



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, OCTOBER 30, 2019**

7:00 P.M.

ROBERT LIVERMORE COMMUNITY CENTER  
4444 EAST AVENUE, LIVERMORE, CALIFORNIA

DIRECTORS PRESENT: Directors Faltings, Pierpont, Wilson, and Vice Chair Palajac

DIRECTORS ABSENT: Chair Furst

STAFF MEMBERS PRESENT: Mathew Fuzie, Alexandra Ikeda, Jill Kirk, Jeffrey Schneider, Patricia Lord, Michelle Newbould, Linda VanBuskirk, Rod Attebery, Andy Pinasco

1. **CALL TO ORDER – ROLL CALL – PLEDGE OF ALLEGIANCE:**  
Vice Chair Palajac called the meeting to order at 7:02 p.m. All Directors were present, except Chair Furst. Vice Chair Palajac led the Pledge of Allegiance.
2. **PUBLIC COMMENT:**  
Mr. Mike Ralph addressed the Board on behalf of a local bike park group. He presented a status update on the group's progress over the last month to secure funding through a partnership with a 501(c) (3) called the Bay Area BMXers. They have completed a grant application through People for Bikes that funds pump tracks and bike parks. Part of their strategy to raise \$25,000 to build the bike park includes grants, donations, crowd sourcing and events. The first fund raiser is scheduled for December. He said they are looking forward to a groundbreaking in late spring. He thanked Vice Chair Palajac for the letter of recommendation, and thanked the Board for their time.

**3. CONSENT ITEMS**

**3.1 Approval of the Minutes of the Regular Board Meeting of October 10, 2019**

**3.2 Approval of Amendment to General Manager Employment Contract**

District Counsel, Rod Attebery, stated that over the last several months the District has been conducting a General Manager evaluation as well as negotiation and discussion regarding compensation. A revised compensation agreement was included in the Board packet. It has been reviewed with the Board Chair and Vice Chair as well as the General Manager, and staff recommends approval.

Vice Chair Palajac opened public comment. No comments were received.  
Closed public comment.

Moved by Director Wilson, seconded by Director Pierpont, approved the Consent Agenda, by the following voice vote:

AYES:	<i>Directors Faltings, Pierpont, Wilson, and Vice Chair Palajac</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>Chair Furst</i>

**4. DISCUSSION AND ACTION ITEMS**

**4.1 INSTALLATION OF ADDITIONAL BALLFIELDS AT ROBERT LIVERMORE PARK**

Vice Chair Palajac stated the Board would consider approving the installation of two additional ballfields with improvements to the site, turf and irrigation system at Robert Livermore Park.

GM Fuzie presented the staff report, and added that this item was presented to both the Finance Committee on October 16<sup>th</sup> and the Facilities Committee on October 17<sup>th</sup>. Both committees supported the project and recommend approval. He stated that this project stems from a community outreach from Livermore Little League to LARPD. They have asked that LARPD partner with them to add two additional ball fields here at Robert Livermore Park. Staff recommends that the Board approve this as a project, with funding coming from reserves generated last year.

Director questions/comments included: Clarification that the fiscal impact is estimated at not-to-exceed \$600K.

Vice Chair Palajac opened public comment. Mr. Matt Ford spoke on behalf of Livermore Little League. Four board members from Livermore Little League were also present in the audience. Mr. Ford emphasized their willingness to attend the LARPD board meeting during Game 7 of the World Series to stress the importance of this project! He expressed appreciation for the collective efforts of LARPD and Livermore Little League thus far, and stated that it is critical

to their members and to the ongoing livelihood of the non-profit Livermore Little League organization. He strongly encouraged the Board to approve the project. Vice Chair Palajac closed public comment.

Moved by Director Faltings, seconded by Director Pierpont, approved the installation of two additional ballfields with improvements to the site, turf and irrigation system at Robert Livermore Park, by the following voice vote:

AYES:	<i>Directors Faltings, Pierpont, Wilson, Vice Chair Palajac</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>Chair Furst</i>

#### **4.2 ESS BUILDINGS AT JOE MICHELL SCHOOL**

Vice Chair Palajac stated the Board would consider approving the replacement of two ESS buildings at Joe Michell K-8 School. (Motion)

GM Fuzie reported that the Livermore Valley Joint Unified School District (LVJUSD) has been performing a lot of construction work/bond work on the schools. Joe Michell School plans conflict with placement of LARPD's ESS buildings. Because of the way the ESS buildings were placed and because of the type of buildings they are, they will not meet Office of the State Architect approval, thereby putting the entire project at risk. At the committee level, LARPD staff recommended setting aside an amount not-to-exceed \$1.5M to address the need for new buildings at Joe Michell School to accomplish two things: make the project compliant with the Office of the State Architect, and construction of new buildings at the site will allow LARPD to increase capacity, which is desperately needed for programs in the community. LVJUSD intends to be the project manager and to do the underground work. Staff requests that the Board move to set aside \$1.5M for this project.

Vice Chair Palajac opened public comment. No comments were received. Closed public comment.

