

LIVERMORE AREA RECREATION AND PARK DISTRICT

FACILITIES COMMITTEE
DRAFT MINUTES

THURSDAY, APRIL 7, 2022
2:30 P.M.

NOTICE: Coronavirus COVID-19

In accordance with the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), as amended by Assembly Bill 361 (2021), the Livermore Area Recreation and Park District Facilities Committee Members and staff participated in this meeting via Zoom teleconference. In the interest of maintaining appropriate social distancing, members of the public also participated in the meeting electronically.

Committee Members Present: Chair David Furst, Vice Chair Jan Palajac

Staff Present: Mat Fuzie, Jill Kirk, Linda VanBuskirk, Jeffrey Schneider, Nancy Blair, Julie Dreher, Pamela Healy, David Weisgerber, Fred Haldeman

Members of the Public Present: Doug Mann, Bianca Covarelli, Dick Schneider

1. **Call to Order:** The meeting was called to order at 2:30 p.m.
2. **Public Comment:** There was no public comment.
3. **Discussion and Possible Action Regarding Teleconference During a Proclaimed State of Emergency (Resolution 2743-a):** Approved.
4. **Approval of the Minutes of the Facilities Committee Meeting held on March 3, 2022:** The minutes were approved unanimously, as written.
5. **Ordinance 8 Revisions:** (Items 5 and 6 were discussed after item 7) GM Fuzie previously sent a link to the California State Park ordinances to Committee members for review. He noted that the State Park ordinances are comprehensive and suggested a complete revision of our existing Ordinance 8, using the State Park ordinances as a model. He will re-send the link to the Committee members. The Committee agreed this item should be added to the upcoming Board Retreat agenda to further discuss revisions to Ordinance 8, level of enforcement for staff and enforcement options.
Action: The Committee recommended this item to be added as an agenda item at the upcoming Board Retreat.
6. **Planning for Future Trails and Trail Connectors:** (Items 5 and 6 were discussed after item 7) Director Furst asked if staff could research and provide detailed information on various trails and service areas, so the Committee may examine what trail connectors are still needed to make our trails functional, and which ones to focus on. GM Fuzie commented that staff can report on this information from the Master Property Agreement. He added that most of the connectors are the City of Livermore's (COL) responsibility. The Committee went on to briefly discuss status updates on certain trail connectors, pending further information from staff.

GM Fuzie provided an update on the Patterson Ranch Trail. He indicated that he recently met with Zone 7 Water Agency (Zone 7) General Manager (GM), Valerie Pryor, noting that GM Pryor expressed concerns with public access to their property where the trail adjoins. Director Palajac commented that we have a signed agreement with Zone 7. GM Fuzie explained that we do, however, GM Pryor's stance is that all our notices and negotiations have been with Zone 7 staff approvals, but details were not signed off by her. It was noted that she did sign off on a Design Build with specific parameters. Further Committee discussion ensued, covering possible access controls, access permits, usage, guided hikes, trail ambassadors, and level of fencing to restrict access to the watershed area. The Committee agreed the level of fencing should be signage where appropriate, fencing where appropriate. GM Fuzie remarked that staff will comprise an operational plan and present it to Zone 7 to move this item forward.

Actions:

- Future Trails and Trail Connectors:
 - The Committee requested this topic be added as a standing item on the Facilities Committee meeting agenda for updates as information is available.
 - The Committee also requested that staff research and provide information on several specific trail connectors and report back.
- Patterson Ranch Trail: Staff will comprise an operational plan and present it to Zone 7 to move forward.
- GM Fuzie to send Committee members a link to the Assessor's Parcel Map of Sycamore Grove and surrounding area to clarify who owns what, where LARPD boundary lines are.

7. Potential Acquisition of Property Near Garaventa Wetlands (Discussion):

(This item was discussed before items 5 and 6)

GM Fuzie opened the discussion, commenting that this item is at the very early stages of discussion, adding, there have been no official transactions or discussions on this item as of this meeting. Recently, the California Court of Appeals ruled in favor of a preservation group, against a developer who had planned to build housing on the environmentally sensitive property known as "Garaventa Hill". This area abuts the Garaventa Wetlands property owned by the LARPD, which is also an environmentally sensitive home of various protected and endangered species. Given the Appellate Court ruling, Garaventa Hill might now potentially be purchased by other entities and donated to the District for preservation as Open Space in perpetuity. One possible funding source for the purchase is the Dougherty Valley Settlement Agreement (DVSA) fund; another is the Altamont Landfill Open

Space Committee through a grant. Director Furst introduced Doug Mann, head of the Citizens for Balanced Growth, which is connected to the Dougherty Valley Settlement Agreement fund.

