

LIVERMORE AREA RECREATION AND PARK DISTRICT

MINUTES

REGULAR MEETING

WEDNESDAY, APRIL 28, 2010

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

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

DIRECTORS ABSENT: None

STAFF MEMBERS PRESENT: Tim Barry, Jim Brandenburg, Lora Cohen, Jill De Bow Kirk, Michael Kyle, John Lawrence, Lynn Loucks, Gretchen Sommers

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

President Furst called the meeting to order at 7:00 p.m. All Directors were present except Director Faltings.

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 April 14, 2010.

3.2 COMMUNICATIONS

None.

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

4. CONSENT AGENDA RESOLUTIONS

4.1 Resolution No. 2231, a resolution approving the hiring of relatives of District employees.

Moved by Director Goodman, seconded by Director Wilson, approved the Consent Agenda Resolution, by the following roll call vote:

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

5. BIDS AND PUBLIC HEARINGS

None.

6. OLD BUSINESS

None.

7. NEW BUSINESS

7.1 RENEWAL OF SPECIAL TAX 97-1

President Furst stated that action is required to renew and set the tax rate for the park maintenance and operations Special Tax for Fiscal Year 2010/2011. Staff recommends renewal of the tax and that the Equivalent Dwelling Unit rate be set at \$29.94, a 2% rate increase.

General Manager Barry explained that Special Tax 97-1 is the ballot measure approved by voters of the District in June, 1997, replacing an assessment district that had been in place for three years. The revenue is to be used only for maintenance and operation of park facilities. The purpose of the tax, he said, is to help recover some of the revenue lost by the District to the state's Educational Revenue Augmentation Fund (ERAF). Mr. Barry said that the original measure allows the District to increase the tax 2% per year, which would set the Equivalent Dwelling Unit rate at \$29.94.

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

Director Kamena asked for clarification on the number of dwellings in Livermore.

Director Faltings arrived at 7:03 p.m.

Moved by Director Wilson, seconded by Director Faltings, to approve Resolution No. 2232, renewing Special Tax 97-1 for Fiscal Year 2010/2011 for maintenance and operation of park and recreation facilities, and setting the Equivalent Dwelling Unit rate at \$29.94. The resolution was approved by the following roll call vote:

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

7.2 REVISION TO PERSONNEL RULES AND REGULATIONS

President Furst stated that the Board will consider approving a revision to the Personnel Rules and Regulations that exempts part time aquatic staff from the requirement of special approval before relatives of current employees can be hired.

General Manager Barry explained that the District requires approval by the Personnel Commission, Personnel Committee and Board of Directors when staff wishes to hire relatives of current employees. He said that it has been our experience that there are families in which many members are involved with aquatics, and thus, the young adults in these families naturally tend to seek employment in the aquatics field. Mr. Barry said that the Personnel Committee recommended that the District consider a revision to the Personnel Rules and Regulations to the effect that candidates for part time aquatics positions are

exempt from the provision of special approval. He said that, as is currently District practice, family members on staff will not have supervisory relationships with one another, and efforts will be made to schedule relatives on different shifts.

Directors inquired about the following: the number of requests that are made to hire relatives in the aquatics division; what process is involved for Supervisors to complete each request to the Board to approve the hiring of relatives; and what the impetus was behind the recommended revision.

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

Moved by Director Goodman, seconded by Director Wilson, adopted Resolution No. 2233, approving a revision to the Personnel Rules and Regulations that exempts part time aquatic staff from the requirement of special approval before relatives of current employees can be hired, by the following roll call vote:

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

7.3 REVISIONS TO JOB DESCRIPTIONS FOR PARK SUPERVISOR, PARK FOREMAN AND PARK MAINTENANCE I AND II

President Furst stated that the Board will consider approving revisions to the Park Supervisor, Park Foreman and Park Maintenance I and II job descriptions.

General Manager Barry said that Senior Park Supervisor Jim Brandenburg had prepared a report. The recommendation was reviewed and approved by the Personnel Commission, which suggested some changes. The revisions were approved by the Personnel Committee as well.

Mr. Brandenburg stated that current job openings in the Parks division created the opportunity to make some revisions to these job descriptions, and all of the jobs are linked. Mr. Brandenburg provided details on the revisions being recommended for each position.

Director Wilson commended Mr. Brandenburg on an excellent job with the revisions. She said that she attended the Personnel Commission meeting when it reviewed this matter, and that she was very impressed with the Commission's thoroughness.

Director Furst commented that, in the past, park maintenance workers were required to be able to lift and carry 100 pounds, and that the District job descriptions require the ability to lift 50 pounds; he wondered why that had changed. Mr. Brandenburg said that industry standards had changed because too many injuries were caused with the higher weight requirement.

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

Moved by Director Wilson, seconded by Director Kamena, to adopt Resolution No. 2234, approving revisions to the Park Supervisor, Park Foreman and Park Maintenance I and II job descriptions. The resolution was approved by the following roll call vote:

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

8. COMMITTEE REPORTS

Director Goodman reported on the April 19th Camp Shelly meeting, which about 35 people attended. He said that there was good discussion and that good ideas were presented. The meeting was well received, and there will be a follow-up meeting.

President Furst reported on the April 20 Downtown, Inc. meeting. Meeting topics included: upcoming events, including the Livermore Wine Country Festival, coming up this weekend, which he encouraged people to attend. He noted that much work goes on behind the scenes to produce a successful festival.

Director Faltings reported on the April 22 Budget Committee meeting. Meeting topics included: program and service level review forms; Fiscal year 2010/11 Operating Budget; and Carnegie Building maintenance requests.

9. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

1) Director Goodman reported that he went to Marilyn Avenue School last Friday and read to five classes. He said he enjoys it, and the kids are great. He said that some ESS program participants were there, and he commended the staff of Marilyn Avenue School.

2) Director Wilson reported on her participation in the Ravenswood Victorian Tea last weekend, and listed some of the attractions of this successful event.

3) Director Faltings asked when the Thursday Farmers' Market starts—May 20.

4) Director Faltings reported that several staff and Directors attended the Annie Quinn trail dedication ceremony on April 17. She said that about 25 people attended and that the Quinn family was extremely appreciative of this tribute to their late daughter.

10. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

1) General Manager Barry announced that the LARPD summer class and activity guide has been published and that summer registration opens on May 5. He invited the public to sign up early and often for the great activities offered by LARPD.

11. ADJOURN TO BUDGET WORKSHOP – SYCAMORE ROOM

Meeting adjourned to Budget Workshop at 7:28 p.m.

12. BUDGET WORKSHOP

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

President Furst called the Budget Workshop meeting to order at 7:37 p.m. All Directors were present.

12.2 STATUS OF BUDGET

President Furst stated that the Board will discuss the status of the proposed 2010/2011 Fiscal Year Budget.

General Manager Barry reported that the Budget Planning Committee and the Board Budget Committee have met at various times and have a proposed budget, which is approximately \$300,000 out of balance. Mr. Barry said that, looking back in recent years, the District seems to be out of balance by several hundred thousand dollars each year, which the District has managed to balance. He said that, this year staff will present proposals for meeting the \$300,000 shortfall, but that he feels the District must go further to try to address the regular shortfalls. Mr. Barry spoke about prioritization of District services and briefly described a process of categorizing services as follows: 1) core services; 2) important services and 3) discretionary services. He said that he would like to hold a Board workshop in the coming month in order to discuss prioritization of District services and operating the District according to the funds it has.

Mr. Barry described the parameters that he set for staff in developing the FY 2010/11 Budget, which were the same salary and benefit conditions that were imposed for this Fiscal Year, including: no cost of living or merit increases; employees will have to pay any cost increases to the health benefit plan; and full time employees will continue to contribute 5% more towards their retirement benefit. Mr. Barry said that, despite these measures, we have the \$300,000 deficit. He said that he has met with employee groups to discuss benefits and salaries, and that employees understand the District's plight. The focus of the meetings was on what LARPD can do to improve the work environment, short of raises. General Manager Barry said that these ideas will be researched and presented to Personnel Commission. Mr. Barry said that he will look at the budget and see what can be done. More information will be coming to the Board.

Directors inquired about the following: clarification on the meaning of core, important and discretionary services; whether the General Manager's revenue projections for this year could be characterized as conservative; the possibility that the tenants of the Bothwell Building, LVPAC, are in violation of the lease contract by holding events that compete with those of the District; whether any of the budget shortfall is due to cost overruns; whether the lack of revenue is due to less people using LARPD services or less tax money coming in; whether the changing housing values and increase in home sales has been taken into account; if, by freezing staff salaries, the District is in danger of losing employees; whether other agencies are taking similar measures; whether the District is in danger of implementing layoffs and, if so, is there an estimate of numbers; when another Budget workshop will be scheduled; and whether all of the Directors had seen the definition sheet yet, describing core, important and discretionary categories of service.

General Manager Barry pointed out that he is not recommending that the District dip into reserves, as it is one-time money that the District will not be able to replenish easily. He said that he sees the need to use reserves for future capital needs, and feels that the District needs to scale down its costs. Mr. Barry said that he appreciates staff's input and work on the budget development process.

12.3 PROPERTY TAX DISTRIBUTION

President Furst stated that the Board will discuss information regarding the District's property tax distribution.

Director Kamena said that, on June 27, 2008, he said that he would like the District to investigate whether there is a way to get around the state's ERAF take of District's property tax revenue. He provided dollar figures and the percentage of tax revenue that the District has lost to ERAF. Director Kamena said that LARPD staff's efforts to find a way to get out of the ERAF shift came up with nothing, and he provided a detailed account of his own investigation into the matter, citing people with whom he spoke and the information he obtained. Director Kamena said that he would like the District to hire a consultant to determine if there is a way for the District to retain more of its property tax revenue. He described several possible scenarios whereby this might occur, including merging with the City of Livermore and/or East Bay Regional Park District, becoming a dependent district of the City of Livermore, etc. Director Kamena said that he would like a consultant to determine whether it is worth it for the District to pursue any of these possibilities. He said that he understood that there are objections about the concept of merging with other agencies.

Directors inquired about the following: whether cities can have dependent districts, such as a park and recreation district; clarification on whether Director Kamena had contacted CSDA and been referred by that agency to the California League of Cities; whether or not District employees would be retained were the District to be consolidated into another agency; and whether the City or EBRPD had been approached with the question of whether they want LARPD to merge with them.

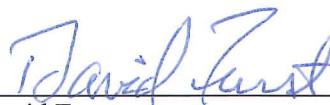
President Furst opened public comment. No public comment. President Furst closed public comment.

President Furst asked for a motion. Director Kamena made a motion to overrule President Furst on whether the issue was an action item and needed a motion. The motion died for lack of a second. President Furst called for a motion. Director Kamena made a motion to discuss this proposal and discuss hiring a consultant. The motion died for lack of a second.

13. ADJOURNMENT

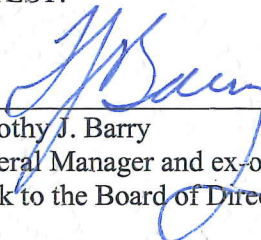
Meeting adjourned at 8:59 p.m.

APPROVED,



David Furst
President, Board of Directors

ATTEST:



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