



Livermore Area  
Recreation and Park District  
*An independent special district*

**LIVERMORE AREA RECREATION AND PARK DISTRICT  
SPECIAL MEETING of the BOARD OF DIRECTORS**

**DRAFT MINUTES**

**WEDNESDAY, AUGUST 9, 2023**

**5:00 p.m.**

**ROBERT LIVERMORE COMMUNITY CENTER  
4444 East Avenue, Livermore, California**

**DIRECTORS PRESENT:** Directors Maryalice Faltings, Jan Palajac, Philip Pierpont  
Vice Chair David Furst, Chair James Boswell

**DIRECTORS ABSENT:** None

**STAFF MEMBERS PRESENT:** Mathew Fuzie

**OTHERS PRESENT:** Tom Terpstra, Jr. with Neumiller & Beardslee

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

Chair Boswell called the meeting to order at 5:43 p.m. All Directors were present. Chair Boswell led the Pledge of Allegiance.

**2. PUBLIC COMMENT:** None.

**3. OPEN SESSION DISCLOSURE REGARDING CLOSED SESSION ITEM PURSUANT TO GOVERNMENT CODE SECTION 54957.7**

Chair Boswell announced that the Board has determined that there is a need to take immediate action and that the need for the action came to the Board's attention after the Agenda for this Special Meeting was posted, pursuant to Government Code Section 54954.2(b)(2).

**MOTION:**

Moved by Director Pierpont, seconded by Director Furst, approved the addition of Item 4.2 Public Employment, Title: Legal Counsel to the current Agenda, by the following roll call vote:

**AYES:** Directors Palajac, Faltings, Furst, Pierpont, and Chair Boswell (5)

NOES: None (0)  
ABSTENTIONS: None (0)  
ABSENT: None (0)

District Counsel Tom Terpstra, Jr. announced that the LARPD Board of Directors would be convening into Closed Session to discuss the items listed at 4.1 and 4.2 on the agenda. Open Session was adjourned at 5:49 p.m.

**4. CLOSED SESSION**

**4.1 CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION**

Significant exposure to litigation pursuant to paragraphs (2) and (4) of subdivision (d) of Section 54956.9 of the California Government Code: (1 Potential Case)

**4.2 PUBLIC EMPLOYMENT**

Title: Legal Counsel

**5. RETURN TO OPEN SESSION; REPORT ON CLOSED SESSION – PURSUANT TO GOVERNMENT CODE SECTION 54957.1**

The Board came out of Closed Session at 6:36 p.m. Chair Boswell announced that no reportable action had been taken in Closed Session.

**6. ADJOURNMENT:** Chair Boswell adjourned the meeting at 6:36 p.m.

APPROVED,

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James E. Boswell  
Chair, Board of Directors

ATTEST:

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Mathew L. Fuzie  
General Manager and  
Ex-officio Clerk to the Board of Directors

/Lvb