

LIVERMORE AREA RECREATION AND PARK DISTRICT

MINUTES

**REGULAR MEETING OF THE
BOARD OF DIRECTORS**

WEDNESDAY, JANUARY 27, 2010

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

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

DIRECTORS ABSENT: Director Kamena

STAFF MEMBERS PRESENT: Tim Barry, Jim Brandenburg, Lora Cohen, Fred Haldeman, Lynn Loucks, Michael Kyle, John Lawrence, Gretchen Sommers

1. CALL TO ORDER – ROLL CALL

President Furst called the meeting to order at 7:02 p.m. All Directors were present except Director Kamena.

2. MOMENT OF SILENCE IN REMEMBRANCE OF SUE HOLSCHER

President Furst announced that a member of the LARPD family, Sue Holscher, had recently passed away. General Manager Barry spoke about Sue, saying what a wonderful person and employee she was, and that she will be very greatly missed by everyone at LARPD. President Furst asked that a moment of silence be observed in remembrance of Sue.

3. PLEDGE OF ALLEGIANCE

4. INTRODUCTION

General Manager Barry introduced LARPD's new Facilities Maintenance Supervisor, Fred Haldeman, to the Board, explaining that Mr. Haldeman's position was added to replace that of Senior Recreation Supervisor Brian Tibbetts, who recently retired. Mr. Barry summarized Mr. Haldeman's career. He and the Board welcomed Mr. Haldeman to LARPD.

5. PRESENTATIONS

5.1 CITY OF LIVERMORE COMMISSION FOR THE ARTS

President Furst stated that Kathy Streeter, LARPD's representative on the City of Livermore Commission for the Arts, will give a report on activities of the Commission.

Ms. Streeter gave a summary of projects that the Commission had completed in the last year, including: updating of the Commission's web page on the City's website; grant guideline revisions were made; 13 street banners put up; art nook at City Hall; arts column in City's quarterly newspaper; and school district annual senior arts awards applications have been approved and are being sent to the schools. Ms. Streeter talked about the firehouse mural

project.

Ms. Streeter summarized pending projects, including: an arts web calendar in conjunction with LCAC and the Independent newspaper; walking tour; arts location for City's master planning maps; train depot gallery space--shared office, arts and rehearsal space; book, bottle and smoke shop as artists' studios; painted ponies project; forming a Commission for the Arts Foundation to receive donations for arts projects; Caltrans project whereby 4 pillars on the corners of the El Charro overpass will be used by Livermore, Dublin and Pleasanton for artwork. Ms. Streeter reported on the Commission's funding sources and how funding is allocated. She introduced Len Alexander, current Commission Chair, and she listed the other members of the Commission and their areas of interest/expertise.

Director Faltings inquired if LARPD has a link on its web site to the Commission website and, if not, she recommends it (General Manager Barry will have staff check). She asked if LARPD can find wall space at the RLCC for the display of community art. Director Faltings talked about an NRPA program involving sculptural art on trails and in parks; she said she thinks that LARPD could do this. She also expressed concern about the firehouse mural project, stating that the firehouse is a historic preservation site and, as such, must comply with the Department of the Interior rules for historic sites. She said that she hopes that the City and the Commission will look into it to make sure that installation of a mural does not violate any rules. Ms. Streeter said that she will investigate this and get back to the Board with information.

6. PUBLIC FORUM

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

7. CONSENT AGENDA

7.1 BOARD MINUTES

7.1.1 Meeting of January 13, 2010.

7.2 COMMUNICATIONS

None.

7.3 CLAIMS AGAINST THE DISTRICT

7.3.1 A claim against the District has been filed on behalf of Jan Wood. Staff recommends denial of the claim.

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

8. CONSENT AGENDA RESOLUTIONS

None.

9. BIDS AND PUBLIC HEARINGS

None.

10. OLD BUSINESS

10.1 SYCAMORE GROVE RECOVERY PROGRAM PHASE II REPORT

President Furst stated that the Board will receive a status report on the Sycamore Grove Recovery Program Phase II Report.

Assistant General Manager John Lawrence summarized the report which he said came about because of a significant loss of sycamore trees in Sycamore Grove Park in the 1980's. Mr. Lawrence summarized the history of the study; the Initial Study/Phase I talked about the problem; Phase II addressed what could be done about it. He noted the study has been jointly funded by LARPD and Zone 7 Water Agency. Mr. Lawrence reported that LARPD and Zone 7 are collaborating to write the executive summary for presentation to both agencies' boards in April.