Member of the public Doug Mann spoke: Mr. Mann explained that he is on the Board of the group Citizens for Balanced Growth. There is a Mitigation fund from the DVSA that is designed to be spent in this geographical area for permanent trails, open space or other preservation easements. The City of Livermore (COL) has the funds; they consult with Citizens for Balanced Growth, who approve the expenditure.

Director Furst asked how much is in the settlement fund. Mr. Mann indicated he believes it is between 4 and 5 million dollars. The Committee discussed further aspects of a potential acquisition, such as the LARPD's interest in being the receivers/owners and keeping it in perpetuity as open space, accepting the responsibilities and expenses that go with that. Director Furst noted this is an important acquisition as any development in this area could potentially negatively impact Garaventa Wetlands because of the impact on protected species and potential changes to soil alkalinity. GM Fuzie suggested that there may be a zoning issue we would need to work on with the city of Livermore to ensure that what LARPD is considering on that property is appropriate.

Director Palajac asked for clarification on what was being requested of the Committee at this juncture. GM Fuzie explained that if the Facilities Committee voted to move this forward, staff would put together a report, listing conceivable obligations, a potential operating plan, etc. for the Board to consider for approval to move forward. It would initially be considered in an open session, to determine whether the board wants staff to pursue this as an opportunity for the District. If the Board voted yes, the issue may subsequently go to a closed session to consider the property negotiation.

The following Members of the Public spoke:

Doug Mann commented that the developer may decide to take this case to the California Supreme Court.

Bianca Covarelli commented that she seconds Mr. Mann's sense of urgency on moving forward with this acquisition. She received notification that the developer was on site this morning taking photos. She closed by stating that her goal is to preserve Garaventa Hill in perpetuity.

Dick Schneider commented that he serves on Altamont Landfill Open Space Committee. In 2011, this group made a grant to the East Bay Regional Park District (EBRPD) for the nearby Farber property (one parcel removed from this property) which was purchased by EBRPD and added to the Brushy Peak trail system. He added, there is both money available as well as precedent to work with a Park District for land acquisition.

Action: The Committee approved moving this forward as a discussion item for the April 13, 2022 Board meeting agenda.

- A map of the potential property acquisition (24 acres) especially in relationship to LARPD's current Garaventa Wetlands, will be brought to the Board if it is decided to move this item forward.
- GM Fuzie to express LARPD's interest in the property to city of Livermore.

8. Directors' Reports or Announcements:

- Director Palajac asked to change the next Facilities Committee meeting date from 5/5/22 to the following week (5/12/22) due to a scheduling conflict.
- Director Furst shared that he recently read an article in the March 24th issue of *the Independent* stating that volunteers planted trees at Marlin Pound Park, in the Springtown Open Space area. He asked if the planting was done in an area that conflicted with the Master Plan. Facilities Manager Fred Haldeman responded that he contacted COL landscaping staff, who apologized for not letting us know about the event in advance. COL staff indicated the announcement in the paper was incorrect, that Marlin Pound Park was only the initial staging area. The actual planting was done on the golf course. Manager Haldeman will ask for a map of the exact planting site. Director Furst asked if he could also check how these trees are being watered and to send an email to the Committee with an update.
- GM Fuzie shared that he recently met with the COL Department of Public Works. The discussion was centered on a comprehensive plan for our future partnership, separate from the Master Property Agreement. Various topics were touched on, such as: plans for the Las Positas golf course, the Flying Electrons, the Springtown golf course and plans for disc golf, a walking path and community gardens. Director Furst asked about the hill behind Cayetano Park, owned by Shea. He asked if it was feasible to open a dialogue with Shea to see if that property is available for acquisition. GM Fuzie responded that it is a high-risk property with a steep ascent, which means we would be looking at a formalized switch back trail.
- Director Palajac asked about the Los Positas golf course. The COL has invested four million over the last 20 years. Since the beginning of the pandemic, it has been doing well financially. The course is on recycled water.

Action: The Committee requested that staff research who owns the hill behind Cayetano Park and to determine if it is currently available for acquisition.

9. **Adjournment:** The meeting was adjourned at 3:49 p.m.