resolution No. 2244, establishing the District's annual Appropriations Limit for Fiscal Year 2010/2011, by the following roll call vote:

**AYES:** *Faltings, Goodman, Wilson and President Furst*  
**NOES:** *None*  
**ABSTENTIONS:** *None*  
**ABSENT:** *Kamena*

**5. BIDS AND PUBLIC HEARINGS**

None.

**6. OLD BUSINESS**

None.

**7. NEW BUSINESS**

**7.1 FISCAL YEAR 2010/2011 EMPLOYEE SALARIES AND BENEFITS**

President Furst stated that the Board will establish salary and benefit levels for District employees for Fiscal Year 2010/2011.

General Manager Barry said that he had met with full-time and part-time designated employees to discuss their preferences for low- or no-cost benefit enhancements. Mr. Barry summarized his recommendations:

- 1) No cost of living increases or raises for staff
- 2) Creation of a sick leave bank for part-time designated staff, modeled after the sick leave bank for full-time
- 3) Institution of medical flexible spending account for all benefited staff

President Furst opened public comment. No public comment. Closed public comment.

Moved by Director Faltings, seconded by Director Goodman, approved Resolution 2245, adopting the Annual Salary Resolution designating employee compensation for Fiscal Year 2010/2011 by the following roll call vote:

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

Director Faltings thanked staff for holding the line and commended the staff for their loyalty and work.

**7.2 FISCAL YEAR 2010/2011 PRELIMINARY BUDGET**

**7.2.1 FISCAL YEAR 2010/2011 PRELIMINARY OPERATING BUDGET**

President Furst stated that the Board will consider adoption of the District's Preliminary Operating Budget for Fiscal Year 2010/2011.

General Manager Barry said that, in August, the Board is required to approve a balanced budget. He referred to the staff report and said that LARPD's revenues have been affected by ERAF over the last 17 or so years. This past year, more than \$6 million, or 48% of LARPD's property tax revenue, was shifted to the state. Mr. Barry said that the budget being presented by staff is balanced, with recommendations for reductions in programs and staff.

Mr. Barry said that he still believes that the rock gym operation needs to be closed to balance the District's budget and expects more difficult times ahead in terms of revenue. He said the District tries to be creative in generating revenue, but, during a general economic decline, that is a difficult task because people do not have disposable income. Mr. Barry said he is recommending that the District use reserves for the one-time expense of separation costs resulting from the workforce reduction plan. The District continually tries to build its reserves, he said, and the District currently has 12% of total operating budgets in reserves. Mr. Barry noted that he does not recommend using reserves to subsidize the operating budget because the capital budget will probably lack adequate funding, which is a better use of one-time reserve funds.

Director Goodman asked how the proposal addresses staffing and reduced overhead for adult softball. Mr. Barry said that Senior Recreation Supervisor Jim Carlson will oversee the program, with the help of two part-time designated staff. One is an existing position, one will have duties in several areas.

President Furst opened public comment.

Bob Sanchez, Jeff Hansen, and Glen Morehead distributed packets to the Board and staff about the rock gym.

- 1) Bob Sanchez spoke in support of the rock gym. He provided an overview of the community group that has formed that wants to keep the rock gym in operation.
- 2) Jeff Hansen spoke in support of the rock gym and ideas to raise revenue and decrease costs.
- 3) Glen Morehead spoke in support of the rock gym and requested open communication between the community group and LARPD.

Director Kamena arrived at 7:41 p.m.

4) Virginia Wurts spoke in support of the rock gym, and she suggested communicating more with the local schools.

President Furst closed public comment.

Moved by Director Kamena, seconded by Director Faltings to adopt the District's Preliminary Operating Budget for Fiscal Year 2010/2011.

Director Kamena discussed the following: he does not know how he will vote on the rock gym, but wants to give the community group the opportunity to prove themselves; he believes that staff has tried to make the rock gym successful; rock gym budget; the uniqueness of the program.

Director Faltings discussed the following: she agrees with Director Kamena regarding the uniqueness of the program, but that the District cannot afford that luxury anymore; the rock gym needs to break even, it cannot continue to cost the District money; the Board gave Camp Shelly advocates one last chance, and she's inclined to do that with the rock gym; required 6 month notification to owner. Director Faltings asked Mr. Sanchez how much time the community group needs (His response was: one year).

Director Goodman discussed the following: the difficulty of eliminating jobs and programs; required 6 month notification to rock gym owner/landlord could mean additional cost to the District.

Director Wilson discussed the following: appreciates conservative fiscal numbers the General Manager presents, it is an important part of his job; difficulty of staff layoffs; attended community group's meeting about the rock gym.

President Furst discussed the following: the owner, a businessman, lost money on the rock gym; the General Manager recommended against operating the rock gym and Scottish Games and, as he predicted, the District has lost money; required 6 month notice means that LARPD would really be looking at losing money for a year and a half; difficult to bring in new users to the rock gym; other rock gyms have more amenities and facilities.

