

LIVERMORE AREA RECREATION AND PARK DISTRICT

MINUTES

**REGULAR MEETING OF THE
BOARD OF DIRECTORS**

WEDNESDAY, AUGUST 13, 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, Sheryl Hardin, Michael Kyle, John Lawrence, Mike Nicholson and Gretchen Sommers

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 30, 2008

3.2 COMMUNICATIONS:

3.2.1 General Manager's Monthly Report (#62/1)

President Goodman asked if Directors wished to remove any items from the Consent Agenda. No items removed. Director Faltings made a motion, seconded by Director Wilson, to approve the Consent Agenda. President Goodman invited Director discussion. No discussion. President Goodman called the motion. The motion to approve the Consent Agenda passed 4-0. Director Kamena was absent.

4. CONSENT AGENDA RESOLUTIONS: None.

5. BIDS AND PUBLIC HEARINGS: None.

6. OLD BUSINESS: None.

7. NEW BUSINESS:

7.1 PROHIBITING ALCOHOL DURING YOUTH-ORIENTED FACILITY RENTALS

President Goodman stated that the Board will consider approving a change in facility rental policy to prohibit alcohol during rental events at specific District facilities where the guest of honor is under the age of 21 years old.

General Manger Barry said that the District has had problems over the years with rental events at which alcohol is served, and that Assistant Community Center Director Sheryl Hardin will present a report regarding eliminating some of these problems.

Ms. Hardin reported that, at the most recent coming of age party at the RLCC, there were five fist fights, with the police taking action. She said it has become increasingly difficult to monitor parties at which alcohol is consumed. Ms. Hardin stated that staff conducted a survey of 17 agencies that rent facilities. The survey revealed, among other things, that, of the five agencies that permit alcohol at youth oriented events, several are moving toward restricting it in one way or another. Ms. Hardin said staff would like to change LARPD's policy to the effect that alcohol is prohibited at youth-oriented rental events in order to make rental situations safer for clients and staff. She said that LARPD may lose customers but staff believes that there will be enough renters to fill those spots.

President Goodman invited questions and comments from Directors. Director Faltings said that a detailed report on this matter was presented to the Facilities Committee, and that the Committee recommends that the Board approve the policy change. President Goodman said he appreciated all of the details in the survey.

Director Faltings made a motion, seconded by Director Furst, to approve a change in facility rental policy to prohibit alcohol during rental events at specific District facilities where the guest of honor is under the age of 21 years old. President Goodman invited discussion. Director Wilson commended staff on the complete research and thanked staff for its good work. The motion to approve a change in facility rental policy to prohibit alcohol during rental events at specific District facilities where the guest of honor is under the age of 21 years old passed 4-0. Director Kamena was absent.

7.2 AGREEMENT FOR HOLDENER PARK MITIGATION PROJECT

President Goodman stated that the Board will consider approving a resolution approving the project and the agreement for funding, construction, maintenance and monitoring of a mitigation project in Holdener Park.

General Manager Barry stated LARPD has been working with Chevron Pipe Line Company on this mitigation project, and that the Board has already approved the Negative Declaration based upon the Initial Study. He said that staff is asking the Board to move forward with approving the agreement. Mr. Barry said that District Legal Counsel Mike Kyle has something to add to the wording of the agreement.

Mr. Kyle stated that LARPD and URS Corporation had an incomplete understanding of the public review periods. He presented detailed information about the public notice period and the steps that are taken in the process required by CEQA. Mr. Kyle talked about the timing constraints under which Chevron is operating, and that work must start on the project prior to 30-day public review period expiring. He reported that Chevron is willing to assume the risk of someone possibly filing a lawsuit regarding the Initial Study, in which case the mitigation construction work would have to come to a stop. Mr. Kyle said that, today he sent language to Chevron to insert in the contract, language indicating that Chevron acknowledges the time constraint of the public review process. Mr. Kyle said that staff is asking the Board to approve the agreement with the proviso that this additional information will be inserted into the agreement. He added that each agency had a different impression of

where the other agency was in the process. He said that LARPD hopes to receive no public comment, as it is a Negative Declaration.

Director Kamena arrived at 7:08 p.m.

General Manager Barry said that representatives from URS and Chevron are in attendance if Directors have any questions they wish to ask.

Directors asked about the following: the extent of the District's liability if there is a lawsuit; clarification on the sequence of events; the fact that the Facilities Committee heard a report from URS, which was very clear and succinct.