Directors asked about, and commented on, the following: whether there is a timeline for final presentation of the report (hopefully, April); about the establishment of a sycamore nursery (LARPD Ranger staff currently maintain a nursery of a number of species; staff also collects acorns and replants them in the arroyo and in the nursery); which agency is taking the lead on this project (Zone 7); the need to complete the study soon.

11. NEW BUSINESS

11.1 DISTRICT AUDIT FOR FISCAL YEAR 2008/2009

11.2 EXTENDED STUDENT SERVICES PROGRAM AUDIT FOR FISCAL YEAR 2008/2009

President Furst stated that the District and ESS Program Audits for Fiscal Year 2008/2009 have been completed, and that the Board will conduct a review of the Audit Reports and consider acceptance.

Fiscal Supervisor Lora Cohen stated that Maze and Associates conducted the District and ESS Audits again this year, and did a very thorough job. Ms. Cohen reported that the District got "an unqualified opinion," which is the best that the District can get. She said that the ESS Program complied with all of the state contract requirements. She said that the "Memorandum on Internal Controls" gives recommendations and things for the District to consider in the future, as well as reports on the status of recommendations made in the previous year. Ms. Cohen said that the District has implemented many of the recommended changes and that staff is still working on one area.

Under the "Required Communications" section, the District had an area to report on GASB 45, which deals with how LARPD reports and what the District's liability is for other post-employment benefits through its retirement fund. Ms. Cohen said that she thought it important and timely this year, as many agencies are having difficulties in funding and taking care of those commitments. She noted that ACERA has really put a lot of planning and forethought into how its post-employment benefits would be funded, and that LARPD has no liability. Its post-employment benefit program has been planned for, and is currently funded through 2030. She said that the District is in very good shape with this. Ms. Cohen said that Cory Biggs from Maze & Associates is present, should the Board have any questions.

President Furst asked Mr. Biggs how many years Maze & Associates has been auditing the District (since 1989). President Furst asked if the firm has seen changes in the audit in terms of the strength of the District, or good or bad performance. Mr. Biggs responded that the District had a very low unrestricted fund balance a few years ago, and that it has successfully built itself some decent reserves. He reported that there has been a steady improvement in controls. Mr. Biggs said that, on the whole, there has been a very marked improvement. He noted that Ms. Cohen has been a key player in this improvement, in that she is proactive about finding out what the right thing to do is. He said that this attitude

protects the public trust. He said that Ms. Cohen has done an excellent job with the difficult job of dealing with the state child services program. Mr. Biggs added that he hates to see Ms. Cohen retire. He said that Maze & Associates does municipal audits all over and that Ms. Cohen and her staff stay on top of things.

Director Faltings made note of the fact that the “Management Letter” found no material weaknesses in either audit which, she said, makes her very happy. She said that this District is beautifully run. Director Faltings added that, in the District Audit, on pages 3 and 4, there is about as good a description as she has seen of how this District is run.

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

Moved by Director Faltings, seconded by Director Wilson, that the Board accept the 2008/2009 District and ESS Program Audits as presented by Maze & Associates, passing 4-0. Director Kamena was absent.

11.3 REVISIONS TO PARK MAINTENANCE SPECIALIST JOB DESCRIPTION

President Furst stated that the Board will consider approving revisions to the job description for the position of Park Maintenance Specialist.

General Manager Barry stated that he thought it was a good time to look at this job description, and to make some improvements to it.

Mr. Lawrence said that, as management staff looks at organizational changes, they like to review job descriptions and improve them. He said that, in December, the Personnel Commission approved the revisions to the job description, with modifications. He reported that the Personnel Committee approved of the changes as well.

Mr. Lawrence listed the four main areas of revision, explaining the reasons for the recommended changes. The four areas are: elimination of the requirement for a Class A driver’s license; elimination of the landscape area of specialty; the addition of tasks relating to construction functions; and changing the job title to that of Park Specialist. Mr. Lawrence said that Senior Park Supervisor Jim Brandenburg is present to answer any questions.