Director Kamena said he thinks there is a way in which LARPD can only use money for a year, give volunteers the opportunity to work on the rock gym, and provide the owner with 6 months notice. The final budget, he said, needs to be passed in August. He suggested that Board members provide what they feel is an acceptable amount of loss for the rock gym to keep it going in the long run. He said he would like to propose passing a budget that keeps the rock gym alive tonight, not giving notice to Grandfield until September 1 at the earliest. This means the District would only be looking at 2 months of additional loss if, when the final budget is passed, they decide to give notice to the owner. Director Kamena proposed altering the budget to balance the preliminary budget, suggesting that, in the interest of making this work right now, \$40,000 be taken out of reserves, knowing that it could be changed when adopting the Final Budget. He would like the community group and staff to develop a business plan and recommendations.

Director Faltings said that, if tomorrow, we give 6 months notice to the owner, the District will still be obligated to pay for the operation of the rock gym for 6 months. She said she would like to approve the preliminary budget that includes keeping rock gym open for the fiscal year and agrees with General Manager that we shouldn't take money from reserves. She said the money needs to come from somewhere else, perhaps from the budget for outdoor maintenance at Ravenswood.

Mr. Barry noted that LARPD collects revenues in the spring for services provided in summer. If we do not know if we are going to operate a program such as the rock gym next summer, then we won't be able to plan on that revenue for services provided in the next fiscal year.

Director Goodman said that the difference between one position that is being laid off and it being backfilled by a part-time position amounts to about \$30,000; someone is losing their position for that \$30,000.

Mr. Barry said that the proposed budget includes workforce reductions, including the Sports Supervisor position, which would, logically, oversee the rock gym. The support is being removed and the Senior Supervisor, who has many other responsibilities, will have to supervise the program. Staff, Mr. Barry said, will have less time to work with the community group and implement their ideas. He suggested that the tasks of volunteers and those of staff need to be identified and the District needs a commitment from the group of volunteers that they will actually implement the ideas. He said it would be too easy at the end of the time period to say that staff did not follow through; the staff structure will not be in place.

Director Kamena asked of the proposed eliminated positions, how many hours a week staff devotes to the rock gym. (1% of full-time and 10% of the part-time salary for the overhead, but it may not reflect the actual amount of time that was devoted to the rock gym: daily closings, scheduling, changes).

Mr. Barry said he thinks the community group has good ideas, but staff will be limited by time and resources. He suggested that, instead of LARPD operating the gym, a model of having a private non-profit or for-profit organization work with the owner, so that the LARPD overhead does not burden the project, might be a long-term solution.

Director Faltings made an amending motion, seconded by Director Kamena, to approve the preliminary budget, keeping the rock gym (unit 30) in for the 2010/2011 fiscal year, passing 4-1. Director Wilson dissented.

Director Kamena said this is not a commitment to operating the rock gym for a full year, rather it is a commitment to giving the community group a chance to develop a business plan and delaying

notice to the owner until at least September 1.

Resolution No. 2246, adopting the Fiscal Year 2010/2011 Preliminary Operating Budget, as amended, was adopted by the following roll call vote:

**AYES:** *Wilson, Kamena, Faltings, Goodman and President Furst*  
**NOES:** *None*  
**ABSTENTIONS:** *None*  
**ABSENT:** *None*

President Furst called for a five minute break at 8:49 p.m.

### **7.2.2 WORKFORCE REDUCTION PLAN AND SEVERANCE**

President Furst resumed the meeting at 8:56 p.m. All Directors present except Director Kamena.

President Furst stated that the Board will consider approving the recommended Workforce Reduction Plan and Severance Package.

Mr. Barry said that both the Personnel Commission and Personnel Committee recommended approval of the proposed workforce reduction plan as part of the preliminary budget. With the budget out of balance, he said, it became clear that staffing needed to be cut. The plan recommends laying off the following positions, effective September 1: two Recreation Supervisors, one Naturalist, and one Park Ranger. Laid off employees have three choices: retirement by or around Sept 1 if eligible, demotion to lower paying full-time position, or take the layoff and receive severance pay. The calculated potential cost of this severance, Mr. Barry said, is \$212,244, and he recommended using reserves for this one-time cost.

Moved by President Furst, seconded by Director Faltings, to adopt Resolution No. 2247, approving the Workforce Reduction Plan and Severance Package.

President Furst opened public comment. No public comment. President Furst closed public comment.

Director Goodman and Director Wilson discussed the difficulty of implementing staff layoffs.

Director Faltings said that, with a public agency, most of the budget goes to staff, because employees make the park and recreation happen. When facing a half million dollar deficit, she said, you have to look to staff layoffs to make up big sums of money.