Alexandra Fraser, Senior Biologist and Project Manager of URS Corporation provided overview of the project, and URS Biologist Julie Garren gave a presentation about the actual mitigation project. The project involves enhancement of a stream channel, which will help reduce erosion, as well as re-vegetation of the riparian environment surrounding this channel section. Ms. Garren said that they will install interpretive paneling, and she described the details and timeline for maintenance and monitoring of the project.

President Goodman invited questions from Directors. Directors commented and asked for clarification on the following items: whether the panels will describe plantings as well as the actual project; request to correct the District name in several places in the agreement; correction of the date that LARPD acquired Holdener Park; geographical location of the park within the city; concern regarding potential vandalizing of the panels and who will be responsible for keeping them repaired; the fact that the performance period is Chevron's responsibility and the long-term responsibility is that of the District; who will monitor the effectiveness of the rock weirs; impact on the public during construction; recommendation to provide public information in advance of construction; and the agreement for irrigation.

President Goodman asked for a motion. Director Furst made a motion, seconded by Director Faltings, that the Board approve Resolution No. 2134, approving the project and the agreement for funding, construction, maintenance and monitoring of a mitigation project in Holdener Park, with the proviso that additional language provided by District Legal Counsel be included in the agreement. President Goodman invited discussion. No discussion.

President Goodman called the motion. The motion to approve Resolution No. 2134, approving the project and the agreement for funding, construction, maintenance and monitoring of a mitigation project in Holdener Park, with the proviso that additional language provided by District Legal Counsel be included in the agreement, passed by the following roll call vote:

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

NOES: *None*

ABSTENTIONS: *None*

ABSENT: *None*

7.3 CALIFORNIA SPECIAL DISTRICTS ASSOCIATION 2008 BOARD ELECTIONS

President Goodman stated that the Board will consider casting its vote for a representative to the California Special Districts Association (CSDA) Board of Directors in Region 3, Seat C.

President Goodman invited Director discussion. Director Faltings said that she does not know any of the candidates, but that she was inclined to vote for the candidate who is associated with the Solano Resource Conservation District, Terry Riddle, as that agency is most closely aligned with the overall thrust of the park district and the preservation of open space. Mr. Barry noted that Mr. Riddle also serves on the Solano County Parks and Recreation Commission. Director Faltings made a motion, seconded by Director Furst, that the District cast its vote for Terry Riddle to serve as a representative on the CSDA Board of Directors in Region 3, Seat C. The motion passed 5-0.

8. COMMITTEE REPORTS

1) President Goodman reported on this morning's Intergovernmental meeting with LARPD, LVJUSD and the City of Livermore, saying that the group discussed the Character Counts Victory with Honor program, Carnegie Park trees, School District bond measure, and the Charter School.

9. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

1) Director Wilson said she wished to verify that there will be an equestrian component to Trail Segment T-10.

2) Director Wilson requested an update on Trail Segment T-10, section B.

3) Director Wilson said that, at its last meeting, the Board expressed its support of the California Children's Outdoor Bill of Rights. Director Wilson read the Bill of Rights.

4) Director Furst asked the General Manager to find a way to improve communication between staff and the Board. He suggested the possibility of a monthly update at Board meeting or in the General Manager's monthly report, so that the Board can be kept abreast of the variety of recent issues in an organized way.

5) Director Faltings announced a successful 13th annual Ice Cream Social at the Ravenswood Historic Site. She said there were not as many attendees as at past events, but that it was a nice day. She thanked the Assistant General Manager and his wife for working all day at the event, as well as Director Wilson, who performed with the community band.

6) Director Faltings said that she will miss the next two Board meetings, as she will be in Scotland. She said that, though she is travelling at her own expense, she will be representing LARPD at the Highland Games in Scotland.

7) President Goodman said that he attended the Ice Cream Social at Ravenswood and that there was a good amount of people there. He thanked the Directors and staff who attended, as well as all of the vendors.

8) President Goodman talked about the LARPD volunteer recognition event held at the RLCC last week. He expressed appreciation for the District's volunteers, and invited the public to volunteer for LARPD.

10. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

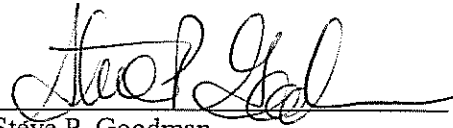
1) General Manager Barry said that Community Center Director Rich Lange has announced that he will retire on October 31. Mr. Barry said staff will be organizing a farewell event for Mr. Lange.

2) District Counsel Mike Kyle introduced Leslie Baxter, his partner at Randick, O'Dea and Tooliatos, the firm that provides legal services to the District. He said that Ms. Baxter may fill in for him on occasion, and may help him from time to time.

11. ADJOURNMENT

Meeting adjourned at 7:46 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