



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

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

**WEDNESDAY, FEBRUARY 23, 2022**

7:00 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), members of the Livermore Area Recreation and Park District Board of Directors and staff participated in this meeting via teleconference (Zoom). In the interest of maintaining proper social distancing, members of the public also participated in this meeting electronically.*

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

**DIRECTORS ABSENT:** None

**STAFF MEMBERS PRESENT:** Mathew Fuzie, Fred Haldeman, Jeffrey Schneider, Jill Kirk, Julie Dreher, Linda VanBuskirk, Megan Shannon, Nancy Blair, Pamela Healy, Patrick Lucky,

**GENERAL COUNSEL:** Rod Attebery with Neumiller & Beardslee

**OTHERS PRESENT:** Bob Kratochvil, Jeff Wagoner  
**[PUBLIC MEMBERS]:**

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

Chair Faltings called the meeting to order at 7:00 p.m. All Directors were present via Zoom. Chair Faltings led the Pledge of Allegiance.

**2. PUBLIC COMMENT:** None.

**3. CONSENT ITEMS:**

**3.1** Resolution No. 2738 determining to conduct meetings of the LARPD Board of Directors using teleconferencing pursuant to Government Code 54953 as amended by AB 361 for the period February 23, 2022 to March 25, 2022.

**3.2 Approval of the Minutes of the Regular Board Meeting of February 9, 2022****MOTION:**

Moved by Director Palajac, seconded by Director Furst, approved the Consent Agenda, by the following roll call vote:

AYES: *Directors Pierpont, Boswell, Furst, Palajac, and Chair Faltings (5)*  
 NOES: *None (0)*  
 ABSTENTIONS: *None (0)*  
 ABSENT: *None (0)*

**4. DISCUSSION AND ACTION ITEMS:**

The LARPD Board of Directors reviewed and discussed taking appropriate action or inaction with respect to the following matters:

**4.1 CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD OF DIRECTORS CALL FOR NOMINATIONS – BAY AREA NETWORK, SEAT B**

General Manager Mathew Fuzie reported that the California Special Districts Association Elections and Bylaws Committee is looking for independent special district board members or their general managers who are interested in leading the direction of CSDA for the 2023-2025 term. The Bay Area Network, Seat B incumbent Ryan Clausnitzer, GM of the Alameda County Mosquito Abatement District, is running for re-election. GM Fuzie expressed an interest in running for this seat to represent LARPD. The deadline for receiving nominations is March 31, 2022. The Board expressed its support for having representation by a recreation and park district on the CSDA Board.

**RESOLUTION:**

Moved by Director Palajac, seconded by Director Pierpont, approved Resolution No. 2739 nominating General Manager Mathew Fuzie for election to the CSDA Board of Directors – Bay Area Network, Seat B, for the 2023-2025 term, by the following roll call vote:

AYES: *Directors Furst, Boswell, Pierpont, Palajac, and Chair Faltings (5)*  
 NOES: *None (0)*  
 ABSTENTIONS: *None (0)*  
 ABSENT: *None (0)*

**4.2 HORSESHOE PITS AT ROBERTSON PARK**

GM Fuzie provided a verbal staff report along with Parks and Facilities Manager Fred Haldeman regarding the request to relocate the horseshoe pits at Robertson Park. LARPD had received complaints, including a signed petition, from neighbors near Robertson Park about the noise and general disturbance to the neighborhood in the late evenings from gatherings at the horseshoe pit area. The group discussed the construction of the horseshoe pits (concrete and steel) versus the current standard (wooden framed box and sand pit) and suggested that the steel and concrete may add to the noise level. LARPD accommodates one tournament here each year for one day.

PFM Haldeman met at the site with Mr. Jeff Wagoner, who lives next to Robertson Park. Together they identified potential alternate locations within Robertson Park and determined that the east end of the dog park is probably the most viable. Although it is not large enough to accommodate the eight (8) existing pits, which is probably excessive for what the actual need is, it could accommodate four pits for the local horseshoe community. He stated it would not be difficult to move the horseshoe pits to a location nearer to the MSC which would provide for greater distance from any residence, would still provide for parking, and would provide an opportunity for LARPD to build the appropriate level of developed horseshoe pit for recreation.

This item was reviewed and discussed by the Facilities Committee on October 7, 2021 and again on December 2, 2021. The Committee had initially suggested leaving the horseshoe pits in their present location, but after receiving further complaints and a petition from neighbors, it was agreed this issue should be brought before the full Board for further review and discussion.

**Recommendation:** Staff has done its due diligence within the neighborhood and believes LARPD may potentially better serve the public by moving the horseshoe pits to another location, such as near the MSC building. The cost is estimated at \$30k. Staff recommended obtaining a formal budget and presenting a written plan to the Board for further review and approval, should the Board choose to do so.