Resolution No. 2247, approving the recommended Workforce Reduction Plan and Severance Package, was adopted by the following roll call vote:

**AYES:** *Faltings, Goodman, Wilson, and President Furst*  
**NOES:** *None*  
**ABSTENTIONS:** *None*  
**ABSENT:** *Kamena*

### **7.2.3 FISCAL YEAR 2010/2011 PRELIMINARY CAPITAL IMPROVEMENT BUDGET**

President Furst stated that the Board will consider adoption of the District's Preliminary Capital Improvement Budget for Fiscal Year 2010/2011.

Mr. Barry presented a list of projects for this year and proposed projects for next year. Capital

project money, he noted, is money that cannot be used in the operating budget. Attachment C is a work plan, or schedule, of how staff anticipates projects to go this year.

Mr. Barry reviewed the different projects, by the prioritized categories of A, B, and C, which was a prioritization done by the Budget Committee. Some projects, he said, get delayed and postponed due to budget restrictions. Mr. Barry said he predicts there will be a slow-down in capital projects because funding sources have slowed down.

Director Kamena returned at 9:11 p.m.

Director Goodman asked if the project number correlates to the fund (GM answer: no). Director Kamena inquired why the District has not gone out to bid on the Ranger Station yet (AGM stated: delays in the sewer connection agreement). President Furst asked about the possibility of going to bid sooner on the Ranger Station and the need to put money in the budget sooner than 2011. Mr. Barry said that the funding source is in hand and agreed that some money should be programmed for this year if we get successful bids; he suggested putting \$200,000 in for 2010/2011, with remaining balance into the following year. President Furst inquired about the delay in the Bobba Project (requirements such as the Resource Management Plan that require funding). President Furst suggested grants to help fund the RMP (EBRPD is helping fund the project, information has been submitted to the Mary Crocker Trust Fund and staff to meet with TVC shortly). Staff was directed to ask TVC if Sycamore Grove RMP will fulfill requirement. President Furst asked why the Holdener Park trail construction money is in for next year when the work will be done this year (GM answered: it is based on a conservative estimate of how much park in lieu fees will be received).

Moved by Director Faltings, seconded by Director Wilson, approved Resolution 2248 adopting the Fiscal Year 2010/2011 Preliminary Capital Improvement Budget including adjusting the Ranger Station budget by moving \$200,000 for FY 2010/2011, by the following roll call vote:

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

### **7.3 PERSONNEL COMMISSION APPOINTMENT**

President Furst stated that the Board will receive a recommendation for an appointment to the Personnel Commission.

Mr. Barry said that, with the retirement of one member of the Commission, two candidates were interviewed and Lindsay Paul is recommended.

Moved by Director Wilson, seconded by Director Faltings, approved Resolution 2249, appointing Lindsay Paul to the Personnel Commission, by the following roll call vote:

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

### **7.4 2010 CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD ELECTION**

President Furst stated that the Board will determine whether to cast a vote for a representative to the California Special Districts Association (CSDA) Board of Directors in Region 3, Seat B.

General Manager Barry reported that two candidates are running: Sherry Sterrett and Kathryn Slater-Carter.

Moved by Director Faltings, seconded by President Furst, approved casting LARPD's vote for Sherry Sterrett for CSDA Region 3, Seat B, passing 5-0.

**7.5 NATURE EDUCATION FACILITY PROGRAM GRANT APPLICATION**

President Furst stated that the Board will consider authorizing a grant application for approximately \$325,000 for funding from the Nature Education Facility Program to be used to add interpretive features to the Ranger Station and entrance area at Sycamore Grove Park.

Mr. Barry said that Proposition 84 funds this grant and, if awarded, will add signs and interpretive elements, along with a group meeting area. It will allow LARPD to restore some amenities that had to be cut out for cost cutting reasons. This grant will cover all costs, with no matching funds required.

Moved by Director Goodman, seconded by Director Wilson, to approve a grant application for approximately \$325,000 for the Nature Education Facility Program to be used to add interpretive features to the Ranger Station and entrance area at Sycamore Grove Park.

Resolution No. 2250 was adopted by the following roll call vote:

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

**8. COMMITTEE REPORTS**

Director Wilson reported on topics of the Personnel Committee meeting: the General Manager's goals; interviewed candidates for Personnel Commission.

**9. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS**

Director Faltings thanked the Livermore Cattlemen's Association for letting the Board have VIP seats at the rodeo. It was a wonderful way to watch the rodeo, she said.

**10. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER**

Mr. Barry thanked the Board and staff for the all preparation and the difficult decisions involved in the budget process.

General Manager Barry encouraged the public to attend the Fourth of July event this Sunday.

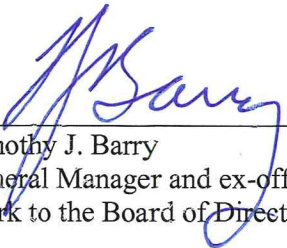
**11. ADJOURNMENT**

Meeting adjourned at 9:35 p.m.

APPROVED,

  
\_\_\_\_\_  
David Furst  
President, Board of Directors

ATTEST:

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