Moved by Director Wilson, seconded by Director Faltings, approved the replacement of two ESS buildings at Joe Michell K-8 School, by the following voice vote:

AYES:	<i>Directors Faltings, Pierpont, Wilson, Vice Chair Palajac</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>Chair Furst</i>

#### **4.3 CONSIDER BID PROTEST AND AWARD CONTRACT – SUNSET PARK PLAYGROUND, CIP PROJECT NO. 719**

Vice Chair Palajac stated the Board would consider the bid protest filed by Green Valley Landscape, and accepting the bid and awarding the contract for the construction of the Sunset Park Playground, CIP Project No. 719.

AGM Lord presented the staff report, beginning with a brief background on the Board's approval of the concept plan for the Sunset Park Playground, and later approval to have RRM Design Group proceed with Plans and Specifications. Authorization was given to go out to bid for the construction of the Sunset Park Playground. AGM Lord introduced Andy Pinasco, Legal Counsel, Michelle Newbould, CIP Administrative Aide, and Jeffrey Schneider, Administrative Services Manager, all here to provide additional details and/or respond to Board questions/comments.

AGM Lord reported that on October 1, 2019, LARPD received a total of seven bids. The District also received one bid protest from Green Valley Landscape, the second lowest bidder. After review by legal counsel, it was determined that the bid protest lacked merit. The seven bids have been analyzed by the City of Livermore, resulting in the lowest responsible bid recommended to go to GoodLand Landscape Construction. Bids ranged from \$870,524.00 to \$1,373,827.70. GoodLand Landscape Construction meets all criteria for the lowest responsible bidder. Staff recommends the Board reject the Green Valley Landscape bid protest, and to accept the bid/award the contract to GoodLand Landscape Construction, Inc.

Director questions/comments included: A request for clarification regarding the process of bidders asking questions about project specifications and substitution of materials called out for in the bid documents; bids are vetted not only by District legal counsel, but also by City of Livermore Planning staff.

Vice Chair Palajac opened public comment and asked if the bid protestor was in attendance. If so, would they like to make any comment on record? No public comment was received. Closed public comment.

Board members thanked Mr. Pinasco for the explanation he gave regarding the bid protest process.

Moved by Director Pierpont, seconded by Director Faltings, adopted Resolution No. 2678, rejecting Green Valley Landscape's bid protest, accepting the bid and awarding the contract for the construction of the Sunset Park Playground, CIP Project No. 719, to GoodLand Landscape Construction, Inc. in the amount of \$870,524.00, by the following roll call vote:

AYES:	<i>Directors Pierpont, Faltings, Wilson, Vice Chair Palajac</i>
NOES:	<i>None</i>
ABSTENTIONS:	<i>None</i>
ABSENT:	<i>Chair Furst</i>

## 5. COMMITTEE REPORTS

- 1) Director Faltings reported on the October 15, 2019 Program Committee. Minutes were included in the Agenda packet.
- 2) Director Faltings reported on the October 22, 2019 LARPD Foundation meeting. Topics discussed were another potential trustee joining the Foundation, and the success their booth had in garnering interest in the Foundation at LARPD's recent Dogtoberfest event.

- 3) Director Faltings reported on the October 24, 2019 Intergovernmental Liaison Committee meeting. The agenda with items discussed was included in the Board agenda packet.
- 4) Director Pierpont reported on addition items discussed at the October 24, 2019 Intergovernmental Liaison Committee meeting.
- 5) Director Pierpont reported on the October 17, 2019 Facilities Committee meeting. Minutes were included in the Board agenda packet.
- 6) Director Wilson thanked staff for an outstanding Volunteer Appreciation Event, held on October 23, 2019. She reported that she received positive feedback on the event.
- 7) Director Wilson reported on her attendance at an environmental roundtable of Assembly member Bauer-Kahan held October 25, 2019. Many were shocked that Governor Gavin Newsom had vetoed AB 1086 regarding Tesla.
- 8) Vice Chair Palajac reported on the October 16, 2019 Finance Committee meeting. Minutes were included in the Board agenda packet.
- 9) Vice Chair Palajac reported on the October 17, 2019 Personnel Committee meeting. Minutes were included in the Board agenda packet.
- 10) Vice Chair Palajac reported on the October 15, 2019 Livermore Downtown, Inc. meeting regarding new ideas for social media and marketing and how to attract new members to the group.

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

- 1) Director Wilson asked if there is anything that LARPD can do in case of a major power outage so that we could use stored power generated by our solar array?
- 2) Director Faltings spoke on the Board's attendance at Dogtoberfest and the Livermore Pride event. She said LARPD had a booth at both events, which were very well-attended.

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

GM Fuzie made the following announcements:


- 1) He thanked the Board for approval of the consent agenda this evening.
- 2) LARPD is looking into cyber security insurance. ASM Schneider has been doing a good job in leading this effort.
- 3) In response to Director Wilson's matter initiated regarding use of power generated by the solar array, GM Fuzie stated it is very expensive in order to maintain a bank of very large batteries on site. If the Board is interested in this, it can be placed on the CIP prioritization.
- 4) There has been a change in the law regarding independent contractors. Based on discussions with CAPRI, we expect that within the next cycle, our independent contractors who are working off-site will be affected by the new law.

**8. ADJOURNMENT:** The meeting was adjourned at 7:31p.m.

APPROVED,

  
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Jan Palajac  
Vice Chair, Board of Directors

ATTEST:

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