**Director questions/comments included concerns regarding** parking, noise, and other problematic activities not directly related to the horseshoe pits, such as loitering.

Chair Faltings opened public comment:

**Jeff Wagoner**, a Livermore resident, addressed the Board regarding the increased use of the horseshoe pits since the pandemic began in 2020. He spoke regarding concerns over the noise level with use of the horseshoe pits plus the drinking, smoking and loud music played next to the tot lot area.

There were no more speakers, and the public comment period was closed.

**DIRECTION:**

The Board concurred with the staff recommendation and directed staff to research moving the horseshoe pits to a different location and associated costs, then bring back a report to the Board for its consideration of approval. The Board expressed no commitment at this point.

**4.3 CHANGES TO LARPD's CHILDCARE PROGRAM**

Chair Faltings stated that the Board would review and discuss recent changes to LARPD's childcare program. GM Fuzie presented the staff report which included a timeline of the events that had occurred, what the changes would be for the upcoming school year, the positive projected budget outcome, and an explanation of why the LARPD Board was surprised to hear about the Livermore Valley Joint Unified School District (LVJUSD) bringing in a contract provider for child care (Right at School), in addition to what LARPD offers, as a pilot program.

This item was reviewed and discussed by the Program Committee on February 16, 2022, and the Finance Committee on February 22, 2022. No action was taken by the committees, but it was suggested that the item be presented to the full Board for further discussion.

Right at School held a Virtual Parent Information Night for LVJUSD Parents on February 22, 2022. The forum presentation may be viewed on their website at [www.rightatschool.com/districts/livermore-ca/](http://www.rightatschool.com/districts/livermore-ca/)

**Director comments and questions included:**

- First and foremost, in no way is this any reflection on the staff of ESS. They are all very competent, doing magnificent work on the development of the ESS program. They continue to provide a service to the community that many people enjoy and benefit from as this program makes their lives much easier.
- It was generally felt that the issue of the deployment of the joint press release, irrespective of who/what/when/where and how – reflects every Director and every manager at LARPD - that we basically approve of this venture – so it is disappointing that the process did not take place the way it had been originally planned. Had the press release just been from LVJUSD, the LARPD Board may have felt differently about the roll-out.
- The Board has heard from many concerned parents due to the insertion of uncertainty into their lives. Parents are very appreciative of the program.
- ESS is an important part of LARPD's revenue, so this is not just an operational issue.
- Did the LVJUSD go through an RFP or RFQ process as the result of an assessment of needs?
- How many of the six after-school childcare sites are in buildings owned by LARPD?
- Have there been discussions or preliminary plans about what happens if the pilot program is not as successful as planned?
- Many parents who attended the first Virtual Parent Information Night for LVJUSD Parents were appreciative of the additional program because they have been on a waitlist for years and/or others wanted to have different flexible options. Board members were encouraged to view the recorded meeting to get detailed information on the Right at School program and hear the concerns expressed by the community.

Chair Faltings opened public comment. There were no public comments. Chair Faltings closed the public comment period.

No Board action was taken.

**5. INFORMATIONAL ITEMS (No Action Required)**

**5.1 LARPD MASTER PROPERTY AGREEMENT**

GM Fuzie reported that LARPD has submitted its first iteration of an edited version of the Master Property Agreement to the City of Livermore (COL). A copy of the current agreement was provided to the 2021 Ad Hoc Committee members Pierpont and Furst. However, it was then pointed out to him that the original ad hoc committee was not reaffirmed for 2022. Discussion ensued and Chair Faltings announced that a new Ad Hoc Committee re: the Master Property Agreement would be established for 2022 for the purpose of monitoring the back-and-forth discussions between the COL and LARPD to provide feedback during the process and to keep it moving along. Committee members will be Directors Palajac and Furst.

**5.2 GENERAL FINANCIAL UPDATE**

BSM Schneider shared his screen and led a discussion on January financial results. He reported that aside from the anticipated Pension Obligation Bond (POB) principal payment of \$660k and a catch-up entry for \$157k to reflect revised accounting for the District's On-Bill Financing through PG&E, the District performed well versus Budget in January 2022, with a net contribution (revenue less expenses) from "business as usual" activities that is \$301k better than Budget. A similar story applies to the year-to-date results through January 2022: the net operating contribution from "business as usual" activities are \$758k better than Budget. In total through January, the net operating contribution is \$874k, which is \$1,522k better than Budget and which reflects the aforementioned favorable variance in business as usual activities, plus the \$1,223k in unbudgeted COVID relief funds from the state (booked in December), less the unbudgeted impact of OBF (\$81k) and POB debt financing (net of ACERA reductions related to the POBs) of \$379k.

The Board of Directors had no comments or questions. This was information only and no Board action was taken.