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

Moved by Director Faltings, seconded by Director Wilson, approved the adoption of Resolution No. 2218, approving revisions to the job description for the position of Park Maintenance Specialist, by the following roll call vote:

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

11.4 RESOLUTION TO SUPPORT THE INCLUSION OF SPECIAL DISTRICTS AS PART OF ANY CONSTITUTIONAL CONVENTION DELEGATE SELECTION PROCESS

President Furst stated that the Board will consider approving a resolution that supports the specific inclusion of Special Districts in the delegate selection process of the proposed State Constitutional Convention.

General Manager Barry summarized the staff report. He said that an organization called the Bay Area Council has created a movement called Repair California, which has the goal of establishing a new way that the state of California operates, particularly in terms of budget. He said that the group has filed two initiatives: 1) a call for a constitutional convention, which previously only the state legislature was empowered to do; and 2) an initiative that sets the parameters of the convention, including the delegate selection process. Mr. Barry said that, so far, special districts have been left out of the selection process; however, cities, counties and school districts have been identified as participants. Mr. Barry said that special districts are important and should be included in the delegate selection process; he would like the Board to approve a resolution addressing this. The District would send the resolution to the Bay Area Council and to the Governor in order to let them know how LARPD feels.

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

Moved by Director Faltings, seconded by Director Goodman, to approve a resolution supporting the specific inclusion of Special Districts in the delegate selection process of the proposed State Constitutional Convention.

Director Faltings stated that she serves on the Board of Directors of the California Association of Recreation and Park Districts (CARPD) and the CARPD Board has also discussed this subject, as has the Alameda County Special Districts Association, of which LARPD is a member. Director Faltings said that this issue is very important, as special districts are a level of local government in California which gets ignored too much.

Resolution No. 2219, supporting the specific inclusion of Special Districts in the delegate selection process of the proposed State Constitutional Convention, was adopted by the following roll call vote:

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

12. COMMITTEE REPORTS

President Furst said that the Intergovernmental meeting that had been scheduled for this morning had been cancelled.

Director Wilson reported that the Personnel Committee discussed the Park Maintenance Specialist position at its January 20 meeting.

13. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS

1) Director Faltings reported that she attended the Martin Luther King, Jr. Fellowship Breakfast hosted by the YMCA on January 25. She said it was a great event, at which she learned about the YMCA's presence in the Tri-Valley. She said that Dr. DeRionne Pollard, the President of Las

Positas College, gave a fabulous speech. Also, Wells Fargo donated \$500 to the Tri-Valley YMCA.

14. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER

1) General Manager Barry invited the public to participate in three upcoming LARPD Events: Rummage sale at the Barn on Saturday, January 30, from 8:00 a.m. –Noon, with proceeds benefitting the LARPD scholarship fund which helps low income families to participate in LARPD activities; the Super Football Party at the RLCC on February 7, starting at 2:00 p.m., with proceeds benefitting the local youth football program—also a football clinic for youth prior to the event; and the “Seniors Helping Seniors” dance on Feb. 11 at the RLCC from 5:00-8:00 p.m.—the program is a partnership between Livermore High School Seniors and senior citizens, with proceeds benefitting LHS senior class projects and the LARPD Senior Services Center.

15. ADJOURNMENT TO EXECUTIVE SESSION

Meeting adjourned to Executive Session at 7:49 p.m.

16. EXECUTIVE SESSION

16.1 REAL ESTATE NEGOTIATIONS

Pursuant to Section 54956.8 of the Government Code
Property: 13.5 acres of land, Robertson Park Rd., Livermore, CA
Agency Negotiator: District Staff and/or Legal Counsel
Negotiating Parties: Livermore Valley Joint Unified School District
Under Negotiation: Terms of Purchase

17. RECONVENE TO OPEN SESSION

Meeting reconvened to open session at 8:30 p.m.


18. REPORT ON ACTION TAKEN IN EXECUTIVE SESSION

No action to report.

19. ADJOURNMENT

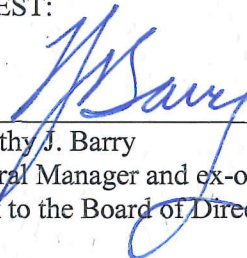
Meeting adjourned at 8:32. p.m.

APPROVED,



David Furst
President, Board of Directors

ATTEST:



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