**5.3 COVID-19 PROGRAM UPDATES**

GM Fuzie reported that the lifting of the mask mandate has helped grow LARPD programs lately. He encouraged all to go to the Recreation Building around 4-5 p.m. to witness the youth running around at dance class and basketball. LARPD recreation programs are doing well in spite of COVID-19 due to its talented staff.

The Board of Directors had no comments or questions. This was information only and no Board action was taken.

**6. COMMITTEE REPORTS:**

- a) Director Boswell reported his attendance, along with Director Pierpont, at the February 22, 2022 Finance Committee meeting. The agenda was included in the Board meeting agenda packet.
- b) Chair Faltings reported her attendance, along with Director Boswell, at the February 17, 2022 Intergovernmental Liaison Committee meeting. The agenda was included in the Board meeting agenda packet.
- c) Director Palajac reported her attendance at the February 16, 2022 Program Committee meeting. The agenda was included in the Board meeting agenda packet.
- d) Director Pierpont reported his attendance at the February 15, 2022 Livermore Downtown, Inc. meeting.

**7. MATTERS INITIATED/ANNOUNCEMENTS BY THE DIRECTORS**

- a) Director Palajac announced that she attended the Alameda County Supervisor David Haubert's equine town hall on February 15, 2022. He held this to find out what kinds of issues the horse industry in Alameda County has because it is on the decline, and he would like to find out what needs to be done to remedy the situation. They are primarily looking at horse boarding facilities and/or riding academies.
- b) Director Palajac announced that she attended the Right at School presentation on February 22, 2022. That presentation from the "Virtual Parent Information Night for LVJUSD Parents" is already available on their website. She encouraged others who may be interested in what they had to say about their own program to watch the presentation: [www.rightatschool.com/district/livermore-ca](http://www.rightatschool.com/district/livermore-ca)
- c) Director Pierpont announced that the Livermore Valley Half Marathon is coming on Sunday, March 6, 2022. This is a fantastic opportunity to tour Livermore as well as LARPD's property as the course runs down Wetmore Avenue, through Sycamore Grove Park, back around from the Wetmore entrance to the Arroyo Road/Wente side, back up through Holdener Park, down towards Marina Avenue, and through the Arroyo Mocho Trail. She encouraged others to come out and support the runners and cheer people on. Livermore Downtown, Inc. is always looking for volunteers. [www.livermorevalleyhalf.com](http://www.livermorevalleyhalf.com)
- d) Chair Faltings announced that a gentleman who works at Heritage Estates asked her to relay his appreciation to the staff and volunteers at LARPD who created and delivered Valentine's Day cards for the seniors. The recipients were deeply appreciative of those wonderful cards!

**8. MATTERS INITIATED/ANNOUNCEMENTS BY THE GENERAL MANAGER**

GM Fuzie made the following announcements:

- a) The Livermore Valley Half Marathon is coming up on March 6, 2022. LARPD will receive a fee per runner because part of the course runs through Robertson Park, Sycamore Grove Park, and Holdener Park.
- b) Mary Windishar with TV30 recently interviewed LARPD's Community Services Supervisor David Weisgerber. He appeared on the "Slice of Life TV" segment and shared information about the Ravenswood Historic Site as a recreation site and a venue for events. The segment can be seen here: <https://www.tri-valleytv.org/?q=node%2F60>.
- c) Staff met with Sheila Fagliano, President of the Livermore Stockmen's Rodeo Association, and "The Dons" (Don Staysa and Don Podesta) to talk about the covered arena at Robertson Park.
- d) GM Fuzie will be meeting with Valerie Pryor, General Manager at Zone 7 Water Agency, to discuss the Patterson Ranch Trail.
- e) The Bothwell agreement with LVPAC is now on a month-to-month basis, so we are going to need to discuss what our goals and intentions are for that facility moving into the future.

**9. OPEN SESSION DISCLOSURE REGARDING CLOSED SESSION ITEMS PURSUANT TO GOVERNMENT CODE SECTION 54957.7**

District Counsel Rod Attebery announced the Board would adjourn to Closed Session pursuant to Item 10.1 listed below. Open Session was adjourned at 8:36 p.m.

**10. CLOSED SESSION**

**10.1 CONFERENCE WITH LABOR NEGOTIATOR**

Pursuant to Government Code Section 54957.6

Agency Designated Representative: Rod A. Attebery/Maryalice Faltings

Unrepresented Employee: General Manager

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

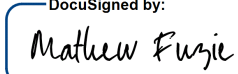
The Board came out of Closed Session at 9:05 p.m. and District Legal Counsel Rod Attebery announced that no reportable action had been taken in Closed Session.

**12. ADJOURNMENT:** The meeting was adjourned at 9:06 p.m.

APPROVED,

DocuSigned by:  
  
Maryalice Summers Faltings  
Chair, Board of Directors

ATTEST:

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

/ lvb